Senate amendment No. 123 by Mr. GRAVEL; that it may be made the pending business, with the understanding that time will not begin to run thereon until it is laid before the Senate by the Chair tomorrow morning at 10:30 o'clock.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read the amendment (No. 123) as follows:

On page 21, lines 21 and 22, and on page 22, line 20 strike out the words "whether or not a state of war exists" and in both places insert in lieu thereof "when a state of war declared by the Congress exists".

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 a.m.

Following the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to extend beyond 10:30 a.m.

At 10:30 a.m. the Chair will lay before the Senate the pending amendment, which is amendment No. 123 by Mr. Gravel. Time on the Gravel amendment No. 123 will be limited to 2 hours. The yeas and nays have been ordered on that amendment.

Upon the disposition of the Gravel amendment No. 123, the Senate will proceed to the consideration of amendment No. 137, the mover of which is Mr. HATFIELD. An agreement has been entered into limiting the time thereon to 1 hour. The yeas and nays have been ordered thereon, and that will be the second rollcall vote for tomorrow.

Upon the disposition of the Hatfield amendment No. 137, the Senate will proceed to the consideration of amendment No. 150 by Mr. GRAVEL. An agreement has been entered into limiting the time thereon to 1 hour. A rollcall vote thereon is likely.

Upon the disposition of amendment No. 150 by Mr. GRAVEL, the Chair will lay before the Senate, under the agreement already entered into, amendment No. 127 by Mr. HATFIELD, which will be made the pending business for Monday next.

The Pastore germaneness rule has been waived for tomorrow.

When the Senate completes its business tomorrow, under the previous order—which, of course, is subject to change—it will stand in adjournment until 11 a.m. on Monday next.

ADJOURNMENT UNTIL 10 A.M.

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p.m.) the Senate adjourned until tomorrow, Friday, June 18, 1971, at 10 a.m.

NOMINATION

Executive nomination received by the Senate June 17, 1971:

U.S. DISTRICT COURTS

Aldon J. Anderson, of Utah, to be a U.S district judge for the district of Utah, vice A. Sherman Christensen, retiring.

CONFIRMATION

Executive nominations confirmed by Senate June 17, 1971:

SECURITIES AND EXCHANGE COMMISSION

A. Sydney Herlong, Jr., of Florida, to be a member of the Securities and Exchange Commission for the term of 5 years expiring June 5, 1976.

COUNCIL OF ECONOMIC ADVISERS

Ezra Solomon, of California, to be a member of the Council of Economic Advisers.

HOUSE OF REPRESENTATIVES—*Thursday, June 17, 1971*

The House met at 11 o'clock a.m.

Rabbi Chaim U. Lipschitz, managing editor, the Jewish Press, Brooklyn, N.Y., offered the following prayer:

Our G-d, and G-d of our Fathers, reign Thou in Thy glory over the whole universe, and be exalted, above all in Thy honor.

Shine forth in the splendor and excellence of Thy might upon all the inhabitants of Thy world.

All who were created will understand that Thou hast created them. Let all those who breathe, call out, "The L-rd our G-d ruleth over all." Satisfy us with and gladden us with Thy salvation.

May G-d bless this country so that it should continue to prosper in the path of true democracy. 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. 904. An act to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases.

RABBI DR. CHAIM U. LIPSCHITZ

(Mr. ROONEY of New York asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROONEY of New York. Mr. Speaker, it is indeed an honor and privilege to welcome Rabbi Dr. Chaim U. Lipschitz and to thank him for the moving prayer with which he opened today's session of the House of Representatives. I have known Rabbi Lipschitz for the many years that he has been a leader in Brooklyn's Jewish Community. Rabbi Lipschitz was born in Jerusalem, the son of Grand Rabbi Moses Lipschitz. After completing his studies in Israel he served with the American Consul General in Israel starting in 1936. Two years later he came to this country and the Congregation Chevra Machzikai Hadaath in Philadelphia. In 1951, he came to lead the Ohev Sholom congregation in Brooklyn. He is a charter member and a member of the Presidium of the Metropolitan Orthodox Board of Rabbis. And he is many things more; author, editor, newspaperman, and originator of radio and television programs concerned with the way of life of American Jewry. He is an activist in the finest sense of the word in the fields of human rights, education, antidiscrimination, and health care. He is a cultured, humane, hard-working man of God who has spent his life helping his fellow man. And we are indeed gratified that he is with us here this morning.

EMERGENCY INDEMNITY PAYMENTS TO FARMERS

(Mr. DAVIS of South Carolina asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DAVIS of South Carolina. Mr. Speaker, yesterday I, along with the esteemed gentleman from South Carolina (Mr. MCMILLAN), introduced the bill H.R. 9205. This bill would provide emergency indemnity payments to any farmers who suffer total economic loss as the result of a natural disaster.

The need for this legislation was brought home to me last week when a severe hailstorm struck my district, wiping out numbers of tomato and cucumber farmers just as they were ready to pick their crops.

Now, these men cannot be helped by emergency loans. Only last year they were nearly destroyed by a drought and have borrowed to the limits of their credit. Unless they are helped by indemnity payments they—and all those dependent on them for jobs and business—will be ruined.

Rather than introduce a private relief measure, we have introduced general legislation. I am sure that Charleston County is not unique. Other farmers are being ruined by similar catastrophes. If we are to preserve our farms, this body must take some action to protect our farmers from such natural disasters. I hope my colleagues will give this their consideration.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

DISCLOSURES OF MATERIAL ON THE VIETNAM WAR

(Mr. CARTER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, I was amazed to read in the Washington Post this morning the feature story whose headlines read, "He didn't lie."

Mr. Speaker, I have no knowledge of anyone's calling this distinguished gentleman a liar or stating that he did lie. However, the cloud overhanging the recent disclosures of the New York Times probably dictated the denial.

Mr. Speaker, I am reminded of the quotation, "The wicked flee when no man pursueth: but the righteous are as bold as the lion."

Mr. Speaker, it seems to me the basis of the reassessment of the causes of the war in Vietnam by Mr. McNamara was that this genius of Edsel fame lost track of the causes and the course of this awful war.

It seems to me that even the people who are the architects of the war in Vietnam forgot why they were there and why it was started. This necessitated the study of why the war was begun and the history of the Vietnam war following.

The conduct of this war from beginning to end causes us again to think, "Oh, what a tangled web we weave, when first we practice to deceive."

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT UNTIL MIDNIGHT TOMORROW

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a privileged report on the bill making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

Mr. ANDREWS of North Dakota reserved all points of order on the bill.

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

There was no objection.

MEMBERS OF CONGRESS SHOULD BE FULLY INFORMED WITH RESPECT TO OUR CONTINUING INVOLVEMENT IN VIETNAM

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

Mr. McCLOSKEY. As I stated yesterday, I believe we in the House owe a special obligation to the Constitution, to our constituents and to ourselves to be fully informed on all aspects of any matter on which we vote.

This is particularly true with respect to our continuing involvement in Vietnam.

We are not so informed today. The Department of Defense has refused, and continues to refuse congressional requests for pertinent information on Vietnam and Laos, and in particular, with respect to the Defense Department's Vietnam task force study completed in 1968.

Until we have access to such study and any and all other facts relative to Southeast Asia, we cannot vote wisely and in good conscience. Most important of all, we cannot perform the responsibilities of our oath of office as Members of the House.

I, therefore, move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from California (Mr. McCLOSKEY).

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. McCLOSKEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 30, nays 369, answered "present" 2, not voting 32, as follows:

[Roll No. 141]

YEAS—30

Abzug	Harrington	Rangel
Bingham	Hawkins	Rees
Burton	Hechler, W. Va.	Reid, N.Y.
Chisholm	Jacobs	Riegle
Collins, Ill.	Koch	Rosenthal
Conyers	Link	Roybal
Dellums	McCloskey	Ryan
Edwards, Calif.	Metcalfe	Stokes
Gibbons	Mitchell	Waldie
Halpern	Morse	Wolff

NAYS—369

Abbitt	Burke, Mass.	Eckhardt
Abernethy	Burleson, Tex.	Edmondson
Abourezk	Burlison, Mo.	Edwards, Ala.
Adams	Byrnes, Wis.	Eilberg
Addabbo	Byron	Erlenborn
Alexander	Caffery	Esch
Anderson, Calif.	Camp	Eshleman
Anderson, Ill.	Carey, N.Y.	Evans, Colo.
Anderson, Tenn.	Carney	Evins, Tenn.
Andrews, Ala.	Carter	Fascell
Andrews, N. Dak.	Casey, Tex.	Findley
Annunzio	Cederberg	Fish
Archer	Celler	Fisher
Arends	Chamberlain	Flood
Ashbrook	Chappell	Flowers
Ashley	Clancy	Flynt
Aspin	Clark	Foley
Aspinall	Clausen, Don H.	Ford, Gerald R.
Badillo	Clawson, Del	Forsythe
Baker	Cleveland	Fountain
Baring	Collier	Frelinghuysen
Barrett	Collins, Tex.	Frenzel
Begich	Colmer	Frey
Belcher	Conable	Fulton, Pa.
Bell	Conte	Fulton, Tenn.
Bennett	Corman	Fuqua
Bergland	Cotter	Galifianakis
Betts	Coughlin	Garmatz
Bevill	Culver	Gaydos
Biester	Daniel, Va.	Gettys
Blackburn	Daniels, N.J.	Giaimo
Blanton	Danielson	Goldwater
Blatnik	Davis, Ga.	Gonzalez
Boggs	Davis, S.C.	Goodling
Boland	Davis, Wis.	Green, Oreg.
Bolling	de la Garza	Green, Pa.
Bow	Delaney	Griffin
Brademas	Dellenback	Griffiths
Brasco	Denholm	Gross
Bray	Dennis	Grover
Brinkley	Derwinski	Gubser
Brooks	Devine	Gude
Broomfield	Dickinson	Hagan
Brotzman	Diggs	Haley
Brown, Mich.	Dingell	Hall
Brown, Ohio	Dow	Hamilton
Broyhill, N.C.	Dowdy	Hammer-schmidt
Broyhill, Va.	Downing	Hanley
Buchanan	Dulski	Hanna
Burke, Fla.	Duncan	Hansen, Idaho
	du Pont	Hansen, Wash.
	Dwyer	Harsha
	Harvey	Miller, Calif.
	Hastings	Miller, Ohio
	Hathaway	Mills, Ark.
	Hays	Mills, Md.
	Hébert	Minish
	Heckler, Mass.	Mink
	Henderson	Minshall
	Hicks, Mass.	Mizell
	Hicks, Wash.	Mollohan
	Hillis	Monagan
	Hogan	Montgomery
	Holifield	Moorhead
	Horton	Morgan
	Howard	Mosher
	Hull	Moss
	Hungate	Murphy, Ill.
	Hunt	Murphy, N.Y.
	Hutchinson	Myers
	Ichord	Natcher
	Jarman	Nedzi
	Johnson, Calif.	Nelsen
	Johnson, Pa.	Nichols
	Jonas	Nix
	Jones, Ala.	Obey
	Jones, N.C.	O'Hara
	Jones, Tenn.	O'Konski
	Karth	O'Neill
	Kastenmeier	Passman
	Kazen	Patman
	Keating	Patten
	Kee	Pepper
	Kemp	Perkins
	King	Pettis
	Kluczynski	Peyser
	Kuykendall	Pickle
	Kyl	Pike
	Kyros	Pirnie
	Landgrebe	Poage
	Landrum	Podell
	Latta	Poff
	Lennon	Powell
	Lent	Preyer, N.C.
	Lloyd	Price, Ill.
	Long, Md.	Price, Tex.
	Lujan	Pryor, Ark.
	McClory	Pucinski
	McClure	Purcell
	McCollister	Quie
	McCormack	Railsback
	McDade	Randall
	McDonald, Mich.	Rarick
	McEwen	Reid, Ill.
	McFall	Reuss
	McKay	Rhodes
	McKevitt	Roberts
	McKinney	Robinson, Va.
	McMillan	Robison, N.Y.
	Macdonald, Mass.	Rodino
	Madden	Roe
	Mahon	Rogers
	Mailliard	Roncalio
	Mann	Rooney, N.Y.
	Martin	Rooney, Pa.
	Mathis, Ga.	Rostenkowski
	Matsunaga	Roush
	Mayne	Rousselot
	Mazzoli	Roy
	Meeds	Ruth
	Melcher	St Germain
	Michel	Sandman
	Mikva	Satterfield
		Saylor
		Scheuer
		Schmitz
		Schneebeli
		Schwengel
		Scott
		Sebelius
		Seiberling
		Shipley
		Shoup
		Shriver
		Sikes
		Sisk
		Skubitz
		Smith, Calif.
		Smith, Iowa
		Snyder
		Spence
		Springer
		Stafford
		Stanton, J. William
		Stanton, James V.
		Steed
		Steele
		Steiger, Ariz.
		Steiger, Wis.
		Stephens
		Stratton
		Stubblefield
		Stuckey
		Sullivan
		Symington
		Talcott
		Taylor
		Teague, Calif.
		Teague, Tex.
		Terry
		Thompson, N.J.
		Thomson, Wis.
		Thone
		Tiernan
		Udall
		Ullman
		Van Deerlin
		Vander Jagt
		Vanik
		Vigorito
		Waggonner
		Wampler
		Ware
		Watts
		Whalen
		Whalley
		White
		Whitehurst
		Whitten
		Widnall
		Wiggins
		Williams
		Wilson, Bob
		Winn
		Wright
		Wyatt
		Wydler
		Wylie
		Wyman
		Yates
		Yatron
		Young, Fla.
		Young, Tex.
		Zablocki
		Zion
		Zwach

ANSWERED "PRESENT"—2

Drinan	Leggett

NOT VOTING—32

Biaggi	Gallagher	Ruppe
Byrne, Pa.	Grasso	Sarbanes
Cabell	Gray	Scherle
Clay	Helstoski	Slack
Crane	Hosmer	Smith, N.Y.
Dent	Keith	Staggers
Donohue	Long, La.	Thompson, Ga.
Dorn	McCulloch	Veysey
Edwards, La.	Mathias, Calif.	Wilson, Charles H.
Ford, William D.	Pelly	
Fraser	Quillen	
	Runnels	

So the motion was rejected.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leomar, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and

a joint resolution of the House of the following titles:

On June 2, 1971:

H.R. 4209. An act to amend the Revised Organic Act of the Virgin Islands.

On June 4, 1971:

H.R. 5765. An act to extend for 6 months the time for filing the comprehensive report of the Commission on the Organization of the Government of the District of Columbia; and

H.J. Res. 583. Joint resolution designating the last full week in July of 1971 as "National Star Route Mail Carriers Week."

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT UNTIL MIDNIGHT TOMORROW

Mr. STEED. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a privileged report on the bill making appropriations for Treasury-Postal Service-General Government for the fiscal year ending June 30, 1972, and for other purposes.

Mr. ROBISON of New York reserved all points of order on the bill.

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

There was no objection.

SCHEDULE ON APPROPRIATION BILLS

(Mr. MAHON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MAHON. Mr. Speaker, I wish to alert all Members that on tomorrow, June 18, the Committee on Appropriations is meeting to consider and report two major appropriation bills:

First, the Agriculture-environmental and consumer protection programs appropriation bill for 1972, and

Second, the Treasury-Postal Service-General Government appropriation bill for 1972.

Copies of the printed hearings have been released over a period of time and are available in the committee rooms, H–218 in the Capitol.

Copies of the bills and reports will be available tomorrow in the committee rooms as soon as the bills are reported. We plan to meet in the morning on the Agriculture-environmental and consumer protection bill, so I would say they should be available during the noon hour.

The Treasury-Postal Service-General Government bill and the report thereon should be available later tomorrow afternoon.

Mr. Speaker, the exact floor schedule for these bills will of course be announced by the leadership.

Looking to next week, Mr. Speaker, the committee is scheduled to report three more major appropriation bills:

First. On Monday next, June 21, we are meeting to consider and report the State-Justice-Commerce-Judiciary bill for 1972. Hearings on this bill are available in the committee rooms, and the bill and report will be available probably by about the noon hour on Monday.

Second. Then on Wednesday, June 23, we are meeting to consider and report the appropriation bill for the Department of Housing and Urban Development, the Space agency, Science Foundation, and Veterans Administration for 1972.

Third. And on Thursday, June 24, we expect to report the Interior appropriation bill for 1972.

Printed hearings on the Interior bill are available. Some of those on the HUD-space-science-veterans bill are available; others will be available shortly. Bills and reports will be available at the committee rooms as soon as they are reported.

The floor schedule for these bills will also be arranged in cooperation with the leadership but I can say we hope to pass all of them in the House by June 30.

Since most of the bills will not be enacted into law by July 1, the beginning of the new fiscal year, we will also need to bring in a continuing resolution several days before the beginning of the new fiscal year.

I might add, Mr. Speaker, that we would expect to be able to report the Transportation appropriation bill right after the July 4 break. Other bills will be coming along during July as they are ready, provided there are no major authorization hang-ups. Our goal is still to get all the regular appropriation bills for fiscal 1972 to the House before the August 6 summer break.

TRUTH HURTS

(Mr. JACOBS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. JACOBS. Mr. Speaker, more data from the administration's "department of truth hurts" has arrived at my office in a plain brown wrapper, to wit:

Once upon another time—and yet the same Times—a little girl and her dog visited a wonderful Wizard, oddly enough.

Because, because, because, because—well, er—because of the wonderful things his fifty P.R. men said he does.

But her puppy was a doubting dog—your incredulous canine.

And the Wizard, because of a gap in the curtain, feared it was about to be curtains, credibility-wise.

So he huffed and he puffed and he fussed and he fumed, "restrain your dog while in this room."

And all this just so the Wizard might live happily ever after.

NEDZI-WHALEN AMENDMENT NOT IN THE BEST INTERESTS OF OUR COUNTRY

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

Mr. LUJAN. Mr. Speaker, there has been great interest in this country regarding the Nedzi-Whalen amendment because the sponsors have claimed that it will end the war on December 31, 1971. In doing an in depth study, I find that what it says, in effect, is that no equipment purchased under this authorization will be used by our troops in South Vietnam, Cambodia, or Laos.

Mr. Speaker, before any of this equipment would be available, several years will have passed. This is an authorization bill. Next, money will have to be appropriated. After that, orders would have to be placed and contracts negotiated. Then equipment would have to be manufactured. I do not anticipate that we will be in Vietnam at that time; therefore, of what value is this amendment, other than political propaganda?

Because of this, I have come to the conclusion that it is not in the best interests of our country for me to support this amendment.

APPOINTMENT OF CONFEREES ON H.R. 7016, OFFICE OF EDUCATION AND RELATED AGENCIES APPROPRIATIONS, 1972

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FLOOD moves to take from the Speaker's table the bill (H.R. 7016) making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes, with the Senate amendments thereto, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Pennsylvania is recognized for 1 hour.

Mr. FLOOD. Mr. Speaker, on April 7, the House passed the education appropriation bill, and it passed the Senate last week. The Senate and House bills are about $815 million apart. We intend to go to conference and, very frankly, work out a compromise which will provide a very substantial increase over last year's appropriations for educational purposes, and bring back to you a bill which we believe can become law by the beginning of the fiscal year 1972, July 1.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

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

The motion was agreed to.

Th SPEAKER. For what purpose does the gentleman from Maine rise?

MOTION OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HATHAWAY moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill, H.R. 7016, be instructed to agree to all the Senate amendments.

PREFERENTIAL MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. FLOOD of Pennsylvania moves to lay on the table the motion of the gentleman from Maine, Mr. HATHAWAY.

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

Mr. HATHAWAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 228, nays 182, answered "present" 1, not voting 22, as follows:

[Roll No. 142]

YEAS—228

Abbitt	Frenzel	Passman
Abernethy	Frey	Patten
Alexander	Fuqua	Pettis
Anderson, Ill.	Giaimo	Peyser
Andrews, Ala.	Goldwater	Pickle
Andrews, N. Dak.	Goodling	Pike
	Green, Oreg.	Pirnie
Annunzio	Griffin	Poage
Archer	Gross	Poff
Arends	Grover	Powell
Ashbrook	Gubser	Price, Tex.
Aspinall	Haley	Quie
Baker	Hall	Quillen
Baring	Hammer-schmidt	Railsback
Belcher		Rarick
Bennett	Hansen, Idaho	Reid, Ill.
Betts	Hansen, Wash.	Rhodes
Blackburn	Harsha	Roberts
Boland	Harvey	Robinson, Va.
Bow	Hastings	Robison, N.Y.
Bray	Hébert	Rogers
Broomfield	Henderson	Rooney, N.Y.
Brotzman	Hillis	Rooney, Pa.
Brown, Ohio	Hogan	Ruth
Broyhill, N.C.	Holifield	Sandman
Broyhill, Va.	Hosmer	Satterfield
Buchanan	Hull	Saylor
Burke, Fla.	Hunt	Schmitz
Burleson, Tex.	Hutchinson	Schneebeli
Burlison, Mo.	Ichord	Schwengel
Byrnes, Wis.	Jarman	Scott
Cabell	Johnson, Pa.	Sebelius
Caffery	Jonas	Shoup
Camp	Jones, Ala.	Shriver
Carter	Jones, N.C.	Sikes
Casey, Tex.	Jones, Tenn.	Skubitz
Cederberg	Keating	Slack
Chamberlain	Kee	Smith, Calif.
Chappell	Keith	Smith, Iowa
Clancy	Kemp	Smith, N.Y.
Clausen, Don H.	King	Snyder
	Kuykendall	Spence
Clawson, Del	Kyl	Springer
Cleveland	Landgrebe	Stafford
Collier	Landrum	Stanton, J. William
Collins, Tex.	Latta	
Colmer	Lennon	Steed
Conable	Lent	Steele
Conte	Lloyd	Steiger, Ariz.
Coughlin	Lujan	Steiger, Wis.
Crane	McClory	Stubblefield
Daniel, Va.	McCloskey	Talcott
Davis, Ga.	McClure	Teague, Calif.
Davis, Wis.	McCollister	Teague, Tex.
Dellenback	McDade	Terry
Dennis	McEwen	Thompson, Ga.
Derwinski	McFall	Thomson, Wis.
Devine	McKevitt	Thone
Dickinson	McKinney	Waggonner
Downing	McMillan	Wampler
Duncan	Mahon	Ware
du Pont	Mailliard	Watts
Dwyer	Mann	Whalley
Edwards, Ala.	Martin	Whitten
Erlenborn	Mayne	Widnall
Eshleman	Michel	Wiggins
Evins, Tenn.	Miller, Ohio	Williams
Fascell	Mills, Ark.	Wilson, Bob
Findley	Mills, Md.	Winn
Fish	Minshall	Wydler
Fisher	Mizell	Wylie
Flood	Monagan	Wyman
Flowers	Montgomery	Young, Fla.
Flynt	Morse	Zablocki
Ford, Gerald R.	Myers	Zion
Forsythe	Natcher	Zwach
Fountain	Nelsen	
Frelinghuysen	O'Konski	

NAYS—182

Abourezk	Barrett	Brademas
Abzug	Begich	Brasco
Adams	Bell	Brinkley
Addabbo	Bergland	Brooks
Anderson, Calif.	Bevill	Brown, Mich.
	Biester	Burke, Mass.
Anderson, Tenn.	Bingham	Burton
	Blanton	Byrne, Pa.
Ashley	Blatnik	Byron
Aspin	Boggs	Carey, N.Y.
Badillo	Bolling	Carney
Celler	Heckler, Mass.	Preyer, N.C.
Chisholm	Hicks, Mass.	Price, Ill.
Clark	Hicks, Wash.	Pryor, Ark.
Clay	Horton	Pucinski
Collins, Ill.	Howard	Purcell
Conyers	Hungate	Randall
Corman	Jacobs	Rangel
Cotter	Johnson, Calif.	Rees
Culver	Karth	Reid, N.Y.
Daniels, N.J.	Kastenmeier	Reuss
Danielson	Kazen	Riegle
Davis, S.C.	Kluczynski	Rodino
de la Garza	Koch	Roe
Delaney	Kyros	Roncalio
Dellums	Leggett	Rosenthal
Denholm	Link	Rostenkowski
Diggs	Long, Md.	Roush
Dingell	McCormack	Roy
Dow	McDonald, Mich.	Roybal
Drinan		Ryan
Dulski	McKay	St Germain
Eckhardt	Macdonald, Mass.	Sarbanes
Edmondson		Scheuer
Edwards, Calif.	Madden	Seiberling
Eilberg	Mathis, Ga.	Shipley
Esch	Matsunaga	Sisk
Evans, Colo.	Mazzoli	Stanton, James V.
Ford, William D.	Meeds	
	Melcher	Stephens
Fraser	Metcalfe	Stokes
Fulton, Pa.	Mikva	Stratton
Fulton, Tenn.	Miller, Calif.	Stuckey
Galifianakis	Minish	Sullivan
Gallagher	Mink	Symington
Garmatz	Mitchell	Taylor
Gaydos	Mollohan	Thompson, N.J.
Gettys	Moorhead	Tiernan
Gibbons	Morgan	Udall
Gonzalez	Mosher	Ullman
Green, Pa.	Moss	Van Deerlin
Griffiths	Murphy, Ill.	Vander Jagt
Gude	Murphy, N.Y.	Vanik
Hagan	Nedzi	Vigorito
Halpern	Nichols	Waldie
Hamilton	Nix	Whalen
Hanley	Obey	White
Hanna	O'Hara	Whitehurst
Harrington	O'Neill	Wolff
Hathaway	Patman	Yates
Hawkins	Pepper	Yatron
Hays	Perkins	Young, Tex.
Hechler, W. Va.	Podell	

ANSWERED "PRESENT"—1

Rousselot

NOT VOTING—22

Biaggi	Gray	Scherle
Dent	Helstoski	Staggers
Donohue	Long, La.	Veysey
Dorn	McCulloch	Wilson, Charles H.
Dowdy	Mathias, Calif.	
Edwards, La.	Pelly	Wright
Foley	Runnels	Wyatt
Grasso	Ruppe	

So the preferential motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. PELLY for, with Mr. DENT against.

Mr. SCHERLE for, with Mr. CHARLES H. WILSON against.

Mr. RUPPE for, with Mr. FOLEY against.

Mr. VEYSEY for, with Mrs. GRASSO against.

Mr. MATHIAS for, with Mr. DONOHUE against.

Mr. WYATT for, with Mr. BIAGGI against.

Mr. DOWDY for, with Mr. STAGGERS against.

Until further notice:

Mr. WRIGHT with Mr. HELSTOSKI.

Mr. GRAY with Mr. RUNNELS.

Mr. DORN with Mr. EDWARDS of Louisiana.

Mr. MURPHY of New York and Mr. RANDALL changed their votes from "yea" to "nay."

Mr. PICKLE, Mr. COLLINS of Texas, Mr. POWELL, and Mr. BOB WILSON changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. FLOOD, NATCHER, SMITH of Iowa, HULL, CASEY of Texas, PATTEN, MAHON, MICHEL, SHRIVER, Mrs. REID of Illinois, and Messrs. CONTE and BOW.

EXPLANATION OF VOTE ON TABLING MOTION

Mr. RANDALL. Mr. Speaker, I call attention to the fact that on the rollcall vote to table the motion to instruct the conferees on H.R. 7016 pertaining to the conference report making appropriations for the Office of Education I voted to table this motion and subsequently changed my vote from aye to nay.

I insert this explanation at this time because as well as I can recall this is the first time in my 13 years here that I have changed my vote in the well. In hurriedly discussing the provisions of the conference report with one of the committee staff I understood correctly that the motion of the gentleman from Maine (Mr. HATHAWAY) was to instruct the conferees to accept the Senate version on appropriations for the Office of Education.

What I did not understand was that the motion of the gentleman from Maine to instruct the conferees was substantially identical to the "Hathaway package" which I had supported in April and which failed back on April 7 by four votes. The reason I changed my vote was because if I was to be consistent by supporting the Hathaway package last April then I should support the Hathaway motion to instruct the conferees.

Ordinarily, I am not constrained to tie the hands of our conferees. On the other hand as I have said so many times I find it most difficult to vote against increased appropriations for purposes of education. After provision for our national security, and then funds for medical research, the appropriations for education comes very near the top of my list of priorities for appropriations.

I was disappointed to learn that there was no additional funding provided for category A and B children in the appropriations for Public Law 874, being assistance for federally impacted areas. At the present time even with the additions added earlier by the House there is only a 73 percent entitlement for category B children, being the children of parents who work on Federal property but live in the community, and only a 90 percent entitlement for category A children being the children of parents who both live and work on Federal property and are thus a direct burden on school districts by reason of Federal activity.

I was also disappointed to note that the sole increase of $60 million for Public Law 874 instead of going to category A and B children was instead an appropriation for category C children to provide payments to school districts of children who reside in public housing. That was never the intent at the inception of Public Law 874. This appropriations bill apparently breaches the barrier against such category C children which we have always been able to maintain heretofore. However, it was encouraging to note that the other category of assistance for federally impacted areas, being Public Law 815, or assistance in school construction was increased by approximately $25 mil-

lion which is sorely needed for brick and mortar by those school districts that have to carry the load of category A and B children.

Overall, Mr. Speaker, a no vote being against the motion to table the motion to instruct the conferees is a vote for increased funding for a better education of the children of our country and at the expense of being repetitive such appropriations should enjoy a high priority by all the Members of the House.

MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND RESERVE STRENGTH AUTHORIZATIONS, 1971

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. Before the Committee rose on yesterday it had agreed that title IV of the bill, ending on page 7, line 4, would be considered as read and open to amendment at any point. An amendment by the gentleman from Michigan (Mr. NEDZI) had been offered and read. The Clerk will rereport the amendment.

The Clerk read as follows:

Amendment offered by Mr. NEDZI:

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."

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. NEDZI) for 5 minutes in support of his amendment.

Mr. HÉBERT. Mr. Chairman, I would appreciate it if the gentleman would yield to me to make a statement at this time, and ask unanimous consent that the time consumed not be counted in the gentleman's time.

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

There was no objection.

Mr. HÉBERT. Mr. Chairman, on yesterday I informed the House as to the situation in connection with the consideration of this legislation. I wish today to again inform the House as to the status and procedure which we will follow today.

As I suggested on yesterday, there will not be any attempt on my part to cut off debate in any way whatsoever. I indicated that in my opening statement, and I repeat it now. As to the length of time we devote to the legislation, that is entirely in the hands of the Members of this body and not in my hands.

There is only one stipulation I do make, that is, this bill is going to be finished today; it is not going to go over until tomorrow. We will finish today. As to the length of time it takes today, that all depends on how many demands are made for teller votes with clerks. As you may recognize, there was much time consumed in votes yesterday, the result of which was obviously known before the vote was taken. I do not criticize those who proceeded in this manner. It is their right to know exactly how strong or how weak they are in their legislative proposals, and I will not deny them that right. However, I emphasize again we will finish this bill today. We will proceed with the amendments at the desk, and the time we leave here will depend upon you and not upon me.

Mr. HALL. Will the gentleman yield?

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

Mr. HALL. I appreciate my distinguished chairman yielding to me.

In that same vein and in the same spirit, I wish that the Committee would be on notice that there will not be a general granting of unanimous-consent requests for continued use of time and repetitive explanations of the various amendments. We all know the question and issues. Few minds will change by belaboring them with oratory, and least of all political demagoguery.

Mr. HÉBERT. Of course, it is the gentleman's right to exercise his right of objection.

Mr. HALL. I thank the gentleman for yielding to me. Under our procedures there are proper ways for adequacy.

The CHAIRMAN. The gentleman from Michigan (Mr. NEDZI) is recognized for 5 minutes in support of his amendment.

Mr. NEDZI. Mr. Chairman, I ask unanimous consent to proceed for an additional 10 minutes.

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

Mr. HALL. Mr. Chairman, I object.

Mr. NEDZI. I thank the gentleman from Missouri for his customary courtesy.

Mr. Chairman, I think it is regrettable that we have a matter that has generated so much interest and so much controversy that one is constrained to rely on the rules of the House to prevent a detailed explanation of it by someone who has been intimately involved in the process, but those are the rules.

Mr. Chairman, the war in Vietnam has torn our Nation apart for too many years.

Even in those moments when it recedes from the headlines we cannot dismiss it from our hearts and minds. It is a paramount issue, perhaps, the paramount issue.

I hope, Mr. Chairman, that we will be spared any parliamentary maneuvers which would deny us a clear-cut opportunity for a vote on the amendment I have the honor of cosponsoring. We are the people's representatives and the people deserve, at long last, to see a manifestation in this body of their deep anguish over the longest war in our Nation's history.

THE PAIN AND THE SORROW

The cost of American involvement in Vietnam is well known to all Americans in every corner of the land and of every political persuasion.

By any of several crucial measurements—the length of time we have stayed, the over 54,000 American lives lost, the money spent, the serious strains inflicted on our economy, and the diversion of our Nation's time, energy, and intellectual and moral vitality from other needs at home and abroad—we have honored our commitments well beyond what could be expected of us.

Let me add to that list two more costs: One is the recent cruel and astounding increase in heroin addiction among American servicemen in Vietnam, as our colleagues, the gentleman from Illinois (Mr. MURPHY) and the gentleman from Connecticut (Mr. STEELE), have so dramatically disclosed in their outstanding report resulting from personal investigations. Second, it must be recognized that our professional military men have been asked to plan and fight an action which is awkward as to terrain, where they are frequently confronted with a dangerous ambiguity between friendly and unfriendly forces, and where political considerations often confuse military ones. This has demeaned the military in the public mind, especially among the youth. As a believer in an effective military preparedness, I am deeply concerned that the character of this dragged-out war is weakening motivation and morale of our Armed Forces to the point where it will be difficult to respond with full effectiveness in case of serious emergency.

NO RECRIMINATIONS

I hope we can refrain from recriminations. I hope we can restrain ourselves from passing moral and political judgments on American officials who acted in what they believed to be the best interests of our Nation.

It serves no purpose to say that we must admit we were wrong in the past. I do say that whatever the facts of the past, whatever the conclusions of the past, now is another time, another mood, another set of facts. What may have been valid in the 1950's and 1960's is no longer tenable in the 1970's. This longest war has gone on too long and has cut too deeply. The burdens outweigh the benefits. Conditions have changed, and we must change.

THE NEDZI-WHALEN AMENDMENT

The amendment offered by Congressman WHALEN and myself would prohibit the expenditure of funds from this procurement authorization after December 31, 1971, to support U.S. military deployment or U.S. military operations in or over South Vietnam, North Vietnam, Cambodia, or Laos.

Let me emphasize this point: it prohibits, after December 31, expenditure of funds under this bill; that is, new money. It does not stop weaponry in the pipeline, it does not prohibit the use of equipment procured in the 6 months of the fiscal year up to December 31. And it does not mandate withdrawal.

What we sought to do was to draft this amendment so that it remained germane to the procurement bill while still maintaining an essential thrust.

This point deserves further emphasis. We are all acquainted with the House rule of germaneness. All efforts to strengthen the amendment resulted in frustration by the rules of the House. Yet, we considered it essential that the people of the United States be provided an opportunity to express their concerns over the war through their elected representatives. This accounts for the narrowness of the amendment and its vulnerability to the charge that it is a do-nothing amendment.

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

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

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

Mr. ASPIN. I shall be happy to yield to the gentleman from Michigan.

Mr. NEDZI. I thank the gentleman very much.

It has to be conceded that the bill concerns itself with mainly "long leadtime" military hardware. The acting controller of the Department of Defense has advised me that only $2.4 billion of the authorization is programed for expenditure procurement in fiscal 1972—the period ending July 1, 1972. We must concede that even this amount is in excess of what the value of the actual hardware added to the inventory will be since some of the expenditure will be on account for future deliveries. Present plans for the expenditure of the funds authorized in the bill according to the acting controller call for final expenditures to be made in fiscal 1977 which means that the real "bite" of the amendment will not come until sometime in 1973 or 1974. This, of course, creates some interesting speculations about the reasons for the frantic concerns over this amendment.

Clearly identified opponents of the measure use the familiar dodge that it is not strong enough—it does not do anything. Other opponents more honestly recognize the amendment for what it is—an expression of concern about our continued involvement in Vietnam and an endeavor on the part of the House of Representatives to share in decisions affecting our military involvements. While they regard this as the President's private preserve, which is their right, we believe an opportunity should be provided to those who disagree to do so on the record.

I indicated that some of the funds which we authorize in this bill will not be spent until fiscal 1977 and that increments of hardware in our inventory will not be significant until 1973 or 1974. Yet, we have the spectacle of strenuous lobbying in the White House and in the Halls of Congress against the amendment. One can only conclude that present White House policy does not rule out a substantial American involvement well beyond the year 1972 and I submit that there is no, I repeat no, American interest which warrants the continuing material and spiritual costs of further U.S. groping for a military solution.

Unfortunately, recent disclosures of the New York Times of the duplicity of administration actions in previous years and concerted efforts to suppress further publication are not a source of great comfort to those of us who were Members of the Congress during those critical years.

Our amendment is well within the boundaries of the statement of purpose circulated by our colleagues, Messrs. O'NEILL, ROSTENKOWSKI, CAREY, and CORMAN and within the boundaries of the statement circulated by Messrs. MOSHER, MORSE, GUDE, ESCH, and COUGHLIN.

We offer the amendment with the purpose of providing the House of Representatives with a relatively clear opportunity to express its sentiments on the question of setting a date for ending new U.S. expenditures in Vietnam. It will also be, inevitably, an expression of interest in setting a date certain for withdrawal of all U.S. troops from Vietnam, Cambodia, and Laos.

Our amendment is introduced in the hope that it will serve to facilitate the early release of our prisoners of war, the safe withdrawal of all our troops, and the beginning of those steps urgently needed to heal our Nation's economic and spiritual wounds.

FINALE

The primary objective of U.S. policy in South Vietnam for the past decade has been to assist the South Vietnamese to maintain their own security and determine their own future. We have bought time for them at great, great cost to ourselves.

We cannot stay there indefinitely, as a residual force would suggest. It is incredible that our prisoners will be returned as long as a residual force is there.

Our amendment is an expression of the view that we must withdraw completely and within a relatively early time.

We believe that a congressional initiative is within our constitutional and moral obligations. And we believe the amendment is meaningful.

I ask your support of the amendment.

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

Mr. Chairman and members of the committee, I think it best to get right to the meat of the cocoanut without any extra long explanation of opinions.

I hold in my hand here a letter from the Secretary of Defense, Mr. Melvin Laird, our former colleague, with whom we served so long and admire so much. I think it best that I read the letter to you, which certainly gives the cogent reasons why this amendment should be voted down.

My dear friend, the gentleman from Michigan, (Mr. NEDZI) has worked long and hard on the amendment, but I am sure that when he realizes and understands what the Secretary of Defense has said he will have second thoughts about the matter.

This is from the Secretary of Defense, dated June 15, 1971, addressed to the Honorable F. EDWARD HÉBERT, Armed Services Committee, House of Representatives, Washington, D.C.:

Dear Mr. CHAIRMAN: The purpose of this letter is to indicate my opposition to the so-called "Nedzi-Whalen" Amendment.

Subsection (a) of this proposed amendment would set a formal and fixed deadline (31 December 1971) for the deployment of US Armed Forces in or the conduct of US military operations in or over Indochina. Subsections (b) through (f) then provide a number of exceptions to this basic prohibition. We believe that taken as a whole this proposed amendment is sufficiently ambiguous so as (1) to cause the Executive Branch considerable difficulty in implementing it, if passed; and (2) to provide the seeds of potential conflict the Executive and the Legislative Branches concerning what is or is not proper interpretation.

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

Mr. HÉBERT. I yield to the distinguished Speaker of the House.

Mr. ALBERT. Mr. Chairman, I realize this is a very controversial amendment and I respect, as I respect few men, the distinguished gentleman who has offered it. But I associate myself with the remarks of the gentleman from Louisiana, the chairman of the committee, with respect to the letter which he received from the Secretary of Defense.

I do not believe we should undertake by legislative fiat to settle the war at a time certain or to tie the hands of the President in any way. I am convinced that the President is just as much against continuing the war as we are. I do believe he has undertaken—although I disagree

with him on most domestic issues—to get our prisoners and our troops back home just as fast as we can do so without being irresponsible in the eyes of the Vietnamese people and people throughout the world.

Mr. HÉBERT. I thank the distinguished Speaker of the House.

He certainly expresses the thoughts I have in my own mind.

Mr. Chairman, I shall continue, in order that the House may be well informed, with the rest of the letter from the Secretary of Defense to which the distinguished Speaker has addressed himself and to which the contents of this amendment which is now before us addressed itself to.

These are the words of the Secretary of Defense:

Looking at the Amendment's basic intent, which is to dictate a formal and fixed timetable for the complete withdrawal of the U.S. from Indochina, President Nixon has repeatedly outlined his reasons for opposing such a unilateral step and I do not believe I need repeat those again. I would, however, like to provide the following amplifying thoughts specifically related to this or any other limiting amendments:

The Vietnamization program has gained momentum and is working. The South Vietnamese, with our help, are rapidly improving their armed forces. Their readiness to successfully defend themselves without U.S. support or assistance cannot be made to coincide with a predetermined and arbitrary timetable.

Providing the number and quality of leaders and skilled personnel for the ARVN requires time. Sophisticated skills must be taught so that the Vietnamese can operate and maintain the equipment we have provided them.

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

Mr. MONTGOMERY. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I yield to the gentleman from Louisiana (Mr. HÉBERT).

Mr. HÉBERT. Mr. Chairman, I thank the gentleman from Mississippi.

Mr. Chairman, continuing to read the letter from the Secretary of Defense:

The Administration must have sufficient flexibility to continue support for the South Vietnamese forces. We should not abrogate our responsibility to continue to provide material and maintenance support through a military mission of some sort.

Continuing U.S. air support is critical while the Vietnamese increasingly assume responsibility for their own defense.

This is very important now.

This amendment—

Meaning the amendment offered by the gentleman from Michigan and the gentleman from Ohio—

This amendment would preclude this vital aspect of our efforts to obtain a just and lasting peace in Indochina.

Finally, let me reiterate what I have said so often: we are trying to bring about an early end to the involvement of US forces in Indochina. By every measurement, our involvement is down. In view of this progress, I believe that the President's program should be allowed to proceed. To arbitrarily terminate US support to those to whom we have given the ultimate commitment of the lives of our fighting men would be a tragic mistake.

I submit to you, ladies and gentlemen of the Committee, those are the words of the one individual who is responsible in the Defense Department, the Secretary of Defense, the words of an individual who served in this body so long and with such high respect and regard. He was selected from this body to serve as Secretary of Defense. Those are the words of Mel Laird. Those are the words that Mel Laird himself would speak to you today if he were given the privilege of standing in the well once again where he stood so often to provide for the security of this Nation and to provide for its defense.

He asks no quarter of any men, nor need he give to any man in his understanding, appreciation, dedication, and determination to keep this country safe and sound. No man knows more about the situation in Vietnam today than does Mel Laird and he gives every indication of being one of our greatest Secretaries of Defense. I stand on his testimony and accept his testimony. I offer his testimony to you as the soundest, most logical argument to follow. Let the peace talks in Paris be the vehicle through which we negotiate an end to this war. Let us not telegraph our punches to the enemy by legislative fist.

The President of the United States has kept every word that he has given to us in this matter, and he has delivered in every instance. All you have to do is look at the figures and statistics coming out every week, the attacks and the counterattacks, and you will see where the war is in fact winding down.

Richard Nixon did not make this war. He inherited it, and he promised to stop it as quickly as he could. He is doing exactly that in keeping his word, and it is time that we support him. Remember, we have only one President. He is the President not of Republicans or of Democrats, but President of all Americans, and he advises us in this instance through his Secretary of Defense.

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

Mr. MONTGOMERY. I yield to the gentleman from Michigan.

Mr. NEDZI. I thank the gentleman very much for yielding.

Mr. Chairman, after hearing the letter of the Secretary of Defense, I did not recognize my own amendment. Could the Chairman enlighten us as to where in my amendment there is any dictation of a formal and fixed timetable for complete withdrawal?

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

Mr. WHALEN. Mr. Chairman, I rise in support of the amendment, and move to strike the requisite number of words.

Mr. Chairman, last Tuesday during formal debate I outlined what this Nedzi-Whalen amendment would do and what it would not do. I concluded that, despite its limitations as a result of the germaneness question, this is a very significant amendment. I concluded further that if it were adopted, it would represent a very clear message from the people of the United States through their elected Representatives in the House of Representatives that we want to terminate our involvement in Indochina.

I would like to move now to the central question and that is our military involvement in South Vietnam.

There are many ways in which we can discuss this question. There is, of course, the legal issue. There is the moral question of our involvement and, parenthetically, a majority of the American people, according to the Gallup poll, now feel that our involvement in Vietnam is immoral.

I hope that the Members of this body will excuse me for concentrating, during the time allotted me, on an area that is related to my background as an economist, and that is the utilization of what I would term scarce resources.

Mr. Chairman, in my opinion, we are engaged in a tragic waste of scarce resources, human, and financial, as a result of our involvement in South Vietnam.

When anyone undertakes an effort, be it an individual, a business firm or an organization, he usually assesses the effort in the light of two criteria. First, what is the objective of the effort? Second, what does it cost in terms of human and financial resources in the light of the benefits that are expected?

I should like to apply our Indochina involvement against these two criteria.

First, what is our objective? Mr. Chairman, it is sad to relate but we have no objective in Indochina. Every stated goal that has been made by the executive branch ultimately has been discarded by successive Presidents. This would include the domino theory, the stop communism argument, and so forth. Mr. Chairman, regrettably, we really do not know why we are involved militarily in Indochina.

Now, that notwithstanding, let us take a look at the second criterion; namely, the cost-benefit relationship.

What are the costs? Let me just relate a few. We have lost 55,000 lives in South Vietnam. Yesterday we received notice of our 300,000 casualty as a result of the conflict in Indochina. During the past 7 fiscal years we have spent $120 billion of the taxpayers' money in this fight. As a result of this we have diverted from domestic problems not only our financial resources but also our energies. And, of course, as a result of this huge expenditure of funds we have created a troublesome inflation problem these past 4 years. We have seen division in our own country as a result of the war, and we have also seen a deterioration of the morale not only of the private sector of our country, but also of the Armed Forces themselves.

I believe no one stated it better last year than the late chairman of the Committee on the House Armed Services when he said as a result of this war our involvement in Vietnam, we have hurt ourselves militarily. The cost has been huge.

What are the benefits? We have received absolutely no benefits that I can see from this engagement. Even if we were to drive the Communists out of South Vietnam, even if militarily we in

the United States were to post forces in North Vietnam, I cannot see where we would have any economic or any security benefits from such activities.

Mr. Chairman, we are Members of a coequal branch of Government, the legislative body. We have a responsibility to identify problems, to act upon those problems. As I said Tuesday, I believe the greatest problem confronting us in the United States today, indeed the greatest problem that has confronted us during the past 5 or 6 years, is our involvement in Indochina. We must end this involvement. Within the limits of the jurisdiction of this bill, the Congress adopting the Nedzi-Whalen amendment, will take a significant step toward this end.

I urge your support of this amendment.

(Mr. BURKE of Massachusetts asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BURKE of Massachusetts. Mr. Chairman, I rise today, in support of the Nedzi-Whalen amendment to the Military Procurement Act. This amendment would prohibit the expenditure of funds by the Defense Department after December 31, 1971, to support continued American presence in Southeast Asia. In effect, if successful, it would be an indication that this Government has accepted a December 31, 1971, pull-out date. It would be an opportunity to test in the weeks and months ahead the accuracy of the reports emanating from Paris, some of which have been challenged by the administration, that once this country accepted a pull-out date, the North Vietnamese would be willing to negotiate for the release of our prisoners of war. In other words, it would call their bluff. I mention this today because I do not feel that in our desire to bring this war to an end without any further loss of lives, as soon as possible, we should not forget the hundreds of men who are being held behind enemy lines. We have a moral commitment to keep the safety of these men before us in all we do.

Nevertheless, as a signatory of the statement of purpose circulated by Congressman THOMAS P. O'NEILL, one of the great leaders of the antiwar movement in Congress over the years, I am today seizing the opportunity to legislate into law the sentiments and objectives of that statement. This war has gone on too long, far too long for anyone to be content with expressions of concern, with vows to do all possible to wind it down, and with hopes pinned on possible success of a Vietnamization policy. As I have said many times before, the war in Southeast Asia is a bottomless pit and we are, as a nation, sinking slowly into its depths more and more each additional day we allow this war to continue. In our efforts to save a nation we have come close to destroying several nations. In our efforts to obtain peace with honor, we have encouraged a moral turpitude which threatens to engulf a whole generation of young people the world over. In our efforts to save the world for democracy, we have come close to destroying our Nation at home. Our cities are dying, there is division in the land, our national sanity is at the breaking point. We have seen the rise of a drug culture and the beginnings of a national "cop-out." We have paid a tremendous price to date, and I, for one, do not feel we should pay another penny more, or sacrifice one more life.

As a Congressman, I know only too well where the real authority and the responsibility for the conduct of this war lies. I know only too well the President of this country, as Commander in Chief, has in his power the right to terminate this war tomorrow. Ultimately, he and only he can achieve the objectives behind the amendment I am supporting today. I am genuinely concerned about the prospect of this House turning itself in to a chamber of 435 commanders in chief, each with his own views on the day-to-day operations of a foreign military conflict. I was willing to give President Nixon time to live up to the promises he made to our people in 1968 and later when he took office to bring peace in our time. But time is running out. We have added Laos and Cambodia to the areas of our involvement. We have a drug problem among our soldiers such as was unimaginable a few short months ago. In short, time is running out and in view of the seriousness of the problem, I am left with no alternative but to join with those who feel it is time for Congress to assert its authority and to indicate to the President in no uncertain terms that he can no longer count on the support of this House for his present policies. Our patience has been exhausted and the President should be so informed. In indicating to the President our feelings against the continuation of this war we are giving him a consensus and a policy. Hopefully, he will act within its framework. I only regret that it has been necessary that Congress go so far on this issue, but our concern must be recorded in the only effective way it can by using the means at our disposal and voting to cut off funds for this national tragedy that is the war in Southeast Asia.

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

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

Mr. ARENDS. I yield briefly to the gentleman from New York.

Mr. STRATTON. I appreciate the gentleman yielding.

The gentleman from Ohio (Mr. WHALEN) said a moment ago that he did not know what our purpose was in Vietnam and that the administration had discarded one purpose after another. Well, I believe it is perfectly obvious, and the President has made it perfectly clear, that the purpose is to allow the South Vietnamese to make their own decision with regard to their future rather than to have that decision forced upon them by military action from outside their borders.

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

Mr. ARENDS. Not right now.

Mr. WHALEN. Thank you.

Mr. ARENDS. Mr. Chairman, I applaud very much the excellent statement made by the chairman of my committee, and endorse it wholeheartedly.

Likewise I compliment the Speaker of the House, Mr. ALBERT, in his very pointed remarks as to why this amendment should be voted down. His statement is a clear indication that this issue before us is completely and wholly nonpartisan. The amendment is opposed by the leadership of the majority party and by the minority party. This is all in an effort to do something in the best interests of this country of ours.

Mr. Chairman, never have I stood in the well of this House over the many years I have been here more concerned or more disturbed about a false issue that has been raised than at this particular time. It is a cruel hoax to try to lead the American people to believe that if a date is fixed, then everything will be over.

I am rather amazed at my friend from Ohio, for whom I have great respect, that he stood here today and talked about water over the dam and about things that have gone on which we can do nothing more about.

We got into this war and we are presently there, but we are getting out of it. That is the issue. How do we get out of the war? The way to get out of Vietnam is to do what the President of the United States is recommending today—not a Republican President or a partisan President but the President of all of us.

He is recommending today that we do certain things, namely, give him the tools with which to work and with which to negotiate. That is all that we are trying to do here.

All of us sincerely and honestly are concerned about getting out of Vietnam. There is not a living soul in America today who enjoys this war, to my knowledge. All of us have the same purpose in mind, which is get out and get out in the best way that we can. If we will let the President operate as the master of foreign affairs, which he is and which is his responsibility under the Constitution, and let him see what he can work out, then we can approve or disapprove when the time comes. However, to tie his hands at this particular time, in my humble opinion, would be one of the greatest errors that we can perpetrate.

There are many people for whom the wish is father to the thought. They tell us that if we set a date for withdrawal in Vietnam, then the North Vietnamese will quickly release the prisoners. There is simply no evidence, no evidence at all, to support such a conclusion. The North Vietnamese treatment of our prisoners is one of the most barbaric and inhuman chapters in the history of warfare. Nothing in their behavior up to this time gives us any reason to believe that they would quickly release prisoners. If we want to bring about the release of our prisoners of war safely, we will have to allow the President to negotiate without tying his hands.

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

Mr. ARENDS. Not at this particular time. I am limited as to time. I am sorry.

I urge the Members of this House to defeat this amendment.

I repeat with all of the sincerity at my command that this action today is going to mean much to propose settlement of this war and our getting out.

As you well know, we had at one time almost 560,000 men in Vietnam. That figure has now been reduced by over half. An orderly process of reducing our strength there is in being. Our men are being returned. As a matter of fact, our men are being returned ahead of schedule, which schedule was announced some time ago. We can see great progress in our getting out of Vietnam. I hope we can use some semblance of reason in obtaining a reasonable peace so that we will not have a recurrence of what happened in prior wars.

One remembers well World War I when we won the physical war but lost the peace.

I can remember World War II when I stood in this body and voted to go to war because we had been attacked. We finally won the war, but, again, we lost the peace. There has been no complete peace in Korea.

There are now those who would say bring our boys home and forget the peace. Let me say to those people that we have to arrive at some kind of a workable and reasonable peace so that we will not again go through a repetition of what we did at the end of other wars and we will not have to send our boys back again to fight somewhere, sometime.

I distinctly remember the great hue and cry of those in this country at the end of World War II. It was very much like it is now. People shouted come home, come home, come home. That is all we heard at that particular moment. I say to you that because we failed to get the right kind of peace after those earlier wars, we had to go back to war. Let us not lose by political action again what our fighting men refused to give up on the battlefield.

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

Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, the United States came to the aid of South Vietnam when it was experiencing aggression from North Vietnam and we did this in a manner highly sacrificial and highly moral.

We did not conclude that we would be willing to do things that normally would be the course of war, if needed for the success of the war: Such things as closing the harbor of Haiphong and carrying the land war into North Vietnam. We did not want to precipitate a war of those dimensions, and the possibilities of active intervention by Russia and Red China on the other side.

The war became an issue in the last presidential campaign and the winning candidate won on a platform to end our involvement in the war.

On November 11, 1969, I wrote the President concerning an issue involved in the war, the prisoner-of-war issue, and I urged that our planned withdrawal of troops be halted until we got our prisoners of war back. I wrote as follows:

NOVEMBER 11, 1969.

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

DEAR MR. PRESIDENT: There is no need at all to reply to this letter but I just felt that I should say again what I may not have said before to you directly, but certainly have said in my own office conferences; and that is, I feel that before any further reductions are made in South Vietnam in troops, the next reduction which is planned should be made conditional upon the freeing of all U.S. prisoners by North Vietnam.

With kindest regards, I am

Sincerely,

CHARLES E. BENNETT.

On May 13, 1970, I wrote the President, making a number of other suggestions concerning the war in the following letter:

MAY 13, 1970.

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

DEAR MR. PRESIDENT: As you know, I have attempted to support you fully in your efforts to end the war in South Vietnam. Although I originally felt we should press for a military victory, the time seems to have run out for that—primarily because of our reluctance to use the degree of force required. I am not wise or informed enough to know that this reluctance was not well founded, or is not now well founded; although it was not my original opinion that such reluctance was well founded. I believe major errors on our part are apparent: first, not to decide in advance what to do if we started winning the war and China then came in; second, our employing troops under politically-arrived-at guide lines that prevented victory.

Under the circumstances now prevailing, it is my opinion, and apparently yours, that all U.S. troops should be withdrawn as promptly as possible. I have apprehensions about what this may do in making less credible the chances for world peace, by making less credible our willingness to assist small nations resisting aggression. With this in view, I have some suggestions I would like to make which would minimize, or offset, this loss to our efforts for world peace.

My first suggestion is that you call upon the United Nations to hold free, U.N.-supervised, elections in South Vietnam, to determine if the people of South Vietnam wish to go forward with the war by themselves or to end the war by negotiations with the North Vietnamese. If the election goes for ending the war, then U.S. troops could be removed immediately. If the election goes the other way, then the total withdrawal of U.S. troops could be postponed for one year, but only for one year. If the U.N. fails to act within sixty days or acts unfavorably to holding an election, then the U.S. could nevertheless withdraw all U.S. troops by one year from the time limit of sixty days or rejection of the election plan, whichever is first.

My second suggestion is that (since we are inferentially downgrading the chances of our intervention in cases of future aggressions), we substitute in place of this war-deterrent an offer to help finance (but not to man) an international standing police force to act to put down aggression in future cases wherein the U.N. recommends intervention. The troops should be drawn from volunteers from small nations throughout the world. This would not prevent our unilateral intervention but would diminish or eliminate the need for it. No U.S. sovereignty would be eliminated or impaired.

My third suggestion is that a separate agency be created in the Federal government to study the causes and preventions of war, a research agency solely, not an agency allowed to establish policy, but to get this needed research and information for the President, the State Department, and the Congress. There should also be a joint committee in Congress to secure congressional oversight in this field.

I hope these ideas may be worthy of your consideration. I know you will do what you feel is best for our beloved country and for mankind.

With kindest regards, I am

Sincerely,

CHARLES E. BENNETT.

It is admitted by the Secretary of Defense that we could with safety to our own troops withdraw within a few months, and that our continued presence beyond that time is planned for continuation of war purposes. When the Bay of Tonkin resolution was repealed there remained no constitutional basis for such U.S. war purposes. The portion of the Nedzi-Whalen amendment that would require further congressional action on any such war purposes is in my opinion more consistent with the U.S. Constitution than any other course. Under that document we are not supposed to be at war unless Congress has said that we should be.

Now, Mr. Speaker, time has gone on and the President as Commander in Chief has made very substantial withdrawals of troops in accordance with the platform on which he was elected; and the debate here really is upon whether we should continue to stay partly in this war as distinguished from withdrawing from it entirely. Although originally I felt we should try to win the war we had entered and to do this regardless of the dangers involved. I believe time has so now run out on this. I think no war can be won when the Commander in Chief is of the opinion that we should not pursue it. And so I feel under these circumstances the quicker we get out of the war the better it will be.

Therefore, since the amendment before us is in that direction, and does require a strenuous effort to bring back our prisoners of war in the process, I support the amendment.

AMENDMENT OFFERED BY MR. ROBISON OF NEW YORK TO THE AMENDMENT OFFERED BY MR. NEDZI

Mr. ROBISON of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBISON of New York to the amendment offered by Mr. NEDZI: Section 402(a) of the amendment is amended to read as follows:

"SEC. 402(a). No funds authorized to be appropriated pursuant to this Act may be expended after April 30, 1972, to support the deployment of United States military personnel or the conduct of any United States military operations in or over South Vietnam, North Vietnam, Cambodia or Laos if by such date a cease-fire has been arranged either by the parties involved or by the United Nations or by any group of neutral nations, and if by such date an agreement has also been consummated by the parties involved for the identification and exchange of prisoners of war and all Americans held as prisoners of war anywhere in former Indochina have been released."

Strike subsection 402(b), and then redesignate subsections (c), (d), (e) and (f) as subsections (b), (c), (d) and (e) respectively.

Mr. ROBISON of New York. Mr. Chairman, the amendment I have offered to the pending Nedzi-Whalen amendment differs therefrom, insofar as language is concerned, in only two respects. First, it extends the Nedzi-Whalen "cutoff" date—or deadline—by 4 months; that is, from December 31, 1971, to April 30, 1972. I think such additional time may well be needed for what I have in mind. Second, it then conditions the application of that "cutoff" date—or deadline—upon the happening, prior to April 30, 1972, of two related events: the arrangement of a cease-fire either by the parties involved in the present hostilities in former Indochina, or by the United Nations, or by any group of neutral nations, and the consummation of an agreement between those same hostile parties for the identification and exchange of prisoners of war, and all Americans held as prisoners of war anywhere in former Indochina have actually been released.

If one were to count only the words changed, the modification thus proposed in Nedzi-Whalen might, at first glance, appear to be of modest proportions. However, Mr. Chairman, I submit that my amendment presents us with a dramatically different approach to our common problem of deciding how best, and how most responsibly, to work with the President in bringing this war to an early and as satisfactory as possible end—not just for ourselves, but for all the warring parties.

How so?

Well, to find the answer, I suggest we look again at the Nedzi-Whalen amendment as now before us. It has become known as the House version of the highly-publicized "end-the-war amendment" that heretofore surfaced only in the other body and was once again, on yesterday, defeated therein.

But, will either Nedzi-Whalen, or the other body's original version thereof, actually "end" this war—the ending of which all of us devoutly yearn for and none more so, I suspect, than our President?

Clearly, the answer has to be "no"—unless, possibly, the only kind of an ending we want is an end to our own involvement, and our own anguish.

To my friends on my left—though this may gain me no votes from my own side of the aisle—I cite in support of this argument no less noted a critic of the war than Eugene McCarthy, former Senator from Minnesota, who recently claimed, if I understood him right, that any congressional mandate simply forcing a withdrawal of our forces from Vietnam would be counterproductive, in that it would invite chaos in Vietnam, Laos, and Cambodia, and that such action would also constitute an abdication of congressional, as well as national, responsibility for the combined military, political and economic problems we have helped to create in those war-weary nations.

What, then, is the proper course we should follow?

Let me now quote from former Senator McCarthy:

> The answer is that we should *negotiate now*.

And then he further said:

> We should work for a political settlement.

In this instance, I completely agree with former Senator McCarthy.

The only way this unfortunate war can truly—and properly—be "ended," is through a negotiated, political settlement.

I believe, if we stop to think about it, we must all accept that as fact.

Now, without in any way intending to question the sincerity of either of the coauthors of Nedzi-Whalen—my good friend, Mr. NEDZI, or my equally good friend, Mr. WHALEN—nor of those of my colleagues who are supporting their proposal, what would our adoption of their idea produce??

Well, by way of "openers," it would almost certainly produce a most-serious and divisive constitutional confrontation—despite its disclaimer to that effect—between President and Congress since I can not, for a moment, believe the Nedzi-Whalen approach would be acceptable to the President.

But consider—and please listen to this most carefully—any eventual forcing of a mere withdrawal upon the President could only mean that we were tossing away, arbitrarily and unilaterally, about the only bargaining leverage the President still has to bring about that desired, political end to this war.

There can be no question but that President Nixon is bringing us out of this war—the longest one in our history. To be sure, he is not doing so fast enough for some of us, and others of us have lingering doubts about whether or not he may still be aiming for some form of "Korean solution" in Vietnam, for which one would have to question the depth of American support.

Nevertheless, the President has set us upon an apparently irreversible withdrawal course. Somewhere along that road he, almost inevitably, has to reach with our allies for a negotiated settlement of whatever then remains of this war. But is not it true that his bargaining power dwindles away with each passing month, as our troops continue to come out? The answer is obvious.

So I, for one, think it is time for the President to do some serious negotiating with Hanoi, and it is our responsibility to help guide—but not force—the President in the direction in which we think he should thus go.

I know it takes two to negotiate, even as it "takes two to tango"—yet, in either exercise, one participant has to lead. And if, up to now, the President has been reluctant so to lead by virtue of his uncertainty over the congressional and public reaction to any such forward movement on his part, it seems to me, in conclusion, that our adoption of the modification I have offered to the amendment now before us could strengthen his resolution to seek the only true and responsible end for this war that I can see.

Mr. Chairman, I urge the favorable consideration of the amendment I have offered to the pending Nedzi-Whalen amendment for such a modification will encourage meaningful negotiations while Nedzi-Whalen, as is, will but discourage them.

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

Mr. ROBISON of New York. I yield to the gentleman from New York.

Mr. FISH. Mr. Chairman, I rise in support of the gentleman's amendment.

Mr. Chairman, the debate today permits us in the Congress to examine our role in responsibly bringing U.S. involvement in Indochina to an end.

I think that we can agree that our efforts should be directed at three principal objectives: First, the safe withdrawal of our troops; second, the release of our prisoners of war; and, third, facilitating and encouraging negotiations.

Reluctantly, and only after much thought, I oppose the Nedzi-Whalen amendment to the military procurement authorization bill, as ineffective in realizing our objectives.

I say reluctantly, as I, like those who support this amendment, feel the anguish and concern over our decade-long, bloody involvement in Vietnam which has led to the offering of this amendment. I believe, however, that the intent of the amendment is to provide a vehicle through which this body can express that concern. We have heard frank statements by the amendment sponsors as to its effect upon the military conduct of the war. Its passage would, as a practical matter, change nothing, and could result only in one more disillusionment for a public already deeply disillusioned over the war.

It is not well understood by the public that the President can completely disregard the amendment's withdrawal date of December 31, 1971, if he determines it would not permit the safe and orderly withdrawal of our troops, or if adequate provisions for the return of our prisoners of war were not made. In addition, the amendment specifically states it is not to be interpreted as restricting the amount of continuing economic and military aid to South Vietnam, Laos, or Cambodia.

Under our system of government, the President clearly has broad authority to conduct a war once it is in progress. He is also charged entirely with the conduct of foreign affairs, whether in time of war or time of peace. The proposed amendment, neither in its wording, nor, I believe, in its intent makes any pretense of attempting to abridge these broad powers.

It is clear the Members who offered the amendment understand, just as the framers of our Constitution understood, that a legislative body, no matter how sincere its intentions, has neither the power nor the capacity to conduct a war, or, in this instance, to successfully negotiate a peace or withdrawal of our combat forces from a theater of operations. It is then, at most, a symbol.

Yet, it is my primary concern that even though it may be understood by the

Congress as a symbolic act, other nations could so interpret its passage as to seriously affect the President's credibility in seeking a negotiated settlement. It could undermine the position of the President at a time he is conducting serious and delicate negotiations abroad on such important issues as Vietnam itself, the SALT talks, Middle East peace, and trade restrictions.

Passage of the Nedzi-Whalen amendment would be, at most, an expression of "no confidence" in the initiatives of troop withdrawals and peace negotiations undertaken by the President. As I do not share this feeling of "no confidence" I cannot vote in favor of this amendment, although like so many, I hope the President in his capacity as leader of this country, will, in his good judgment, set a genuine date certain for American withdrawal in the near future—the sort of date this proposed amendment purports to set.

Then what can we do to assist in the efforts to terminate American participation? What positive action by the Congress would further an early negotiated settlement? Clearly, a step providing an incentive to negotiate is welcome. Time may well be running out.

I support the approach of the amendment to Nedzi-Whalen, offered by HOWARD W. ROBISON, also of New York, which unlike the Nedzi-Whalen amendment, would assist, rather than lessen the chances of negotiations, and avoids its mischievous implications.

This amendment would cut off funds to support the deployment of U.S. military personnel, or conduct any military operations in South Vietnam, North Vietnam, Cambodia, or Laos on a date certain, if by that date a ceasefire has been arranged by the parties involved, by the good offices of the United Nations, or by any group of neutral nations, and if by that date agreement has been reached for the exchange of prisoners of war held in Indochina.

By conditioning withdrawal on successful negotiations, I believe, we in Congress would be encouraging North Vietnam to negotiate. We would also be stating the sense of this Nation that we welcome peace initiatives from Asian nations or from any other source, giving ample time for negotiations and initiatives to take place. We would also be stating it is our position that this war should be ended at the earliest possible moment.

In addition to this, I believe, this body can usefully be about other meaningful work. Recent revelations on the origins of the Vietnam war, with disclosures of unilateral Presidential decisions which involved Americans in this protracted war without either the knowledge or consent of Congress, drastically underscores what this work should be. There is clear need for Congress to reassert its constitutional responsibility to share with the Executive military decisions before a war is undertaken, and before the President in his role as Commander in Chief becomes charged with the conduct of a war.

To this end, I have joined with a number of my colleagues in cosponsoring a resolution which would require the President to justify to Congress any commitments of U.S. troops to combat on foreign soil. The Congress with the power to approve or disapprove the action, must confirm the American involvement or the authority to commit troops must end in 30 days. We desperately need statutory procedures of this type to preclude the possibility of future Vietnams. Enactment of this joint resolution would serve this most useful purpose.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words, and rise in opposition both to the Nedzi amendment and to the amendment in the nature of a substitute offered by my good friend, the gentleman from New York (Mr. ROBISON). I believe we are making a mistake, both in this body and in the other body, to spend all this time arguing as to what particular date we are going to end the war.

I do not believe there is any question about the fact that all Americans, all of us in this body, and all of those in the other body, want to end the war as quickly as we can, and as effectively as we can.

But I do think we are creating an unnecessary and somewhat illusory division in our Nation when we try to divide this country into the white hats and the black hats over the question of whether we are going to end it on the 1st of June 1972 or the 1st of July or the 1st of September or what have you.

The fact of the matter is, as the gentleman from Illinois has already said, we are already ending it. President Nixon now has taken more than 300,000 American troops out of Vietnam and we are going to be out of this war, certainly to all intents and purposes, by the fall of next year. In fact virtually all of our ground combat troops are out of combat over there now, and they are being used only for security forces which, ironically enough, is why they have time hanging heavily on their hands and so are tempted to experiment with drugs.

This is an amendment that does not even end the war, as the gentleman from Ohio (Mr. WHALEN) told us rather eloquently the other day, when he wanted to clear up what he called some "misunderstandings" of the Nedzi-Whalen amendment. But, if that is true, they have not told John Gardner and his people in Common Cause who are deluging our offices with mail, telling us to support this amendment because it is going to end the war.

What this amendment really is, of course, is an attempt to get a rollcall vote on the idea that Congress ought to be forcing the President to set a fixed date for total withdrawal from Vietnam, whatever that word "total" means, even though this amendment itself will not achieve that result at all, and in fact does not even support the idea of "total" withdrawal.

The whole idea of setting a definite date for withdrawal from Vietnam has some rather serious defects, however, which I think we should recognize. In the first place, in the additional statements included in the report by Mr. NEDZI and Mr. WHALEN, they said:

> It is now clear that if we set a definite date, we are going to get our prisoners of war back.

Well, that is just not true. I know that we do not have too much time to read in this body, but the announcement by the gentleman from California (Mr. LEGGETT) last week and the announcement by the former Secretary of Defense, Mr. Clark Clifford, and the text of the published interview that appeared in the Washington Post with the chief North Vietnamese delegate, made it perfectly clear that the North Vietnamese have no intention of releasing any prisoners in return for just our setting a date of total withdrawal. They still want to talk and dicker after that date has been set.

And why is that? Because the one thing they intend to do is to use our prisoners—those 500 or more Americans who are prisoners—as hostages to force us to turn over South Vietnam to their control. That, after all, is what they are fighting the war about over there and they are not going to return our prisoners, they have made it perfectly clear in the interview in the Washington Post, unless we give them the objective for which they have been fighting for 17 years.

So, while we all want to see our prisoners returned, are we really going to be willing to exchange those 500 or 600 or whatever the number of prisoners is, in return for everything for which 45,000 other young Americans have already lost their lives in an effort to achieve?

This is really the issue involved in setting a withdrawal date. And the principal flaw in this kind of amendment, either the Nedzi or the Robison amendment, is that they fail to recognize that we are not going to get our prisoners back simply by setting a date alone. So, adoption of such an amendment will serve to undermine the basic purpose of our long involvement in Vietnam—and the gentleman from Ohio said he did not know what the purpose was—which is to allow the South Vietnamese to make their own decision as to the shape of their future and not have it forced upon them by military aggression from the outside.

So while we do want to get out of this war and while we do want to get our prisoners home safely we also have the objective of trying—at least trying—to help the South Vietnamese to stand on their own feet. Thus, once the war is over, we must supply them with economic help. We must also supply them with military help. We cannot agree, as the North Vietnamese would have us agree, to end all military assistance to South Vietnam. Actually, the Nedzi-Whalen amendment recognizes this by including an exemption for military aid and for marines stationed at the U.S. Embassy. But the North Vietnamese, unfortunately, are not going to buy this portion of the Nedzi amendment.

So let us defeat this amendment and let us unite behind our present policy, which is to end our military involvement in Vietnam as quickly as possible, but to do so under conditions that do not guarantee—as the North Vietnamese would have us guarantee—that with our withdrawal all that we have fought and worked so hard to achieve will automatically go down the drain.

Mr. CARTER. Mr. Chairman, I rise in support of the Robison amendment to the Nedzi-Whalen amendment.

Mr. Chairman, our Nation has long been embroiled in a horrendous conflict in Indochina. For years, we have been involved in this bloody conflict which threatens the very existence of our beloved country.

When we delve into the reasons for our being in Vietnam, three basic ones are given. Let us examine these reasons for their validity.

The first is to prevent the spread of communism. In response to this reason, it seems foolish to try to contain communism 11,000 miles from home while communism flourishes in Cuba 90 miles off our shore and the cancerous tentacles of communism have spread from Cuba to nations in Latin America—to Chile, for example. By trying to contain communism in Asia, we may well have lost Central and South America to communism.

The second is to insure self-determination for the people of South Vietnam in deciding what type of government they should have. President Eisenhower, in his book, "Mandate for Change," stated that 80 percent of the people of South Vietnam supported Ho Chi Minh. We did not accept his knowledge, we did not accept his admonition. But, instead, we went blindly in on the side of the 20 percent who opposed Ho Chi Minh. Therefore, it can be truthfully stated that our purpose was not to provide self-determination.

The third reason given relates to the domino theory by which it was thought that if South Vietnam became Communist, all the nations of Southeast Asia would fall. If indeed this is true, it seems to me that the nations involved in Southeast Asia should be the ones most fearful of communism. Their actions show that they are not. The Philippines, South Korea, Australia, and Thailand have provided only token assistance. Hence, we can see that none of these nations actually feels the threat of the domino theory.

In 1964, it was evident that the 17,000 American troops and the South Vietnamese were facing defeat and that our forces were on the brink of being thrown out of Vietnam. The Tonkin Gulf incident occurred at this time; purportedly two of our destroyers were attacked while on the high seas. Congress was asked to pass the Tonkin Gulf resolution, which it did with small dissent.

Today, it is accepted that these two destroyers were not under attack. Yet, by the authority of the Tonkin Gulf resolution, our troops were increased in number to 542,000 and the bloodiest conflict since World War II was begun.

It seems that in 1964 we lacked men of calm, cool perception who could truthfully evaluate the situation in Southeast Asia. As a result, this conflict has cost us the lives of 45,250 men as a result of hostile action and 9,583 men as a result of nonhostile action; 151,471 men have been wounded seriously enough to require hospital care and 148,453 more received wounds not requiring hospital care.

Our military expenditures are equally horrifying since 1965, our Nation has spent nearly $120 billion on this war.

Since coming to Congress in 1965, I have twice visited South Vietnam. On my first visit, I saw the finest, best trained, best equipped young soldiers the world has ever seen. I saw hospitals and supposedly pacified areas. In 1966, I was a member of the Speaker's Committee of Combat Veterans of World War II sent to evaluate the war effort. By that time, the so-called pacified areas I had previously visited had been retaken—ours for only as long as snow drops on the river—a moment white, then gone forever.

As a result of this tragic war, our country is torn by dissention—troubled by traitorous rabblerousers and rioters who blatantly curse the beloved land which has nurtured and cared for them. And yet they are permitted to spout hate, incite arson, promote looting with impunity.

Yes, Mr. Speaker, ours is a troubled land. The war in Vietnam is causing great worry and anxiety. Among the people of my district and our whole country, sentiment is increasingly against the war. We all look for the day when every American soldier will be removed from this unhappy land.

Let us now, while we are yet strong, bring our men home. If we must fight, let us fight in defense of our homeland and our own hemisphere. Our sons' lives are too precious to lose on foreign soil. If they must die, let it be in defense of America. As a combat medic with an infantry division in the South Pacific, I have been intimate with the horrors of war and feel that the lives of our men should only be risked in case our country is attacked. In that event, we know they would resist assault with all their spirit, stamina, and strength.

I compliment the present administration's efforts to wind down the war. In order to emphasize the desire of our people to end the war, I support the amendment of the distinguished gentleman from New York (Mr. ROBISON).

Mr. O'NEILL. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. O'NEILL. Mr. Chairman, I feel obliged to speak in behalf of this amendment, just as I feel a moral obligation to oppose the continuation of this cruel and senseless war.

Mr. Chairman, some time ago I, with three other Members of Congress, HUGH CAREY, of New York, DAN ROSTENKOWSKI, of Illinois, and JAMES CORMAN, of California, circulated to the Members a statement of purpose on Vietnam. Over 120 Members of Congress have signed it and an additional number have signed a similar statement. Out of that, I believe, has come the Nedzi-Whalen amendment. It is an expression of concern and responsibility. It is our contention that the Congress has a responsibility for ending this war, since the President is not, and that the Congress should set a deadline for ending this war, no later than the end of this year.

I recall that it was about November 1965 that I first heard the term used: "The light can be seen at the end of the tunnel." That was the day Mr. McNamara said to us:

> We will bomb North Vietnam. We will have them on their knees within 6 weeks, and the war will be over.

Well, people have been seeing the light at the end of the tunnel for over 6 years, and the war is not over.

I listened with interest today to the letter of Mel Laird, a man with whom I served for many years here in the Congress. His words are not a bit different from the words of Rusk and of McNamara; his predictions are the same, his expectations are the same.

I remember that back in 1965 I was a hawk, as some of you still are—perhaps a majority of the House. But I spoke to admirals, I spoke to generals, and I spoke to people in high security places. I spoke to members of the State Department and those in the highest echelons of Government.

These people were advocating the policy of the administration, the Johnson administration, and advocating the policy of the State Department. But within the confines of private and friendly conversations they told me they were opposed to the war, and that our policies were wrong and could not succeed. While they were publicly advocating and following the policy of the President, they told me in their private conversations that they were opposed to the war and knew that it could never be won this way, nor could we extricate ourselves this way. These were people from the CIA, generals and admirals, and you know, I believed them. They convinced me that I could not justify this war in moral, political, or security terms. They convinced me that I could not justify being a hawk on a war that could not be won, and should have been ended.

Mr. Chairman, I was one of the first, I believe, early in 1967, that changed my opinion on the war, and it was for those reasons. Our policies—then and now—could not win the war and would not end it.

You know, during my 20 years here, many important events have happened. I remember June 1961, when Khrushchev said to John F. Kennedy, the President of the United States:

> Get your troops out of Berlin or we will invade.

Kennedy went over and made the great Berlin speech, called up our reserves, and Khrushchev backed down, knowing that otherwise it would have set off World War III.

That happened again, Mr. Chairman, with Cuba, in October 1962. We all received notice to report. You remember the messages, the phone calls, and telegrams that you got. We, from all of New England, went to Logan Airport; other Members met at the GSA Building in the battery section of New York, and other Members from other sections of the country went directly to Chicago or to Los Angeles. We met with trepidation, both Democrat and Republican. We did not know whether we were going to hear a declaration of war. We were there and we were told about the missiles and shown pictures of the missiles and told about the blockade. But, thankfully, Krushchev backed down.

Mr. Chairman, why did he back down?

He knew America was serious and he knew it would mean World War III.

Why do I raise this point?

Well, Mr. Chairman, we are fighting a war which we have made no attempt to win. Why? The only way we could win would have been to have bombed Hanoi and the rice paddies, bombed Haiphong, and invaded North Vietnam with infantry. Why have we not done that? We have not done it because we know that China and Russia would come to the aid of North Vietnam, and that it would mean World War III. Just as Kennedy defended our place as a major power, so would Kosygin and Mao defend their positions.

So, what are we there for? We are there for the same reasons we have been there for years. Because we refuse to admit past errors and mistakes. I have seen the pacification program fail, and we have talked about the Vietnamization program. We give new names to old policies and continue a hopeless war.

Mr. Chairman, I believe we ought to be out of there lock, stock, and barrel tomorrow. We cannot justify our being in there. The President is fighting a war he does not want to win. Yet, he does not want to lose. We are not providing self-determination for the people, we are only providing destruction.

When I spoke with the knowledgeable people in our security and intelligence branches of Government about the war, they convinced me that this war was wrong. That was in 1966, yet the same policies continue.

What makes this war such a tragic mistake, is that we have viewed it as a war between two states, whereas in reality it is a civil war, and, unfortunately, we are fighting for the elite in Saigon, the rich who do not have the interests of the Vietnamese people at heart, nor do they have the support of the people we are supposedly fighting to save.

We are drafting 18-year-old boys to fight for people that do not draft their own sons until they are 21. And the legislature of South Vietnam on many, many occasions refused to change that age.

American boys must serve their Nation in uniform or go to jail, but the rich South Vietnamese boy can buy his way out of the Army.

We have spent $150 billion on this war while the leaders of South Vietnam fill their Swiss bank accounts with American money.

Our Nation suffers for housing, schools, and hospitals, while the rich elite in South Vietnam accumulate wealth.

Our Nation has given so much to South Vietnam that has never reached the people there and will never reach the people there. We need much here—massive increases in funds for education, for health care, public housing, welfare, research, and environmental quality. But instead we waste our people and our substance in a useless war.

Our priorities have been turned on end while we fund and fund this war. And the corruption in that country makes it more and more tragic that a single American boy has given his life for this conflict. The Government of South Vietnam is corrupt to its core. It does not protect the rights of its people nor insure their participation in government. Yet, we supposedly fight for the people's self-determination. This will not change, whether we withdraw our troops by the end of this year or just prior to the election of 1972.

The President is withdrawing our troops slowly because we cannot stand to end the war without victory.

Mr. Chairman, I am frightened about the plan that the President is using in order to get down to the point where we just have only 50,000 troops over there. Why wait and do something slowly that could be done now?

It is a common expression of our soldiers in Vietnam that no one of them wants to be the last person killed in Vietnam. That is part of the tragedy—that even one more soldier should die while this Nation dallies.

What would happen if the North Vietnamese attacked Nixon's remaining 50,000 troops?

What would be the reaction here at home? This is the calculated risk. You will then have World War III. I say this to you, Members of Congress, and I say to the President: "Make an announcement, Mr. President, that on a set date you are going to stop the fighting, that within 60 days we expect to have our prisoners of war returned and that we will have all our troops out of Vietnam by December 31." That is what we want to do here today. Show that we want to stop the fighting, and within a certain time get our troops home.

Mr. Chairman, I support the Nedzi-Whalen amendment. We gain no advantage by staying a day longer in Vietnam. For the sake of our Nation, our remaining soldiers, and Vietnam, let us set a date. I urge support of the original amendment.

Mr. CORMAN. Mr. Chairman, I was one of the four cosigners of the letter initiated by the gentleman from Massachusetts (Mr. O'NEILL). I rise in support of the Nedzi-Whalen amendment to the bill before us today and I would like to speak frankly as to why it is desperately important that our military involvement in Southeast Asia must end and to my belief that the Nedzi-Whalen amendment is the instrument by which this Nation can finally bring this war to an end. My support of this amendment is not a vote for American disarmament. It is not a vote for an isolationist policy for America. We have not reached the time or place in the world's history where America can do without powerful national defenses. No nation, large or small, can either totally disarm or exist on a policy of isolationism. My vote is, however, a vote to end what we now know is an involvement that we should not have begun and should not continue. This was from the beginning an American military action in the wrong place and for the wrong objectives.

To understand this we must, I think, look back to World War II. All of us who lived through December 7, 1941, wondered then if this Nation would survive. We remember only too well the onslaught of Japanese military aggression in the Pacific. We well remember how quickly Hitler's army overtook most of Europe—the terrible fight—the tragic years—the many lives it took until the Axis Power's capitulated.

Korea and the "cold war" in Europe followed before we could even begin to assess or question the impact of World War II.

Many of us, from that time on, became overly defense minded. We had witnessed raw aggression, and were ready to accept any theory or policy put forth to fight aggression wherever it occurred. We doubted neither the principle nor the need for our involvement anywhere in the world. We had become the world's leaders, and we did not look too carefully as to what real responsibilities, in terms of the entire world, this leadership carried with it. We were in part, misinformed about the definition of aggression, and in part we misjudged the need for our developing policies "to stem aggression wherever it occurred."

So, in essence, many of us share the responsibility for the beginning of our involvement in Southeast Asia. That is history, and, at least for myself, I now look to a way that this country can discharge itself from this involvement—a way to end totally our military action in that area. To do so, we must look carefully and dispassionately at what was wrong with the policies and strategy that led to our involvement, and make certain that this Nation never again makes the same mistakes that we have made in Southeast Asia.

The Nedzi-Whalen amendment, in setting a date for complete withdrawal of our military personnel from Southeast Asia, is an opportunity we must not lose to achieve our complete military disengagement from this war. The lives of many of our young men, vast sums of money and energy—which have strained our own economy—and even the very fabric of this country's foundations, have gone into making the South Vietnam Government as viable as one country can make another. We do not, by this amendment, forgo our commitment to future assistance to South Vietnam in terms of money and goods. We do this for many nations through our foreign assistance programs. But, we do say—our military involvement must stop—our men must come home—our own country must put itself back together again.

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

Mr. Chairman, I rise in opposition to the Nedzi-Whalen amendment.

The amendment is faulty in many respects. However, one of the most serious disabilities in the amendment language is the premise that we can expect the North Vietnamese and the Vietcong to deal with the prisoner-of-war issue in a forthright and honest manner.

In a recent issue of the Washington Evening Star there appeared an editorial entitled "The POW Issue" which I believe assesses the POW issue in its proper perspective. At the proper time I will

ask unanimous consent to include the editorial in the RECORD. That editorial notes former Secretary of Defense Clark Clifford's statement that he "has reason to believe" the Vietnamese communists would release all American prisoners of war within 30 days of an American agreement to withdraw all U.S. forces from Indochina by December 31 of this year.

If Hanoi is seriously interested in such a proposition, it has no need to rely on the President's foes to convey its views. The United States, North Vietnamese, and Vietcong representatives have, after all, been in regular touch with each other for more than 3 years at the so-called Paris peace talks. Not once during those so-called negotiations have the Communists ever officially stated that they would agree to the return of all American prisoners within 30 days of an American agreement to withdraw all U.S. forces from Indochina.

I cannot comment on Mr. Clark Clifford's reasons for making a statement of the kind he did. Mr. Clifford was the Secretary of Defense at a time that the war in Vietnam was being escalated rapidly. Mr. Clifford has been intimately connected with Government for many, many years. He must know better than most of us that if he knows something that officials of our present administration are not privy to, he has an obligation to convey that information forthwith to the proper officials in Washington who can act accordingly.

If he has such information and fails to do so, he would be performing a grave disservice to not only the American public but to every single prisoner of war now being detained by the Vietcong and the North Vietnamese.

On the other hand, if he has no firm basis for his observations and assurances, then he has, in truth, been incredibly naive or perhaps far worse.

We have not gone through 6 years of sacrifice to come to the point of being talked into using the POW's as a political ploy.

Mr. Chairman, I include the editorial which I previously referred to, at this point:

THE POW ISSUE

The Nixon administration is right to take a cautious view of former Defense Secretary Clark M. Clifford's statement the other night that he has "reason to believe" the Vietnamese Communists would release all American prisoners of war within 30 days of American agreement to withdraw all U.S. forces from Indochina by December 31.

If Hanoi is seriously interested in such a proposition it has no need to rely on the administration's foes to convey its views. U.S., North Vietnamese and Viet Cong representatives have, after all, been in regular touch with each other for more than three years at the so-called Paris peace talks. One can only assume, then, that the Communists wish this emotive issue to be publicly stirred up.

Secondly, Xuan Thuy, Hanoi's chief negotiator in Paris, hinted broadly in a recent interview that when North Vietnam speaks of a U.S. withdrawal, it means the cessation of *all* aid.

What the North Vietnamese are saying, in short, is that only if the United States agrees to create the conditions for a Communist takeover of the South will they agree to the repatriation of the Americans they are holding. That amounts to blackmail, not negotiations, and is consistent with traditional Communist disregard for humane principles.

The return of the American prisoners is and should be one of the principal objectives of American policy. But it cannot be the only one. Mr. Nixon has stated on many occasions that the withdrawal from Vietnam should be mutual, gradual and incomplete until there has been an exchange of prisoners. That is a reasonable position.

This does not mean that the administration should not continue and indeed intensify its efforts in private discussions with the enemy to reach agreement on an exchange of prisoners, a cease-fire and other questions of mutual interest. And while it is always unwise to make threats which cannot be carried out, it might be useful to reframe the question in terms of what the United States will do if the prisoners are *not* exchanged rather than concentrating on the concessions to be made to secure their freedom.

For the brutal truth is that the North Vietnamees will not return their American prisoners until they have extracted every last ounce of advantage from so doing. In dealing with such people, it is in the real interest of the prisoners themselves to let the Communists know that there are limits beyond which they venture at their own peril.

Mr. LEGGETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman and gentlemen, I rise in support of the Nedzi-Whalen amendment.

I do not think that this is perhaps the best form of the amendment that we could have here to end the war, but I think we have to recognize the parliamentary situation that on this bill it has to be germane. In order to make a germane amendment it has to be rather obscure and unfortunately we must beat about the bush. I tend to think that this Congress, of course, has not participated at all in approving this war, so it is probably just as well that we let the thing meander along and let the President wind it up if he can.

I also say this: I want to commend the President of the United States for the withdrawals that have taken place to date. We now stand at some 255,000 men. I think when my party was in power we had some 548,000 men there. Even still I tend to think we should have some concern here in Congress as to where we are going from here.

I am not positive that the President, in spite of the things he says, has a really firm idea of how he is going to end and terminate this war. I believe the gentleman from Massachusetts (Mr. O'NEILL) is exactly correct in saying that really we have spent—I do not know whether he said a figure—$200 billion, we have 45,000 dead Americans, we have 300,000 wounded, and we have obligated ourselves for $200 billion of veterans' benefits now, in order to do as the gentleman from New York (Mr. STRATTON) says, to provide self-determination for the people of South Vietnam.

Certainly, that is a very laudable objective, but I do not see why we are not working for self-determination in Iran or self-determination in Pakistan or self-determination in Central America, or in Argentina or in a massive number of countries that we seem to have very little concern about.

If we are talking about self-determination, how about South Vietnam's "Barry Goldwater" who ran in the last election, Tran Van Dinh, who got 30 percent of the vote and now sits in a Saigon jail because he advocated the wrong neutralist policies, perhaps policies to bring the folks together out there to end the war.

The President I believe wants to end the war. He is bothered by the Joint Chiefs of Staff, who really do not have a plan to end the war.

He gave a press conference a few weeks ago, on June 1, and they said, "Mr. President," in the press conference, as reported in Congressional Quarterly, "Will you set a date if we can get the prisoners back." And the President's response to that was that the only thing they had told us we can get in response to setting a date was talk.

This was one of the things I discussed in my little informal chat in international diplomacy in Paris a few weeks ago with the Deputy Chief of Mission of both the North Vietnamese and the National Liberation Front. I referred to the President's statement and I said, "Do not talk about talk. What can we do as far as action goes?" One has to badger these people and has to press them.

What we found out we could get was, No. 1, a list of prisoners in South Vietnam; No. 2, we could get an immediate cease fire if we had agreed on a reasonable termination date for the war as far as the United States is concerned; we could get a guarantee that our troops would get out without being fired upon; and could also get a guarantee not only that we would talk about prisoners but also that the prisoners would all be returned to the United States prior to the obtaining of the reasonable termination date.

We came back and talked to the White House. I exchanged that information with Ambassador Bruce. The press asked the State Department about this.

I want to read the dialog of the press conference at the State Department, and four analyses from my office describing my recent informal talks with the enemy forces in Paris.

NEWS BRIEFING

Q. Charles, can we go on to Viet-Nam now?

Representative Leggett today said in a conversation with the Number 2 Man of the Viet Cong Delegation in Paris, on March 31st—he was told that if the United States sets a date for total withdrawal, they will release a list of all American POWS they are holding.

And secondly, that these POWS would be released before that total withdrawal was taken out.

Do you have any comment on this at all?

A. That if we set a date for our withdrawal, they would release the list—

Q. Yes.

A. And they would release the prisoners before the withdrawal was complete.

Q. Yes.

A. The Geneva Convention, I believe, requires that lists of prisoners of war be provided promptly to the sending country; that list is clearly-long overdue and is not under international convention, the kind of thing that we should have to negotiate for.

Now we continue to have indications which are conveyed informally and semi-publicly to Americans of possible changes in the negotiating positions of the North Vietnamese and the PRG.

We continue to attempt to probe, officially, for confirmation of any such changes in the other side's position, and we would welcome—but have so far been unsuccessful in eliciting—any confirmation from the other side that its position is changing. We would welcome this publicly, privately, but we would certainly welcome some official confirmation.

Q. Charlie, in the President's press conference, his last press conference, he said that all they have said—

A. Let me just add a sentence to this, Marilyn.

Q. Oh, yes.

A. I regret that we have never been successful in confirming officially, what the other side may be saying informally to private American citizens.

Q. All right, Charlie, the President said that all they have promised to do is to discuss the matter. They have never promised to release them.

Now is all that is required at this point is official confirmation of these things that they have been saying?

A. I don't know how to get a handle on that question.

Q. In other words, the President apparently wants a word from them that they will release the prisoners—not that they will "discuss" prisoner release.

Is all that we are now requiring, is that last step in which they give us official confirmation that what they are saying to someone like a Congressman is in fact, their position?

A. Well, I don't want to pre-judge the future of negotiations, Marilyn.

The President has made his position very clear.

What I am suggesting is that if the other side is changing their position in any way, it seems to us reasonable, since we have been attempting to negotiate officially between sides in Paris for three years now, that they confirm their position to us oficially.

Q. Charlie, in the past, have they not telegraphed their position through the press? For example, when they moved from the word "could" to "would" and so on and so forth—just for the record—has it not been true that what they have been saying privately to journalists, American Congressmen and so forth, has later been borne out in the official activity in the talks?

A. Well, all I can—

Yes, the answer is that that does sometimes take place.

All I can say is that the telegraph wire to which you refer has been busy telegraphing for many months, now—without any confirmation of an official character.

Q. Charles, the President used the word "commitment" in his press conference—if I can just rephrase the question: If we receive a commitment from the North Vietnamese to release American prisoners, are we willing to set a deadline?

A. I am going to leave this where the President left it, John, I am sorry.

PRESS RELEASE FROM CONGRESSMAN ROBERT LEGGETT

WASHINGTON.—The National Liberation Front, or Viet Cong, has told a U.S. Congressman that if a date for complete withdrawal of American forces from Vietnam is agreed upon, they will release all American prisoners before that date. They also said they would release a complete list of prisoners so soon as the date was agreed upon.

The statement was made to Congressman Robert L. Leggett by Nguyen Van Tien, second-ranking member of the NLF negotiating delegation, during a three-hour private meeting held in Paris May 31.

Congressman Leggett cautioned that statements made in private conversation do not constitute public commitments. However, if the NLF delegates publicly confirm their private statements, this would constitute a significant change in their position. Previously, they have said only that they will "discuss" the prisoner issue once the date were agreed upon. They have been unwilling to commit themselves to releasing the prisoners before the completion of American withdrawal, and they have been unwilling to specifically discuss the question of the list.

Mr. Tien also told Congressman Leggett that the NLF would not attack withdrawing American forces, that they would establish an immediate cease-fire once the date was agreed upon, and that the government the NLF hoped to establish in South Vietnam would like to have diplomatic relations with the United States.

Congressman Leggett also met with Nguyen Minh Vy, second-ranking member of the North Vietnamese negotiating delegation, on May 29. Mr. Vy was willing to establish a cease-fire and to refrain from attacking American troops once the date were set, but he would not promise that all pirsoners would be released prior to the completion of the American withdrawal.

"It's too bad we met with the North Vietnamese first," Congressman Leggett said. "If we had seen the NLF first, we could have come to the North Vietnamese and said, 'This is what your NLF colleagues told us. Do you agree with their position?' I don't think the North Vietnamese have ever failed to support a statement by the NFL."

Congressman Leggett quoted statements by President Nixon at his June 1 press conference that he would not offer to set a date for total withdrawal because "we have yet no indication whatever that (the North Vietnamese) will be willing to release prisoners in the event that we took certain steps."

"We now have this indication," Congressman Leggett said, "assuming our private conversation is publicly confirmed. At least, we have it from the NLF, which may hold up to 540 American prisoners. If North Vietnam supports the position of the NLF, I urge President Nixon to respond by setting a date.

"Both the North Vietnamese and the NLF insisted Mr. Nixon is using the POW issue as a false pretext for continuing the war," he continued. "They said his real motivation is to maintain the Thieu-Ky government. If the NLF position is publicly confirmed, and if the North Vietnamese support it, I hope President Nixon will give the lie to their accusations by offering to set a date for total withdrawal. I believe Christmas of this year would reasonable."

Congressman Leggett described his reception as "hospitable and cordial throughout. Our discussions were almost entirely free from polemics." He asked if he could return in a few months for further discussions, and both the NLF and the North Vietnamese indicated this would be agreeable.

REPORT ON MEETING WITH DELEGATES OF NORTH VIETNAM AND THE NATIONAL LIBERATION FRONT

(By Hon. ROBERT L. LEGGETT)

On May 29, 1971, I met with Nguyen Minh Vy, the second-ranking member of the North Vietnamese negotiating delegation in Paris. Two days later, I met with Nguyen Van Tien, the second-ranking member of the National Liberation Front negotiating delegation. Robert Sherman of my staff was present with me during both meetings. Mr. Vy and Mr. Tien spoke through their own interpreters. Mr. Vy and Mr. Tien and their interpreters were most courteous and friendly throughout the discussions.

Our talks were long: two hours with the North Vietnamese and nearly three hours with the NLF. Much of what we said and heard was not new, and there is probably no point in repeating it in detail; our notes from the meetings are available to those who are interested. But I believe we may have made some breakthroughs, at least in our discussions with the NLF.

First. The NLF delegate, Mr. Tien, explicitly told us that if all parties agree upon a date for total withdrawal of US forces from Vietnam, the NLF will release all American prisoners before that date.

Second. Mr. Tien explicitly told us that, once this date is agreed upon, the NLF will immediately release a complete list of the prisoners it holds.

Both of these concessions came unexpectedly. When I asked Mr. Vy of the North Vietnamese delegation, "If we set a firm date for withdrawal and stopped all bombing, could we be assured our prisoners would be returned and our troops would not be attacked?", he responded by referring to the December statement by Madame Binh of the NLF. This is the one which says if we agree to get out by June 30, 1971, they will protect the safety of American troops and will discuss the release of prisoners. I said the June 30 date would have been excellent six months ago, but was now no longer feasible. I urged them to make a more specific commitment than simply agreeing to "discuss" the release of prisoners. I pressed these points repeatedly.

Their response was always polite and cordial, but invariably they wound up referring back to Madame Binh's statement. Their attitude was that this statement indicaed all problems would resolve themselves once we set a date. They said, in effect, that my proposal was the same as Madame Binh's, so what were we arguing about. Every time I stated my desire for more specific guarantees, or for a date later than June 30, they just referred back to Madame Binh's statement, although they did say they would consider another date if President Nixon would offer one.

If the North Vietnamese were this rigidly tied to Madame Binh's statement, I was afraid we would just get more of the same when we met with Mr. Tien of the NLF two days later. Happily, this was not the case.

My assistant, Mr. Sherman, asked him, "If the President were to agree to complete withdrawal of all American forces by Christmas of this year, when could we count on recovering all our prisoners?"

Mr. Tien responded, "All the prisoners will be returned before Christmas." Later, he amended this by saying, "If the parties agree on a date for withdrawal of all US forces, we will release all the American prisoners before that date."

In order to be sure there was no misunderstanding, we came back to this point on three separate occasions, and he affirmed it each time. However, I want to caution against over-emphasizing a statement made to me in private conversation. This is not a public commitment. I hope the question of the guaranteed release of prisoners before final withdrawal will be put to Mr. Tien and Madame Binh at their next press conference. If they publicly stand by their statements to us, and I fervently hope they will, then I believe this is one more reason why we should set a date for complete withdrawal.

At his June 1 press conference, President Nixon said he would not set a date for withdrawal because as far as the North Vietnamese are concerned, ". . . It always comes back to the same thing . . . they will agree to discuss prisoners, not release them. We have yet no indication whatever that they would be willing to release prisoners in the event that we took certain steps."

Now we appear to have this offer to release them, subject to public confirmation of course, and I hope the President will act

accordingly. It is true that the offer comes from the NLF rather than the North Vietnamese, and unfortunately we met with the North Vietnamese first, and thus did not have the opportunity to ask them if they shared the position of the NLF. I hope the press will ask this question at the next North Vietnamese press conference in Paris. Parenthetically, I believe the North Vietnamese have never failed to support an NLF statement of policy.

Their second unexpected concession was their promise that they would release a list immediately if a date were agreed upon. As we did with the promise to return the prisoners, we came back to this point several times to eliminate the possibility of a mistranslation or misunderstanding.

Now I will briefly summarize some of the other aspects of our discussions. I am, of course, merely reporting what was told to us, rather than stating my own position.

Mr. Tien promised an immediate ceasefire if the date were set. He said he had no interest in maintaining the prisoners in captivity. He said the prisoners were well-fed and received medical treatment when necessary. He complained of brutal treatment in the ARVN prison. He said the NFL wanted to form a government that would include members of the present government in Saigon, although Thieu, Ky, and Khiem must be excluded. He said he believed in one man one vote and thought a multi-party system was possible. He said when the NLF takes over South Vietnam it will want to establish diplomatic relations with the United States. He said the NLF hopes to establish a neutralist foreign policy. He also described their economic program as "neutralist," by which I believe he means a mixture of socialism and capitalism. He said they would like to receive economic aid from anybody, as long as it came without conditions. He said the NLF forces in the Mekong Delta had more than enough food, enjoyed majority popular support, and were doing well.

We made a number of unsuccessful attempts to elicit further concession. On several occasions, I asked Mr. Tien how many prisoners the NLF held; he said they did not have a count. Mr. Sherman suggested it would be a valuable good-will gesture if the NLF were to release twenty or fifty prisoners; Mr. Tien replied that they had at various times released 30 prisoners, including journalists, and that each time the U.S. Government had dismissed it as propaganda. We asked if Christmas 1971 was a satisfactory withdrawal date for them; Mr. Tien replied, "the sooner the better."

I think it's worth noting that, unlike the North Vietnamese, Mr. Tien never once mentioned June 30 as the withdrawal date. Moreover, his demeanor seemed to suggest that Christmas was an acceptable date, although he didn't want to commit himself to it in the absence of any evidence that it was acceptable to our government.

I asked, "If the United States agrees to withdraw on a day certain will the North Vietnamese also agree to withdraw on a day certain?" Mr. Tien smiled and said the Vietnamese would solve this among themselves, politically, after the United States left.

Both the North Vietnamese and the NLF stated their view that President Nixon uses the prisoner issue as a false pretext to continue the war. They said his real reason is to preserve the Thieu-Ky-Kheim government. They said he had indicated American troops would remain until the Saigon Government was stable. It was their position that the South Vietnamese Government could never be described as stable, since there is no objective criterion for stability; therefore this rationale could be used to keep our troops in Vietnam more or less indefinitely.

Both were willing to pre-commit themselves to guaranteeing the safety of the withdrawing American troops, once a date was set.

Both delegations expressed cynicism toward the elections scheduled for South Vietnam this fall, saying free elections were not possible under Thieu and Ky.

Both Mr. Tien and Mr. Vy expressed interest in our plan for proportional repatriation and disengagement, although both wished to study it further before commenting. I continue to believe this plan could be the most feasible procedural vehicle for carrying out the withdrawal, once we have agreed on a date.

Both Mr. Tien and Mr. Vy received us with hospitality and friendliness, and the discussions were almost entirely free of polemics. Both asked to meet our wives, who were waiting in the car—the NLF went so far as to ask them to sit in on the last hour of our discussion.

I asked both Mr. Tien and Mr. Vy if I might return and talk with them again in a few months, and both indicated this would be agreeable.

Finally, I must add that Ambassador Bruce and our own negotiating team were most cooperative and helped me in every way they could. I was impressed by their intelligence and ability, and I regret that they continue to be burdened by our government's refusal to set a date; they deserve to represent a workable policy.

THE HONORABLE ROBERT L. LEGGETT MEETING WITH DRV DELEGATION ON MAY 29, 1971

Together with my assistant, Robert Sherman, we just completed a two-hour conference with Nguyen Minh Vy, the Deputy Chief of the Negotiating Delegation from North Viet-Nam. The interpreter was a man by the name of Xuan Oanh, a gentleman who said he was at the Delegation to study music. The conference that we had was a pleasant one. It did not take the classic form of questions and answers, and in that respect sometimes it was difficult to obtain particular answers to questions that were posed. It started with a statement by myself for perhaps 20 or 25 minutes, followed by a statement from Mr. Vy for a similar period of time, and thereafter we had certain specific answers—certain specific questions.

I would generally conclude that very little new was learned from the conference. It consisted primarily of restatement of prior positions by the North Vietnamese Delegation. They appeared, however, to be very friendly and very much concerned about the opportunity to talk to ourselves. They indicated they considered that we were friends and that they were reluctant to talk to anybody about the prisoner of war issue. They knew that we came to talk about the prisoner of war issue. They were cognizant of the program which we had suggested concerning proportional repatriation. They were impressed with our sincerity in making these proposals, probably primarily because we had attached a Christmas withdrawal date in connection with the percentage of reductions; for this reason they discussed the situation with us. With respect to the particular percentage withdrawal proposal both for troops and prisoners of war, we really didn't appear to have much of a problem. The North Vietnamese Delegation apparently is of the view that the prisoner of war issue is being used primarily by the Nixon Administration to justify a long-time occupation by a residual force in South Viet-Nam, probably for the purpose of maintaining the stability of the South Vietnamese Government.

They were much concerned that Nixon had indicated we could not withdraw until: number one, their troops were withdrawn; and number two, the stability of the South Vietnamese Government was assured. It was their position that the South Vietnamese Government could never be described as stable, since there is no objective criterion for stability and therefore our troops probably would be in Viet-Nam more or less indefinitely. They felt, considering the fact that Nixon had put the double condition onto our withdrawal timetable, that the prisoner of war issue was strictly fraudulent, and they made that point over and over again—that prisoners of war is no problem. I asked them if we set a firm date for withdrawal, could we be reasonably assured if we did no further bombing, that cities would not be shelled and in the withdrawal period that American troops would not be assassinated if they withdrew, and that all of the prisoners would be returned to us in advance of the withdrawal date.

I assumed a hypothetical date of Thanksgiving or Christmas, or finally Washington's Birthday, and their attitude was that really there was no problem on any of those issues, that of course they were unable and unwilling to assume any other alternative withdrawal date other than the date that Madame Binh had suggested, to wit, June 30 (next month). I indicated that this date was, today, totally unreasonable. They cited General Shoup's testimony indicating that we could withdraw a great number of men in a very short period of time, and I assured them, while that is technically possible, certainly if you were banking on the support of American public opinion, that American public opinion would require a longer duration date, that certainly we would have to—whatever we did and whenever we totally got out—firmly give notice to the South Vietnamese Government, and I told them under no circumstances could that date be less than six months.

So, I said assuming a six-month period, assuming all these prior conditions, and assuming we announced to the press that we would get out by Washington's Birthday—that we would withdraw totally by that period of time and that we would not conduct further bombing—could we be assured that our troops, number one, could get out without incident, that our prisoners could be returned, and that the cities would not be shelled.

The response to that was that—well, Congressman, you have Madame Binh's proposal—that's the same thing. This is your proposal—really there's no problem.

So I generally concluded that they were not really interested in setting up a new possible scenario. They were concerned that whatever we set up would probably be manipulated by the President. They indicated that they had many reservations about the President's good intentions. They also didn't like Mr. Reagan, the Governor of my home state. whom they referred to in a jocular fashion.

[(Mr. Sherman speaking, quoting Mr. Vy): "While insisting on a date of withdrawal, we can assure you there will be no problem in solving the POW problem if the date is set. But Nixon does not do his part—that is in setting the date. We cannot do ours, that is, in releasing the POWs. The difficulty is not from our side."]

I further asked them two questions that were posed in an article by Scotty Reston, as reported in the Washington Star on April 9, where he indicated President Nixon said he would not set a specific date for any American disengagement from the conflict because this might put the remaining troops in danger and interfere with the release of our prisoners of war. Reston asked two intriguing questions—one for Nixon and the other for officials of North Viet-Nam and the National Liberation Front. First, would Nixon set a date for the total withdrawal of all American forces from Viet-Nam if officials on the other side guaranteed the release of all prisoners of war and the safe evacuation of all American troops? And second, would Hanoi and the NLF agree to release the prisoners and guarantee the safe withdrawal of the American Forces if he got a guarantee that all Americans would be out of that country by a certain date? It was my general impression after hearing their answer that they feel there would be no problem in terms of their actions; that is, there appears to be no reason to withhold affirming a certain date for fear of safety of American troops.

Apparently they are prepared to pre-commit the safety of withdrawing troops if a firm date for American withdrawal is set.

They finally indicated that they would be glad to talk to me again in perhaps 60 days, that they felt they learned something of American public opinion from our conference, that they wished me well, and wished me to convey my best wishes to members of the American Congress who were concerned with ending the war.

STATEMENT OF CONGRESSMAN ROBERT L. LEGGETT, CONCERNING MEETING WITH REPRESENTATIVES OF THE PROVISIONAL REVOLUTIONARY GOVERNMENT, MAY 31, 1971

Congressman LEGGETT. On the above-mentioned date, at my request, Mr. Robert Sherman and myself met with Mr. Le Van Loc (he didn't speak), described as expert, Le Mai, interpreter who was also described as expert, and second man on PRG negotiating team, Nguyen Van Tien. The meeting took place at the above address, a two-story home. Two French policemen were located outside. We were invited into the home, which had French conventional furniture and draperies and appeared to be clean. We were asked to have a seat and the five of us engaged in a conversation for approximately two and three quarter hours. The PRC people appeared to be cultured and hospitable. They served a thick, carbonated orange juice, cabernet wine and delectable meat rolls as hors d'oeuvres.

I began the conversation by explaining that neither Mr. Sherman nor myself represented the Nixon Administration, that we were Democrats, that I was a member of the House Armed Services Committee, and that a number of us in the Congress and many of the people in the United States were interested in reorienting American national priorities and ending the war with peace in Southeast Asia.

We mentioned that a few days earlier we had met with the North Vietnamese, to wit, Minister Vy. We indicated that we had a program that had been now authored by approximately 10 percent of the American Congress which we called proportional disengagement, also known as proportional repatriation. Tien appeared to be aware of our proposal through correspondence and otherwise. I emphasized that the proposal involved a number of factors that were beneficial to both sides, that it would call for a date for disengagement, would assume no bombing or shelling would occur after the date was set, and that proportionally troops and prisoners would all be withdrawn and returned home.

I mentioned that I was aware of the proposal for disengagement suggested by Madame Binh, to wit, June 30, 1971. I indicated that at this time a more reasonable date would have to be looked to, such as next Christmas or spring. I explained to Tien that as far as I was concerned, I felt both sides had an interest in a programmed disengagement whereby the South Vietnamese government would have at least six months notice of American total withdrawal. I used the words that they could be "weaned from the United States."

I mentioned that I felt it was to our mutual advantage that we not have a long-term occupation of South Vietnam. I mentioned that the American people, I felt, were tired of the war in large part because we couldn't afford it due to inflation; that inflation was not a permanent thing, that conditions were bound to get better, that when we were in a healthier economic condition, the American people might again find it to their advantage to continue the war. I mentioned that as a result of this possibility it was to our mutual interest that we negotiate prior to the time the President's de-escalation resulted in a hard-core residual force of occupation.

Mr. Tien thanked me for my explanation. He welcomed our good will to end the war, to bring an early repatriation to troops and prisoners of war.

I had mentioned that the proposal I had made did not receive the blessing of our own administration, and I mentioned the reasons why our proposal had received a negative response, to wit, we were concerned that if the PRC and NVN did not accept a proposal like this we might find it difficult to further disengage.

The response to that by Mr. Tien was that the Nixon Administration's negative answer was easy for him to understand because he felt that President Nixon was using the prisoner of war issue merely as a camouflage to masquerade (his words) Nixon's perfidious schemes to maintain prolonged occupation. He mentioned, as Mr. Vy had mentioned, that President Nixon had conditioned his disengagement intent on two conditions. First, the return of all American prisoners of war and, second, the stabilization of the South Vietnamese government. Tien indicated that the South Vietnamese government could never be stabilized. Tien indicated that Nixon knows the PRG position on prisoners of war. "He knows that they can be returned if he would merely set a date for disengagement, but he insists on maintaining his options for a long-term occupation." He indicated if Nixon would set a reasonable date, the prisoners of war could be released soon.

My assistant, Mr. Sherman, asked, if the President were to announce withdrawal of all troops by Christmas of 1971, could the prisoners be released earlier than that date? Mr. Tien smilingly indicated that this was very possible. He indicated that humanitarian considerations would require the release of the prisoners. "When President Nixon sets a date, prisoners could be released through talks relatively soon without attacks on withdrawing troops."

At this point I asked him if we could have a list of the prisoners. He repeated that this can be solved when they receive the notice of withdrawal.

I said, "Well, how many prisoners are we talking about—350, 100, 200, 40?" He smilingly indicated that he hadn't accumulated the lists. I said, "Do you have so many you cannot count them?" He smilingly replied that when the President provided the notice of disengagement Tien would provide the list of prisoners and the prisoner issue would be settled.

I asked if the prisoners were well-kept. The response was that they were. I asked if they received medical attention. He said that they had hospitals and doctors—many underground. He indicated again that President Nixon is not concerned with the prisoners, only with supporting the Thieu/Ky/Khiem government, that President Nixon needlessly continues to waste the lives and dollars of American taxpayers to support only a handful of bellicose people, to wit, Thieu/Ky/Khiem.

Mr. Tien was concerned that the people in the United States and their other friends around the world continue to exert pressure on the President to end the war. He indicated that they would like to see a termination of hostilities, the establishment of a new government, the establishment of diplomatic relations of the new government with the United States.

I asked him at this point who he expected to win the election in October in South Vietnam. He indicated, that depends on Nixon. If Mr. Nixon wants the war to end, if he wants an honorable end to the war, he will have to support the South Vietnamese people who want the withdrawal of the United States support to the Thieu/Key/Khiem government. He indicated that the people of Saigon and South Vietnam, in his view, hated the government.

I asked him if Madame Binh and himself were to join in a ticket, if they were allowed, opposing the Thieu/Ky/Khiem ticket, who would win. He indicated that this was not allowed over there.

I asked him what percentage of support in South Vietnam he felt the PRC had. He indicated that they had an overwhelming majority. He said he had considerable support in the urban areas. Because people are tortured and placed in tiger cages it is difficult to determine their allegiance.

I asked if he were a Communist. He indicated he was a neutralist. He indicated that because there was no freedom of speech in South Vietnam, it was difficult to determine the attitudes of the people.

I asked him what major changes he would like to see in South Vietnam besides Thieu/Ky/Khiem and the United States getting out. He said he envisaged a nation of concorde, reconstruction, and economic development as well as respect for independence.

He said he would accept aid from any country if they wanted to assist in rebuilding South Vietnam.

I asked him what he thought of Big Minh's chances for the election. He indicated that depended on Nixon.

I asked him how the government of South Vietnam could redevelop, how the parties could work together. He indicated that everybody could work together, but not Thieu/Ky/Khiem. He indicated that anybody should be allowed to participate in the government who supported neutrality, independence, and peace. This excluded Thieu/Ky/Khiem. But when was asked who was the judge of the standards he described, he smiled and said the people will decide.

I asked him if the thought a two-party system would work in South Vietnam or a system where the Communists were allowed, as in the United States, France, and Italy. He thought if they had too many parties the government could not work.

He again made clear Madam Binh's 8 points for a coalition government of the three components: (1) the PRG; (2) the Saigon government, but not Thieu/Ky/Khiem; (3) persons of religious forces, all of whom were for peace, independence, and neutrality.

I asked if he believed in one-man, one-vote. He smilingly said he did (if he understood me).

We asked about reprisals after the war against people who supported the Saigon government. He indicated that reprisals are useless, that the people of Vietnam have had too much of war. They will welcome a neutralist policy.

I asked him if he planned a Communist-type system right away. He indicated he wanted to govern in an independent, neutralist line. I asked if he planned a private enterprise, a Communist, or a socialist economic system. He indicated that he supported a neutralist economic system. I said if you don't plan to have private enterprise or a Communist system, could the system you espouse be described as socialist. He smiled and said, "No, it's a neutralist, independent line." I said that when you write your book on a neutralist, independent economic system, would you send me a copy. He smiled.

I asked why he was opposed to Thieu/Ky/Khiem. He said he was last in South Vietnam in 1969. He said he was opposed to the dictatorial, war-like policies and the corruption of the Thieu/Ky/Khiem government. He was opposed to its support by the United States.

He said that Vietnam was one country for 4,000 years, that there was a common desire for eventual reunification of the North and the South, that he was in no hurry. I asked if he wanted to unify the North and the South right away. He said, "Well, there's a difference in regimes. It will take a long time for reunification, maybe five to ten years."

I asked if the United States agreed to withdraw forces on a day certain, will the NVN also agree to withdraw on a day certain. He stated that the problem of the Vietnamese armed forces will be solved by the Vietnamese parties themselves. I said, "Well, armies solve problems by force." He

smiled and indicated that he felt that a political solution was the way the Vietnamese would solve their problems after the United States left.

I asked again if he felt that multi-political parties could work in Vietnam and he indicated, yes.

Back to the subject of prisoners of war, we asked again about health (already covered), and what prisoners got to eat. I asked if they were given food other than rice. He said yes, New Nuong (the meat rolls we were then consuming). He said the prisoners like it.

We asked again when we could get a list of prisoners. He said when the President sets a date we can have a list. I said how would you like to have a list of your prisoners in exchange for a list of our prisoners.

He said, "They tell us you have only three political prisoners. We ask their names and the names were not provided."

He referred to an article by Don Luce, a copy of which he provided me. The article, he said, refers to one hundred to four hundred thousand political prisoners. He said the United States admits to one hundred to four hundred thousand political prisoners. I asked him where these people were. He said they were in a thousand prisons and jails, at Con Son prison, with 8,000 and he provided me with another list of prisons where he claims political prisoners are being held.

I asked, if I gave him the names of their political prisoners, will he give me the names of our prisoners? He responded that if Nixon desires to end the war and set the date for withdrawal, then all the rest of the problems can be resolved easily.

We talked again of a Christmas disengagement date. I asked him, "Since you are allied with the North Vietnamese and since they provide a list of prisoners and mail service, why don't you?" He said, "I think we have explained that. If Mr. Nixon will set a date for withdrawal, the prisoners can be returned." He stated that thirty prisoners, including civilians, have already been released from the South and that all of the releases were claimed to be merely propaganda efforts.

I asked him why he didn't talk to Madame Binh and give us the names of a few prisoners to take home. He ignored the question. Mr. Sherman then asked a series of questions to the effect that the American position of the President was that if a date were set for disengagement, that the President was concerned that a number of other conditions would be added before prisoners could be released. At that time, Mr. Tien referred to a written statement that he had provided earlier in the negotiations which stated that if a reasonable date for disengagement were set we could have an immediate cease-fire, second, that all parties could immediately enter into a discussion insuring the security for withdrawal and release of all captured military men, that the discussions could be had on release of all prisoners of war, and he said then, that a second matter to be resolved was the disposal of the Thieu/Ky/Khiem government. He indicated that the two problems were linked together which caused us preliminarily to believe that they would require the deposing of the existing Saigon government before the prisoner issue could be resolved.

Mr. Sherman again asked if they felt Christmas was a reasonable date. The answer was the sooner the better. I said, "Well, your answer indicated then that the setting of a date is totally immaterial for a solution to the problems, that the main issue is the deposing of the Saigon government which appears to be a condition not under the control of the American people." He indicated that was not correct. The position was not so rigid. I asked him to explain this. He said again that if the United States sets a date for withdrawal immediately, there would be a cease-fire between the United States and the NLF, that the parties could immediately enter into discussions for the return of all prisoners, captured men and pilots and for the safe withdrawal of all American forces, and then there would be a second question which could later be handled concerning the Thieu/Ky/Khiem government.

I told him that the United States has good control over our troop disengagement but not over the Thieu/Ky/Khiem government. He said that the United States must be responsible. I told him that the American people were not responsible for the government of Saigon, that the American people wanted the withdrawal of American forces, but that there was not majority support in the United States to abandon the Saigon government. I said I anticipated the United States would supply Saigon and Hanoi would supply them (i.e., the PRG) until a political settlement is reached.

I asked him how he thought it would be possible to get rid of the Thieu/Ky/Khiem government. Since they controlled the Army, a coup did not look likely and they appeared to have popular support in the elections the way they were held. He stated if the United States withdraws military support, it's over. I asked him to explain this. He indicated the Thieu/Ky/Khiem government survives on U.S. aid. I asked if the ARVN didn't have billions of dollars of supplies already. He indicated they will need more.

I asked him when was the last time he was in South Vietnam. He stated 1969. His home is in the Mekong Delta in a place called My Tho, 80 kilometers south of Saigon. I asked him if he had read *U.S. News and World Report* last week indicating the Mekong area was reorienting toward the Saigon government. He said the people's movement in the Mekong is very strong, has always been on the offensive. He said evidence of this is the toxic spraying of chemicals by the United States which has destroyed ⅔ of the coconut trees, much of the crops and fruit trees. He said if there is no problem in the Mekong, why do we spray the crops.

I asked him if his forces rely on the Mekong food supply. He said yes, that they had plenty of food, a surplus.

I asked where his people sleep at night. He said many places. They go to bed at 8:00 P.M. In liberated zones. This is difficult near U.S. bases where they must live in underground shelters.

I said, "What do you do with your wounded?" He said that they have doctors and hospitals throughout South Vietnam and in the liberated zones. I asked where the liberated zones were and he said, all over.

I asked what percentage of support he had in Saigon, the number of people. He said the people cannot say openly, but the PRG has majority support.

I asked him if the United States withdrew, could the South Vietnamese government survive another Tet-type offensive. He said if there were a cease-fire, there would be peace.

I asked if any of the written material he had given us was new. He indicated that it was provided negotiators last year except, he said, information on the prisoners. I asked if he was tired negotiating. He said, "We are a patient people."

During the conference we asked specifically if a reasonable date were set, perhaps six months away, what would happen? He answered: No. 1—cease-fire; No. 2—We would talk about prisoners and agreement would be reached where prisoners were returned immediately before the disengagement date, that the safety of all troops disengaging would be guaranteed and that a list of prisoners would be provided also immediately.

My wife and Mrs. Sherman were present for about one hour of the conference. They were welcomed.

Tien said he would be glad to talk to me again in sixty days.

Mr. SHERMAN. During the course of our discussion there were several points they made, which were new at least to me. In all cases in order to make sure that there was no misunderstanding, we explicitly restated what they said at least once, sometimes three times, to be sure that they would confirm it. They began by saying that President Nixon's rejection of proportional repatriation was easy to understand because he intended to keep troops in Vietnam and to continue the war indefinitely. He said that President Nixon proposed two conditions for withdrawal—(1) prisoner release; (2) stabilization of Saigon and Saigon cannot be stabilized.

We asked them if we were to withdraw by Christmas, when would the prisoners be returned. They said the prisoners will all be returned before Christmas. This point we reviewed three more times to make sure there was no misunderstanding. They did not insist on a June 30 deadline, which the North Vietnamese negotiators did. They did back off from their statement in one instance, this was a distinction they emphasized very strongly. They indicated by their mannerisms they felt it was an important distinction, that is that the date for withdrawal must be reasonable and it must be agreed to by all parties.

Later in the discussion, I asked him explicitly if they regarded Christmas as a reasonable date and they said, "The sooner the better."

They said they have no interest in keeping the prisoners. They have no intention to maintain them in captivity.

He said once the United States withdraws, friends of the United States who love peace will replace Thieu/Ky/Khiem. I asked him if they considered themselves friends of the United States. They laughed and said they considered themselves friends of the American people. They said they were ready to establish diplomatic relations with the U.S. Government. They said if Nixon desires an end to the war, the coming election provides an opportunity to get out of the war in an honorable way. They said the government they would establish in South Vietnam would be made up of three elements—(1) The PRG, (2) Members of the Saigon government excluding Thieu/Ky/Khiem, and (3) Other religious persons who stand for peace, neutrality, independence and democracy.

We asked who would decide who stood for peace, neutrality, independence and democracy. They said the people will be the judge when they vote. I said then that they were saying that it will only be by a vote, the election is made not by a preselection and they said, yes.

Then they said they were ready to receive aid from anybody, as long as it came without political conditions.

We asked if they believed in one-man, one-vote. They said, yes.

I asked them, "Can you assure us that there will be no blood reprisals against those who associated with Thieu/Ky/Khiem." They said reprisals are useless among their people, that they desire to unite with each other and to rebuild. They have had enough of war. The danger of reprisals is a pretext used by President Nixon to prolong the war.

We asked them if they intended to unite with North Vietnam. They said Vietnam has been one country for four thousand years, that they were not hurried. There are differences between the two regimes. They mentioned a time period of "five to ten years or longer" as the time reference for reunification.

We asked them, "Will the North Vietnamese troops be withdrawn at the same time as the U.S. troops." They very emphatically said that the Vietnamese would solve this problem among themselves.

We asked them if the Vietnamese could work together with multi-political parties and they said yes.

At this point we asked them if once the date is set, will they immediately produce a list of all the prisoners they hold. They said they would. This point we subsequently

restated three times and they indicated agreement with it.

I said to them that one of the reasons that President Nixon gave for rejection of proportional repatriation was his feeling that if we offered to set a date in return for releasing the prisoners of war, that then the NLF would raise their price and would ask that the deposing of the Thieu/Ky/Khiem government as an additional price for returning the prisoners of war.

They said they want economic aid only, not military aid. We asked them if we continued to supply the Thieu/Ky/Kheim government, but gave them no military personnel, would that government be able to survive, and they said, no.

We asked them if the U.S. troops withdrew would the Thieu/Ky/Khiem government be able to survive another Tet offensive. They said if the U.S. Government withdrew they would want peace, not another Tet offensive.

We said it would be a valuable good-will gesture to end the war if they were to release twenty to fifty prisoners of war. They said they had released thirty prisoners of war already, including journalists, and that each time President Nixon had dismissed it as propaganda.

We asked them if they were tired of negotiating. They said, "We are patient."

On all occasions when we discussed the list they seemed to regard the list as a relatively minor thing and they emphasized that as soon as we set a date not only would the list be given out, but there would be an immediate cease-fire and they would immediately discuss the release of all prisoners.

Congressman LEGGETT. We generally concluded that our plan of proportional disengagement/repatriation might well be the procedural vehicle which the parties could use to carry out any negotiating prior to actual total disengagement after a date is set.

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

Mr. LEGGETT. I yield to the gentleman from Montana.

Mr. MELCHER. Mr. Chairman, efforts to deny the people's right to know about decisions made prior to 1968 to escalate the war in Vietnam gives a new dimension to the responsibility of the House of Representatives to assert itself on ending the war in South Vietnam.

Neither the people's representatives in Congress nor the public have ever been privy to the secret information that guided the decisions of high officials to involve us heavily in war in Vietnam. Even now the public is told it is not to know this information that was gathered in 1968 by the Pentagon because the Attorney General of the United States believes it would be leaking information vital to our national security.

Even though it is past history now, the people of this country should know what motivations, decisions, mistakes, miscalculations or misdirections by the officials at high levels have led us deeply into war.

By preventing this knowledge from becoming general, the Attorney General and others in the administration do all of us a disservice.

This day should end the subsurvient silence by the House of Representatives on ending our involvement in the undeclared war in South Vietnam. With the constitutional responsibility of initiating appropriation measures, the House in its past history was a more vocal and vital branch in the workings and decisions of the country. It should reassert that role.

Today the House again speaks on how long we permit this country to pursue the policies in Vietnam of a declining war and a slow withdrawal marked with decisions of military activity into Cambodia and Laos. Oh, how long, how long, does it take this country to decide that our withdrawal should proceed forthwith and our attentions turned toward our own Nation's economic and social problems?

It is fitting that the House today assert its right and duty to measure and direct the flow of expenditures in Vietnam. It is especially fitting in view of the Attorney General's action in court to muzzle the press and prevent publication of the facts surrounding decisions in 1968 to escalate the war in Vietnam. To try to prevent publication of the 1968 Pentagon war study by citing national security, as the Attorney General is doing with the support of the Secretary of State, will not wash with the American people. The people recognize that it is a flimflam effort to cover up the factual history by yelling "national security" to conceal decisions made to escalate the war prior to 1968.

President Nixon in the fall of 1969 rallied the people including myself behind him when he announced our withdrawal from Vietnam. The President was bringing the country to a unified position by this policy. But he has delayed too long to hold the strong backing he once had by stretching out his withdrawal plans, escalating side wars in Cambodia and Laos, and creating doubt as to his future plans.

There are many lessons to learn from Vietnam, and one of the most important is surely that decisionmaking on war should involve the Congress.

The House should speak today to tell the President what the people of this country have already determined. We are too long in Vietnam. "Out now" they say, "out with our men, out with our prisoners of war held by Hanoi." For that purpose and for that goal the people's elected Representatives can today take a stand and help guide the President and the Nation, as we are supposed to do.

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

Mr. LEGGETT. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

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

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. GUBSER. Mr. Chairman, I rise in opposition to the Robison of New York amendment.

Mr. Chairman, threaded throughout this debate we have seen serious consideration of our unfortunate prisoners of war.

Some have callously said that we are making pawns of these men. But we cannot disregard the fact that they are Americans who are prisoners for having done their duty as they were ordered to do it. It is our obligation to conduct ourselves here in this Congress in a manner which will best assure their safe return.

Now I commend the gentleman from New York (Mr. ROBISON) for his amendment, because I think it is intended to meet that purpose, but I submit that despite its sincerity it falls far short of that goal, and it will probably cause harm, because it unilaterally concedes a point that the North Vietnamese devoutly desire in exchange for a promise to be fulfilled in the future regarding POW's.

One of the greatest and most respected names in U.S. naval history is the name of Adm. C. Turner Joy. He was the man who conducted our negotiations at Panmunjom. Just by coincidence the Doorkeeper brought me a card a little while ago with this message written on it:

My father said in his book, "How Communists Negotiate," you must deal from a position of strength when negotiating with communism. Communists respect only force and patience.

The Chicoms in Korea were hoping the American people would force him to give in to the North Koreans and the Chinese communists.

Today is a repeat performance of the Korean truce talks.

And that is the card of C. Turner Joy, Jr. I think that man knows whereof he speaks. I think that he knows that the unilateral concession of a withdrawal date, no matter how well it is intentioned, no matter how much lip service we may give to the POW issue in a legislative forum, that these men will be held for ransom and for reparations, and they will be held for political purposes just like the *Pueblo* prisoners were held.

How many of you know that, according to the French Embassy, there are some 20,000 POW's and MIA's who fought with the French who to this day are unaccounted for? The Library of Congress expert on Southeast Asian affairs puts the number at 26,000.

Now, how can you ascribe any credibility to Hanoi's announcement that they will talk about the release of prisoners of war once we set a withdrawal date? How can we expect honest negotiations even with the so-called safeguards in the Robison amendment when we concede a major point without a quid pro quo?

Contrary to what so many people are telling you today, you can negotiate return of prisoners of war before a war is over. That is the way it is done. Let us not try to assume the negotiation process in this legislative body. It does not belong here.

It was on June 8, 1953, that the POW issue was settled at Panmunjon, to be effective on the date of the armistice, and the fighting was still going on and the fighting continued until 12 hours past midnight on July 27, 1953. That was the date of the armistice.

So it is totally false to say that you cannot negotiate a POW settlement in advance of a withdrawal or a cessation of hostilities. It was done in Korea, and it can be done again.

In the Robison amendment the term "ceasefire" is ambiguous. The North Vietnamese have repeatedly rejected our President's October 7, 1970, proposal for a total cease-fire throughout Indochina.

The most they have ever stated is that they would not shoot at American forces as they depart, which means they would continue to attack the cities and populated areas while claiming to only be shooting at their Saigon enemies. American lives would be jeopardized.

Also of dubious feasibility and wisdom is the Robison amendment charging the United Nations with the vital responsibility for insuring compliance with the provisions of the agreement reached under the resolution:

> The Communist side has explicitly and consistently opposed any United Nations role whatsoever in the Indochina conflict and North Vietnam's Communist allies in the UN could be expected to continue to make every effort to prevent the UN from playing an effective supervisory role.

Finally in contrast with the administration's call for an effectively supervised ceasefire throughout Indochina and for an international peace conference involving all of Indochina, the amendment totally neglects the important related areas of Laos and Cambodia where large numbers of North Vietnamese regular army units are carrying on their attacks.

The Robison amendment should be defeated.

Mr. SIKES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the House is being asked in this amendment to assume treatymaking responsibilities and to establish foreign policy. This is not our constitutional right. There have been a rash of attempts like this through amendments which claim to contain the magic date for an end to the Vietnam conflict. All of these efforts have a common failing. They set a date for withdrawal by American forces which is meaningless because they propose unilateral action by the United States. They assume the North Vietnamese, through some sudden change of heart, will release all American prisoners of war and stop the fighting and leave the South Vietnamese to their own destiny once the United States agrees to quit.

There is not an iota of evidence to support either hope. Nothing has been developed at the Paris peace talks which would indicate, let alone promise, such an outcome. All that we have are hints cleverly expressed by Asiatic Communists who are skilled in the art of doubletalk to some traveling American Congressman that everything will be all right if we will only establish an American surrender date in Vietnam.

Now, I have the fullest respect for our colleagues who are seeking to bring about an end to the war. Everybody wants the war ended. Our colleagues are very sincere in what they are attempting to do. But they ought to know that lying is second nature to a Communist. Is not it obvious that if the Communists really are serious, they would at long last be carrying on meaningful negotiations at the Paris peace talks? All they are doing is throwing dust in our eyes. What they say to American Congressmen is not binding and it is intended only to confuse the American people and cast doubts on our leadership. The Communists can set a date any time they wish for the release of our prisoners and for both sides to end the fighting, and we will respect it.

I intend to oppose all such amendments to the fullest. There is only one appropriate time for the United States to withdraw from the conflict in Vietnam. That time will come when all American prisoners are certain of speedy release and the South Vietnamese are assured a reasonable chance to protect themselves from successful Communist aggression.

To be sure, that is a date uncertain. Further, it is a date which no man in this Chamber can claim to know for a certainty. What is so sacred about December 31, 1971? Or, for that matter, what is sacred about any of the other dates which have been proposed for complete American withdrawal from Vietnam?

We are told that we should get out of Vietnam this year, because we have been there long enough and we have lost enough American lives to have filled our treaty commitments. And heaven knows, we have been there long enough, but only because the American people were never asked to support a war to win in Southeast Asia.

It is too late for that now. Our country has soured on the "no-win" policy and groups have sprung up all over our land which urge us to get out at any cost—just get out. Whatever their backgrounds or connections, they are helping to make a shambles of the Nation's efforts to bring about an honorable and responsible peace. The President has done everything that anyone could hope to do to bring about an end to the war short of actual surrender. His policies are working; there has been substantial progress in disengagement; and the South Vietnamese are accepting more and more the responsibility for their own destiny.

Let us not throw in the sponge when we are making real progress. We in the House of Representatives are not treaty makers. We can accomplish only harm by attempting to take policy matters out of the President's hands. He is doing a good job. He is getting our troops out of Vietnam. He will have us substantially out of that conflict within a matter of months without a confirmation of victory for the Communists and he will do it in an honorable and responsible way. This amendment would do just what we do not want—confirm a victory for the Communists.

Again, the Communists themselves can establish a date any time they wish—a date for the release of American prisoners and for an end to the fighting by both sides—and we will respect it. We cannot establish a date by action of the House of Representatives.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in recent weeks I have received a number of letters which begin something like this: "Dear Congressman, my vote for or against you in the election next November will be based on how you vote on ending the war in Vietnam." Most of my colleagues have had a similar experience. Therefore, the interest which Members of the House have in matters of foreign policy and more specifically our policy in Vietnam is not that of a mere casual and disinterested spectator. The people of the United States do look to the Congress as well as the Chief Executive and hold us responsible for how well we perform in this vital area. And I do not complain. Indeed, this is as it should be, and part of the tragedy of Vietnam was the manner in which by calculated deception and the deliberate withholding of information in a prior administration Congress was not even in possession of the operative facts so that it could share in an intelligent way in the responsibility for our involvement in Southeast Asia. This process of gradual attrition to the point of emasculation of legislative influence in matters of foreign policy began long ago, and I believe it is neither constitutionally warranted or wise.

However, the question before us today is whether or not this bill is the proper vehicle to assert a congressional prerogative to share in the formulation of policy. I think not. It by the admission of one of its own authors, the gentleman from Ohio (Mr. WHALEN), the jurisdiction of the Armed Services Committee relates inter alia to the authorization of the procurement of various defense weapons systems. It does not extend to the payment of military personnel.

I quote the gentleman from Ohio—page 19962 of the RECORD for June 15:

> Let me state some specific examples of things that 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, or deny them use of equipment and weapons systems that are already in South Vietnam.

Earlier this week the RECORD carried a letter of Prof. Paul Seabury of the University of California at Berkeley, a liberal Democrat, he was writing to another distinguished American, John Gardner, to tell him why he could not support him and his organization in their effort to secure passage of an end the war resolution of the type before us this afternoon. He made among others two points that particularly impressed me. One was his reference to what Max Weber calls the ethic of responsibility which he suggests is as important as the other ethic which Weber concerned himself with, the ethic of ultimate values and ends.

My friends, I feel very deeply a sense of responsibility this afternoon, the sense that all of us in this body have erred in times past because of some of the misinformation that was circulated about Vietnam. And I shall carry that responsibility with me as long as I live.

But can I then turn around and say that this is the way to act responsibly, to encourage the American people to believe that by adopting this amendment we are somehow going to secure an objective which all of us devoutly wish for, the withdrawal of our troops from Vietnam, when the very author of that amendment has told us, "No, it will not bring about the withdrawal of a single man from Vietnam by December 31 of this year?"

I cannot see how I as a legislator can discharge my ethic of responsibility by

taking that position. Indeed, I think it would serve to compound some of the errors I have made in the past. So I would think the ethic of responsibility compels us to refrain from that kind of action.

I would remind you of what a great parliamentarian, Edmund Burke, once said. He said that in a discordancy of sentiments it is better to look to the nature of things than to the humors of men. It would unquestionably give many of us including myself a great deal of satisfaction to proclaim that I have voted to end the war. We are unanimous, I feel sure, in this body and in the executive branch in the desire to end the war and usher in a generation of peace. However, the unanimity of such intention in our midst must not serve to obscure the realities. We must look to the nature of things and realize that peace will come and we will see the return of our prisoners of war only when there is a mutuality of opinion on these issues and our adversary is willing to exchange war for peace and to release our POW's.

My disapproval of the Nedzi-Whalen amendment does not mean that I see no role whatever for the Congress to play in sharing the responsibility for an end to the war. Next week I plan to testify before the Subcommittee on Asian and Pacific Affairs of the House Foreign Affairs Committee. My testimony will be in support of a resolution which I have drafted in an effort to clearly state our objectives and policy in South Vietnam.

The forum of these hearings and the debate which could then ensue on a resolution which might be reported by the committee would provide this House with an opportunity for truly meaningful participation in this area of legislative responsibility.

I believe that the procedure that I have outlined is better designed to help the Congress assert its initiative and rightful role than the adoption of the amendment before us.

Its authors and supporters are unquestionably well-intentioned. However, it would further compound the tragedy of Vietnam to adopt it only to discover that instead of peace it had produced disillusionment for the reason that it simply cannot accomplish the noble end for which it was designed.

Mr. DOW. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. DOW. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment. I am a little reluctant about doing so, but I wanted to speak to you for just a minute or two because I thought it would be helpful for you to have the views of someone who was opposed to the war from the very beginning. We, perhaps, had a different view of this amendment than some of the rest of you, and I want to take just a minute to say why that is.

We think that the Nedzi-Whalen amendment is a very feeble amendment even though we are going to vote for it. We think that it is as wide as a barn door in permitting the President to continue the war. He could drive a team of horses through there if he wanted to take them to Vietnam.

We believe that subdivisions (b), (c), (d), (e), and (f) of the Nedzi-Whalen amendment are very weakening amendments, that they are feeble, and that they contain illusions about the war and overlook some of the realities.

I am going to speak briefly on only two of those illusions.

One of these illusions relates to the prisoners of war. The (b) paragraph allows the President, if he thinks there is some better way to secure the release of the prisoners, to set the date provided in the amendment ahead—in other words, to ignore it.

The implication is that perhaps by using force or by retaining troops in South Vietnam we are going to secure the release of the prisoners. My good friends, I submit to you that those prisoners will never be released by the threat of the use of force. Certainly if we could not release them and if we could not work our will in Vietnam with 500,000 men, how in thunder can we do it with 150,000 or 50,000 or some residual force?

The prisoners will be released at some time by negotiation just as the men from the *Pueblo* were released from Korea. That is the only way it will happen. I am presumptuous enough to make that prediction because the North Vietnamese and the Vietcong have shown us after 6 years of our applications of force, unrelieved applications of force, that they will not give an inch. Certainly they are not going to give the prisoners. I submit we had better make up our minds to that reality.

The only other section I should like to address is section (c). It says:

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

It seems to me a constant habit in Congress to bow down to the President of the United States on the assumption that there is a great area here, a great constitutional area, where the President has a certain right of decisionmaking all his own and separate from Congress. I submit that this is an illusion, because there is no area over which the President has executive power where the Congress does not also have legislative power. The Constitution specifically states that the Congress shall have legislative power and that it shall have the power to regulate the Army and the Navy. I am sure that goes all the way down to monograms on the silver in the mess hall.

The Congress could legislate in any area relating to the discipline of and the use of our troops. We could legislate for entry into Cambodia or the barring of our troops in Cambodia. We could legislate for entry into Laos or the barring of that purely by a legislative enactment.

That, as I see it, is one of the weaknesses in this amendment; namely, conceding so much to Executive prerogative, as if it were outside the frame of legislative oversight.

Nevertheless, I support the Nedzi amendment because it does point in the direction of ending the Vietnam war sooner. It is regarded as a step toward peace in Southeast Asia, and that I am for.

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

Mr. Chairman, about one out of four Congressmen and Senators has sponsored declarations, resolutions or amendments calling for withdrawal of U.S. forces from Southeast Asia immediately or by December 31 or some other date certain. Some proposals call for flatout disengagement, no matter what. Others would temporize somewhat regarding the safety of POW's and withdrawing military forces.

In contrast, President Nixon pledged termination of the Vietnamese war as fast as feasible when he assumed office in January 1969. He refused to announce a withdrawal deadline because to do so would not help the United States get out, but might significantly aid the North Vietnamese. The President also determined it to be in the national interest to specify three withdrawal conditions:

American POW's must not be imperiled;

Withdrawing U.S. military forces shall not be endangered; and

South Vietnam's legitimate defense should not be disadvantaged.

Within these constraints the President has accomplished troop reductions at a remarkable rate of over 130,000 per year. By next January American forces in Vietnam will be reduced from a high of 543,400 to less than 150,000. By mid-1972, they are expected to number fewer than 50,000, with withdrawals continuing.

Short of surrender, I do not see how this process could have proceeded any faster. I am as frustrated with this long drawn-out war as the next man. I know of no one who does not want out of it as quickly as possible. Frankly, it appears to me that setting a congressional time limit will not speed this up but is highly likely to be counterproductive.

Just because we are sick and tired of the war, does not mean that we can walk away from it without paying any exorbitant price. A man may be fed up supporting his wife and children. But if he walks away from them all will suffer severely. The situation with nations is parallel.

Modern diplomatic history reveals that we have veered between seeking our national security in alliances or seeking it in isolation.

Alliances, such as we now have, can prevent or damp down conflicts, but at the cost of engagements in faraway disputes that now generations of voters find burdensome.

Isolation avoids such early involvements, but often at the cost of facing large-scale conflicts in more unfavorable circumstances later on.

For example, World War II came on the heels of a declaration in 1938 at Munich by British Prime Minister Neville Chamberlain, responding to instincts very similar to those expressed by some Americans today, which dismissed Czechoslovakia as "a faraway country of which we know nothing."

In this context, a last minute switch to the isolationism of some fixed date for getting out of Vietnam seems the way to invite a larger conflict later. Continuing the President's less rigid formula seems likely to achieve the generation of peace which he has promised.

Possibly it would be politically advantageous for me to join the clamor for a "deadline" on the war. It appears popular. But I think it would be wrong

and perilous. I think it would disserve the United States.

I must decline to do so.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in my judgment the Nedzi-Whalen amendment should be defeated for two very good reasons.

First, it is symbolic, without substance. The net consequence is that it is a meaningless amendment.

Second, the amendment should be defeated because if it were approved in the context of what many Americans believe it contains, it would have the net result of depriving the President and his appointed negotiators of honestly and effectively negotiating for a peace for the United States in South Vietnam.

Many, many Americans have the distinct impression that, if we pass this amendment, by December 31, 1971, all American forces must be out of Vietnam.

That is a regrettable and erroneous impression.

The truth is, as has been admitted by many previous speakers and particularly the speaker who just preceded me, the gentleman from New York (Mr. Dow), this amendment is full of loopholes and escape hatches. To use his words, if I can repeat them, he said specifically that it was "a feeble attempt" and "it was an amendment that was as wide open as a barn door."

If we approve this amendment, we are deceiving the American people and we are adding to the cynicism that exists throughout the country. We would not accomplish anything, because in the amendment you have not one but several escape hatches or loopholes.

Subsection (c) of section 402 says:

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

If you do not interfere with the constitutional power of the President as Commander in Chief, who has the constitutional duty to protect the lives of the men who serve on active duty and who has the constitutional responsibility of taking care of our national security, then we do nothing—I emphasize nothing.

I think it is sad and regrettable that the American people, many of our fellow citizens, believe that the enactment of this amendment would in effect force the withdrawal of 245,000 Americans who are currently in South Vietnam. The opposite is true. Its enactment will disillusion many Americans.

Second, as I said, if we pass this amendment in this form, we would torpedo the opportunities for bona fide, legitimate negotiations. If this amendment is approved, it would be my feeling that our negotiators in Paris might as well come home. In Paris, with this amendment on the statute books, they would have one hand tied behind them. They, as negotiators, would have been told to give away something for which they might have gotten something. Their effectiveness in Paris would be negligible if this amendment were to be passed.

We tried this approach before where we gave away something in the hope that the enemy would give us something after the fact. We tried it in November 1968, when we stopped the bombing and we were promised that negotiations would proceed and results would be accomplished. In this case the Communists banked our concession and put it in their pocket and said, "Now let us start from scratch."

Mr. Chairman, if we do what the proponents of this amendment want, we will be doing the same thing and compounding the same error. I do not think we should be so foolish again.

One final comment. The gentleman from New York has, I am sure in the greatest sincerity, sought to amend this defective Nedzi-Whalen amendment by a proposal that calls upon us or our negotiators to get a settlement of the prisoner of war problem, as a prerequisite to the American troop withdrawals. The gentleman from New York has recognized the total weakness of the Nedzi-Whalen proposal. He is doing his best to try to improve it by his amendment, but his amendment and the others point up what should be done. There should be full hearings on all proposals in a responsible committee or subcommittee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GERALD R. FORD. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for 1 additional minute.

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

Mr. BINGHAM. Mr. Chairman, reserving the right to object, there have been repeated objections from the other side, some of them, in my opinion, remarkably discourteous, particularly to the original proponent of the amendment. I deplore this, and I shall not object in this case, but I should like to call attention to the fact that these objections from the other side of the aisle have taken place.

Mr. GERALD R. FORD. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. DENNIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Mhichigan, the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I am very grateful to the gentleman from New York (Mr. BINGHAM) and certainly the gentleman from Indiana (Mr. DENNIS).

I want to make one point. I was told yesterday that our distinguished colleague, the gentleman from New Jersey (Mr. GALLAGHER), the chairman of a subcommittee of the House Committee on Foreign Affairs, was undertaking next week, as I recall, a comprehensive hearing on all of the proposals that air at doing something like the Nedzi-Whalen propostion.

I was told, as I recall, that there were 70 Members of the House who had one version or another on this issue.

Mr. Chairman, does it not make more sense to turn this responsibility, that of the Robison of New York amendment, that of the Nedzi-Whalen amendment, the Findley amendment, and the McClory amendment, over to that group for them to make a judgment and to report something to the House, if anything?

I thank the distinguished gentleman from Indiana for yielding.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

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

Mr. ANDERSON of Illinois. Mr. Chairman, I asked for this time only because I did not have time to complete my statement a few minutes ago. In other words, I was prepared to suggest the very thing which the distinguished minority leader has mentioned.

I, for one, plan to appear and to testify before a subcommittee of the House Committee on the Far East and Pacific and Asian matters when it does meet.

I think we do have a responsibility, and let me make that clear. I am going to appear before that subcommittee and suggest the language of a sense-of-Congress resolution whereby we can define our objectives and our goals in South Vietnam and clearly assert what I think is a legitimate congressional prerogative in this area.

Mr. Chairman, my only point is that forum and I feel that that kind of approach is infinitely to be preferred to the efforts being made this afternoon, as sincere and well-intentioned as they are, which have been offered by many of my good friends. Yet I think they would be ineffectual in accomplishing the very purposes they are designed to effect, and to that extent disillusion the public which has already been disillusioned beyond measure with the war in South Vietnam.

So, Mr. Chairman, I would hope we would take up this responsibility at this time in a forum that has been created for that purpose.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

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

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the remarks which have been made by the distinguished gentleman from Illinois.

Mr. Chairman, I believe we are all in basic agreement on ending the war at the earliest possible date and now that we have had an opportunity to debate and evaluate the many suggestions that have been advanced, I feel we should reflect on what has taken place here today.

First, I believe these so-called "end the war" amendments and the debate on them here in this body, have served a very useful purpose. Certainly, the question of germaneness has placed a definite limitation on the entire subject matter; suggesting that, in the future, we must identify and utilize the proper forum and the correct vehicle with which to carry out the will of the people with respect to ending the war in Vietnam.

Second, in retrospect, I question if a defense procurement measure is, in fact, the correct vehicle to advance Congressional initiatives in the area of foreign policy. To my memory, no war in history has even been concluded through the passage of legislation and, to my knowledge, there is neither precedent nor provision in the Constitution to do so.

Third, I believe the net result of this particular exercise in the legislative process, is bitter disappointment and

frustation on the part of a great many, sincere and well-meaning people. These so-called "anti-war amendments" have only served to raise false hopes, to deceive, to mislead and I do not think there's any question that they have been greatly misinterpreted here at home, in Vietnam, and throughout the world.

At stake in this entire controversy and still left unresolved, is this basic and underlying question of whether or not the Congress should have or assume greater authority in matters related to ending this war. The Congress can ill afford to ignore this question much longer.

I have always believed that our Founding Fathers realized that foreign relations could not be effectively carried on by the Congress on a day-to-day basis. In addition, it is the contention of a great many Members of this body and a great many people in this country, that when confrontations occur, there can be no doubt that the United States is not powerless to act and will not have to wait for protracted debate in Congress before the vast resources at our disposal will be employed to thwart or respond to an attack.

In contemporary times, particularly since World War II, the Congress has repeatedly gone on record as recognizing that, with the advent of the Atomic Age and the development of nuclear and hydrogen super-weapons, the Legislative Branch of our Federal Government was just not structured to provide the kind of "quick reaction" capability that is absolutely essential in the event of nuclear attack. Such a flexible response, it was argued, could best be rendered by the Commander in Chief if the lives of literally millions of Americans were to be spared.

I state these precedents, not because they apply to the war in Vietnam, but because they are the guidelines under which the Congress is now functioning and because they point up, I believe, the complete inadequacy of those basic guidelines.

The separation of powers enumerated in our Constitution as they apply to war, were intended to deal exclusively with what has become known as conventional warfare. The war in Vietnam, and to a lesser extent the war in Korea, fall in the unconventional or guerrilla war class and thus, I submit, that any attempt to apply the warmaking clause of the Constitution to either the reality of nuclear warfare or unconventional warfare—is as outmoded and obsolete as conventional warfare itself.

What is needed, in my judgment, is not legislation to further inhibit the President's ability and authority to defend us or freedom, but a new, realistic, and clearly understood definition of war and new guidelines for our future security—guidelines which are acceptable to and understood by the Congress, the executive branch and the American people.

In this regard, I believe the Congress has been derelict as have the committees of the Congress having jurisdiction over foreign policy. The Congress has failed, in my judgment, to keep pace with the changing nature of war and threats to our security. And the Foreign Relations Committees have likewise failed to develop any kind of policy guidance to express the sense of the Congress with regard to the Vietnam war.

Such an expression of foreign policy, as I see it, is not only the proper role of the Congress in these matters, but absolutely essential if we are to correctly represent the true feelings of the American people with respect to the Vietnam war.

As a result of the experience of the past few days, I, for one, intend to press for hearings by the respective Foreign Relations Committees from which a clear-cut "Sense of the Congress Resolution" can be developed which provides basic policy guidelines from the Congress with respect to the war in Vietnam.

The Congress has both a duty and the responsibility to convey to the President such policy guidelines which reflect the sentiments of the American people. Thus far, however, it has failed to do so.

Mr. ROBISON of New York. Mr. Chairman, will the gentleman yield?

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

Mr. ROBISON of New York. I would like to take the time to respond to the remarks of my good friend, the gentleman from Illinois (Mr. ANDERSON), by saying that I have had one of those "sense-of-Congress" resolutions about ending the war, one which I introduced last year and another which I introduced this year. All they have been good for so far is to gather dust on the shelves of the Committee on Foreign Affairs.

Mr. Chairman, I think it is time, even though this may be a bad vehicle for doing so, to tell the President how some of our constituents feel about this war in Vietnam, and I am doing the very best I can in that regard through the offering of my amendment.

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

Mr. DENNIS. I yield to the gentleman from Maryland.

Mr. HOGAN. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Michigan and the gentleman from Illinois.

Mr. Chairman, I rise in opposition to those amendments which would call for a unilateral withdrawal of our military forces in Vietnam.

Despite the escape clause built into the amendment offered by the gentlemen from Michigan and Ohio (Messrs. NEDZI and WHALEN) to the Military Procurement Authorization bill which would allow for congressional reconsideration of the December 31 withdrawal date, I oppose this amendment. I do so, Mr. Chairman, because I sincerely believe that President Nixon deserves the support of all of us in this body in this final hour of his troop withdrawal policy. In my opinion, a vote for this amendment would be a "no confidence in the President" vote.

Since my election to the 91st Congress—coinciding with the Nixon administration's assumption of governmental leadership in 1969—I have watched the development of the President's troop withdrawal and Vietnamization policies. And, Mr. Chairman, the President has kept every promise that he has made to the American people in his effort to wind down the American involvement in Southeast Asia. I have supported him throughout this 2½-year period and I have no intention of backing down now.

If we take a long-range, hindsight look at what has been accomplished to date and what will be accomplished in Vietnam by the end of this year, it must be obvious to anyone that troop withdrawal is succeeding at an orderly and realistic pace. When President Nixon took office in January 1969, the death casualty rate ranged from 150 to 190 weekly. It is now 25 to 50 weekly. When he was inaugurated there were 532,500 Americans stationed in Vietnam. As of May 1 the authorized troop strength in Vietnam was 284,000. By December 1, 1971, President Nixon has pledged that there will be only 184,000 Americans in Vietnam. If U.S. troop withdrawals continue beyond December 1 at the present pace, we will be down to 55,000 troops by September 1—the figure generally talked about as a "residual force." Possibly withdrawal could be accomplished even earlier since the President has beat every deadline he has set to date.

Although the President has pledged to withdraw all American troops from Vietnam, the question of setting a definite withdrawal date always arises. Despite the escape clause, setting a definite date is essentially what the amendment before us seeks to do. The sponsors and supporters of this amendment seem to believe that setting a date-certain withdrawal deadline will motivate the North Vietnamese to break the negotiation deadlock, to refrain from attacking our withdrawing troops, and to negotiate release of our prisoners of war. If so, they are ignoring the North Vietnamese pattern of operation so far.

Mr. Chairman, I thoroughly disagree with this reasoning on the part of the supporters of this amendment. Setting a date-certain withdrawal deadline will do nothing more than deal the enemy the trump card in this conflict.

Contrary to what the supporters of this amendment claim, naming a date would give the enemy information he would dearly like to have. It would remove any incentive on their part to bargain for the release of American prisoners or to end the war by negotiation. It would allow enemy commanders to attack our remaining forces at their most vulnerable time.

In a recent news article in the Washington Evening Star, Crosby S. Noyes states that the date debate is utter nonsense. He wrote:

> The date debate is nothing but a shocking illustration of the degree to which the confidence of the American people in its leadership has been undermined and eroded—not by anything that this or past presidents have done or said—but by the dedicated efforts of a small group of politicians and pundits who are determined to discredit any president who is unwilling to engineer an American defeat in Vietnam.

An even more important question raised by this amendment than that of a specific pullout date is the congressional curb on the President's power to commit military forces to armed combat which this amendment would impose. In testimony before the Foreign Relations Committee in the other body, Secretary of State William Rogers cited the precedent for presidential use of the Armed

Forces without congressional approval. In the following instances, the power of the Commander in Chief was used without congressional mandate:

President Jefferson's sending of a squadron of ships to protect American vessels from Barbary pirates in 1801;

President Polk's dispatching of American forces into disputed territory near the Rio Grande in 1846;

President McKinley's sending 5,000 troops to China in 1900 to protect Americans and help put down the Boxer Rebellion.

President Theodore Roosevelt's ordering of gunboats to the Canal Zone;

President Truman's commitment of over a quarter of a million men to a war in Korea; President Eisenhower's sending of 14,000 troops into Lebanon in 1958 to protect American lives;

President Kennedy's 1962 quarantine of Cuba.

President Johnson's dispatch of Marines in 1965 to the Dominican Republic to protect the safety of American citizens;

In 1965, when President Johnson began sending American combat troops to Vietnam, he relied as authority for his action on a combination of his own Constitutional authority as Chief Executive and Commander-in-Chief, the Senate's advice and consent to the SEATO treaty, and the authority granted by the Congress in the Tonkin Gulf Resolution. This Resolution was voted for by every Democratic Senator who is now in the Senate and was there in 1964.

Mr. Chairman, I know the American people are tired of the Vietnam war and our involvement with it. We all want to end the American involvement—all of us—the President, who inherited the war, and you and I and all of our colleagues in this Chamber. But it is my feeling, and it is the feeling of the majority of my constituents in Maryland's Fifth Congressional District that the President's policy is the only orderly, viable, and realistic way to achieve our withdrawal.

On this point, I would like to interject the results of a poll which I recently conducted among all my constituents. In a questionnaire sent to nearly 220,000 dwellings in my congressional district, 62.5 percent of the respondents indicated that they were satisfied with President Nixon's policy of troop withdrawal and Vietnamization of the war effort. Significantly, this is an increase from the 59 percent who responded favorably to a similar query in my November 1969 poll.

Finally, Mr. Chairman, while I cannot, in good conscience, support the precipitous withdrawal of American troops advocated in this amendment, I will give my support to a resolution offered by our colleague from Illinois (Mr. McCLORY) which would establish a fixed date for the withdrawal of all foreign military forces from Vietnam—including the military forces of North Vietnam.

This resolution I do not think would be in conflict with the goals and aims of the administration for establishing a just and honest peace. Under the provisions of this resolution, November 30, 1971, would be designated as the date on which the Government of North Vietnam and all other governments with military forces in South Vietnam would commit themselves to withdrawal from that beleaguered country. This withdrawal would be supervised by a United Nations Military Observer Group.

Prior to the fixed withdrawal date, this resolution calls for a total cease-fire by August 15, 1971, and an exchange of all prisoners of war by September 1, 1971—also subject to United Nations supervision.

Mr. Chairman, while I could support this proposed resolution, I cannot, in good conscience, support the amendments we are considering today. Therefore, Mr. Chairman, I urge the defeat of the amendment offered by the gentlemen from Michigan and Ohio (Messrs. NEDZI and WHALEN) and similar amendments which call for a unilateral withdrawal of our troops by a certain date.

Mr. DENNIS. Mr. Chairman, since I am on my feet, I would like to say that the trouble with all these amendments is, as has been pointed out several times, first, that they do not really accomplish anything at all. Second, if we want to talk about the war powers of the President, and the war powers of the Congress, as I said here to the House yesterday afternoon, the time and place to do that is in a serious discussion of a measure on that subject, and in full conference with plenty of time to devote to the question, and not try to do it here by a meaningless amendment on an authorization bill.

There is nothing to these amendments, except some possible political advantage, and I want to record my opposition to them.

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

Mr. Chairman, I rise in support of the Nedzi-Whalen amendment.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Chairman, I thank the gentleman from Virginia for yielding.

I would like to say that I want to associate myself with the position that is about to be stated by the gentleman from Virginia.

Mr. DOWNING. Mr. Chairman, several months ago I came to the firm conclusion that our men should be withdrawn from South Vietnam as soon as possible. I concluded that the United States has fulfilled all of its commitments and obligations to that country, and that we could leave with honor.

Now, I do not intend to prejudge the rightness or wrongness of our participation in Southeast Asia. Only history can be the true judge of this. I have never said that the great sacrifices that were made to sustain South Vietnam as a free country were in vain.

Recently I spoke to the World Affairs Forum in Hampton, Va. During the course of that speech I said that:

As a Member of Congress I have supported the last four Presidents in their foreign policy because I considered myself a loyal American, duty bound to support my Commander-in-Chief, as most Americans have and should.

I supported the President's move into Cambodia because he assured me, and I believed, that it would minimize the attacks on American troops from those sanctuaries and reduce American casualties. Hindsight and statistics have proven this to be true.

I approved the decision to allow South Vietnamese troops—and South Vietnamese troops only—to cross the Laotian border and cut the Ho Chi Minh supply trail. With the old Port of Sihanoukville closed, these complex trails were the enemy's main pipeline of troops and weapons from north to south. If the ARVN can accomplish this mission and hold until the rainy season closes the paths to everybody, we should be free to bring our men home posthaste.

We have been in South Vietnam for 17 long, painful years. We have paid the price in lives and money to enable these people to defend themselves, if they have the will to defend themselves. They have the resources. If they lack the determination to defend their borders with their own people, our withdrawal should not blemish our conscience or abrogate our treaties.

Today I am told the Vietnamese have a regular army of over 1.2 million men. In addition, they have over 500,000 irregulars who can be called upon. They are armed with the finest weapons of war that this country can produce. They have received every technical and military advice that they can absorb. President Thieu, himself, has said they are willing and ready to defend themselves. Much of the civilian population has denounced our presence. Clearly, the time has come to leave that country.

I have supported President Nixon in the past, and I support him now. I would not give this amendment one bit of attention had not the sponsors included a provision in it which would give the President sufficient leeway to take reasonable action if it be needed.

I am going to vote for the amendment, not because I think it will end the war, because certainly it will not. I am going to vote for the amendment because I believe the President needs to heed the advice of millions of agonized Americans.

And then, too, I am sincerely concerned that the present administration has no clear-cut policy as to how to end the war, and at the same time bring about the release of our prisoners of war. Indeed, just recently Secretary of State Rogers in trying to respond on the vagueness of our future Vietnam policy, stated:

The reason we are not telling exactly what is going to happen in the future is that we do not know exactly.

I believe that this is an honest statement by the Secretary, a statement which tends to firm up my opinion that the hawks, of which I am one, have flown into a fog.

With some misgiving, therefore, I intend to cast my vote for the Nedzi-Whalen amendment.

Mr. DAVIS of Georgia. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment, and I would like to take a moment to address the House on a subject of concern and anguish to the American people. We have all heard the arguments generated on both sides of the Vietnam war issue. We have all sorrowed over the thousands of Americans and Vietnamese who have lost their lives in this 11-year conflict. We have all been horrified by the billions of dollars spent on the war effort. And, we have been outraged by a no-win policy that has been implemented by three Presidents of both parties.

I have not risen today to belabor any of these points. Each of us knows only too well the terrible toll exacted from America by the war, whether our point of view be personal, economic, political, or any other or any combination thereof.

I rise today instead to say that the American people have suffered enough. Contrary to constitutional intent, the American people have not formulated American policy in Vietnam. They have not been consulted, they have not been listened to, they have only been permitted the right to furnish sons to die. In the 1950's, when public sentiment was opposed to involvement in Vietnam, the administration ran roughshod over the people. In the early 1960's, with Americans of all persuasions clamoring for a hard-line military victory, the administration again turned a deaf ear, cut back the bombing, and severely limited the war effort. Now, in the beginning of another decade, Americans have been made beggars for peace, and the administration is throwing them Vietnamized bones.

Mr. Chairman, I do not want to see the South Vietnamese people victimized. I am not one of those who stands beneath the Vietcong flag with a clenched fist. I believe in freedom and liberty for all people, and I have always acted accordingly. But neither do I believe in a war that has been used to promote political advantage for our Presidents, a war that has been fired up or wound down to suit the political climates or our election years. Our soldiers have not been fighting for the future of a little piece of earth 10,000 miles away. They have been dying for the political futures of our Presidents, and it is time that we told this story the way it truly is. Where is the freedom of choice of the American people?

Thousands of people have spoken thousands of words on the subject of the Vietnam was. I am only one Congressman, only one citizen of this country, but I am anxious that these few words I speak will not be lost in the multitude of syllables uttered in this crisis. Because, Mr. Speaker, I love this country. I love its spirits, its grandeur, its wisdom, and its youth. I love the American people, and their sense of fairness and justice. Unlike many of America's critics, I love what America is, not just what it can become. I believe in America, and I believe we have done a good job for a nation that is not yet 200 years old.

It is because I love this country, Mr. Chairman that I rise to speak in behalf of an immediate withdrawal of our troops from Southeast Asia. It is because I love America, that I plead for her citizens to be heard. I do not like to see us fight a war in behalf of the right of another people to enjoy freedom and liberty, only to have America lose these same blessings at home. For these reasons, Mr. Chairman, I respectfully ask that my colleagues give their support to the amendment now under consideration.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Nedzi-Whalen amendment.

Mr. Chairman, the distinguished Chairman of the Committee on Armed Services read a letter from the Secretary of Defense earlier in the debate. I would like to read another letter on the other side from somebody you never heard of, a fellow by the name of Joe Hamus. He is not the Secretary of Defense; he is a retired 69-year-old member of the Wood County Draft Board. Wood County is the home county of our present Secretary of Defense, Mel Laird, the man whom I succeeded in the Congress.

Last month, after serving as a member of that draft board since September of 1963, Joe Hamus resigned. In this letter of resignation he said:

> Draftees are still going to Vietnam to replace some of those returning. I find that I can no longer, in good conscience, participate in classifying another man in Class 1A while the situation in Vietnam remains in its present or comparable stage. I feel that I cannot ask of another what I would not willingly do myself. . . .
>
> I believe it best for both myself and the good of the Service, that I tender my resignation as of today.

Mr. Chairman, Joe Hamus is not a wild peacenik. He is not an agitator. He is not a violent dissident. He is rather a respected member of his community and a very thoughtful man.

It has been said that this amendment will not stop the war. Well, Mr. Hamus' resigning will not stop the war. It did not end the sending of draftees to Vietnam. It was largely a symbolic gesture but his gesture and the actions of thousands of people like him across this country are causing an awakening of conscience and causing a reexamination of our Vietnam policy by the American public and the people who serve that public. I think his action explains in a small way why it is necessary for those of us in the House who share his concern over present Vietnam policy to lend our support to amendments such as this.

That is why I support the Nedzi-Whalen amendment.

Mr. Chairman, this amendment will not by itself stop the war. It does not in and of itself require the withdrawal of troops from Vietnam by any date certain.

It does say, however, that no new funds may be expended after December 31, 1971, for the purchase of certain military equipment for use in Vietnam.

If passed, this amendment in my judgment could logically lead to other decisions to withdraw our participation in that war.

And most importantly, this amendment like the letter of Joe Hamus is symbolic. This amendment above all seeks to restore a spirit of cooperative responsibility between the Congress and the Presidency.

The Presidency has had to bear for all too long, in my judgment, the full burden of the conduct of this war. That in the long run is not good for the Presidency. It is not good for the Congress, and it most certainly is not good for the American people.

I think if you vote for this amendment today, you will not be voting to stop the killing, but you will be helping in at least a small way to bring about the day when we can.

I hope you support the Nedzi amendment.

Mr. CAREY of New York. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman.

Mr. CAREY of New York. Mr. Chairman, when we ignore the clear will of the American people, there is no question that there is political risk, but when we do so in a matter of national security, we do so at even greater peril in conducting a war in a foreign land. I do not know of any war that was ever prosecuted by any nation where the majority of the people of that nation no longer believed in the prosecution of that war. We have a clear indication before us in terms of popular support now that the American people, if they had a chance to vote or had a referendum today, would not support this war beyond December 31, 1971, or beyond any date they could select as their own reasoned choice.

If we consider the population in each State voting for itself in a recent test that was held in a body not far from here, you will find that those who voted for an amendment that would end the war on December 31—who represented the entire population of their own States—voted in numbers of 64,536,573 in favor of a date certain to end the war and only 60,298,527 in favor of continuing the present policy despite the head count of the vote which was 55–42 against—against—I repeat the will of the population.

Mr. Chairman, if the people could decide, this amendment would pass on a referendum by over 3 million votes.

I submit the tabular population vote of the other body as though it were cast by the people themselves for the information of the Members.

IF THE PEOPLE COULD VOTE

If a national referendum were held on the war, most polls indicate that a majority of the people would support setting a firm withdrawal date—as soon as possible. Most of the indices bear out this contention.

Now we have another, yet more explicit, indication of the popular will, as demonstrated by representatives of the people voting in the U.S. Senate.

Looking at the population of the States in which both Senators voted for the McGovern-Hatfield amendment, we find that Senators representing 64,536,573 people voted for the amendment, as follows:

TABLE I

Both Senators voting for McGovern-Hatfield (total 42)

State:	*Population*
California	19,715,490
Illinois	10,977,908
Indiana	5,143,422
Massachusetts	5,630,224
Minnesota	3,767,975
Missouri	4,636,247
Montana	682,183
New Jersey	7,084,992
New Mexico	998,257
North Dakota	610,648
Rhode Island	922,461
Wisconsin	4,366,766
Total	64,536,573

Yet when we look at the population of the States in which both Senators voted against the McGovern-Hatfield amendment, we find that Senators representing 60,298,527 people voted against the amendment as follows:

TABLE II

Both Senators voting against McGovern-Hatfield (total 55)

State:	Population
Alabama	3,373,000
Arizona	1,752,122
Colorado	2,178,176
Delaware	542,979
Georgia	4,492,038
Kansas	2,222,173
Kentucky	3,160,555
Louisiana	3,564,310
Mississippi	2,158,872
Nebraska	1,468,101
Nevada	481,893
Ohio	10,542,030
South Carolina	2,522,888
Tennessee	3,838,777
Texas	10,989,123
Vermont	437,744
Virginia	4,543,249
West Virginia	1,701,913
Wyoming	328,591
Total	60,298,527

In these States in which there was a split in the voting—table III—a "State weight" has been used to determine whether the State's population leaned more heavily in favor of one Senator versus another. The "State weight" was obtained by calculating the percentage of the vote received by each of the Senators in the most recent election, and placing the State in the column of the vote cast by the Senator receiving the greater percentage of the vote. (See table IV.)

Adjusted for McGovern-Hatfield

Connecticut	2,987,950
Florida	6,671,162
Hawaii	748,575
Idaho	698,275
Maine	977,260
Michigan	8,778,187
New York	17,979,712
Oklahoma	2,498,378
Oregon	2,056,171
Pennsylvania	11,669,565
Utah	1,060,631
Total	56,125,866

Adjusted against McGovern-Hatfield

Alaska	294,607
Arkansas	1,886,210
Iowa	2,789,893
Maryland	3,874,642
New Hampshire	722,753
North Carolina	4,961,832
South Dakota	661,406
Washington	3,352,892
Total	18,544,235

The total of the "adjusted States" and those States which had both Senators voting for the amendment is 120,662,439.

The total of the "adjusted States" and those States which had both Senators voting against the emendment is 78,842,-756.

One might ask, "What effect might the voting in the Senate have in the House, which had the opportunity to vote on the Nedzi-Whalen amendment?" As the Nedzi-Whalen amendment was defeated by a vote of 256 to 158, one could argue that the House is 10 years out of step with the American people.

Since we reflect the 1960 census—or some more anterior age, but certainly not the mood and meaning of our masses in the country today.

TABLE III

States with split votes

State:	Population
Alaska	294,607
Arkansas	1,886,210
Connecticut	2,987,950
Florida	6,671,162
Hawaii	748,575
Idaho	698,275
Iowa	2,789,893
Maine	977,260
Maryland	3,874,642
Michigan	8,778,187
New Hampshire	722,753
New York	17,979,712
North Carolina	4,961,832
Oklahoma	2,498,378
Oregon	2,056,171
Pennsylvania	11,669,565
South Dakota	661,406
Utah	1,060,631
Washington	3,352,892
Total	74,670,100

TABLE IV.—PERCENTAGE

	Percent	Year
Alaska:		
Stevens (no)	59.6	[1] 1970
Gravel (yes)	45.1	[2] 1968
Arkansas:		
Fulbright (yes)	59.1	1968
McClellan (no)	unopposed	1966
Connecticut:		
Weicker (no)	41.7	1970
Ribicoff (yes)	54.3	1968
Florida:		
Chiles (yes)	53.9	1970
Gurney (no)	55.9	1968
Hawaii:		
Fong (no)	51.6	1970
Inouye (yes)	83.4	1968
Idaho:		
Church (yes)	60.3	1968
Jordan (no)	55.4	1966
Iowa:		
Hughes (yes)	50.2	1968
Miller (no)	60.9	1966
Maine:		
Muskie (yes)	61.7	1970
Smith (no)	58.9	1966
Maryland:		
Beall (no)	50.7	1970
Mathias (yes)	47.8	1968
Michigan:		
Hart (yes)	66.8	1970
Griffin (no)	55.9	1966
New Hampshire:		
Cotton (no)	59.3	1968
McIntyre (yes)	54.1	1966
New York:		
Buckley (no)	37.2	1970
Javits (yes)	49.7	1968
North Carolina:		
Ervin (no)	60.6	1968
Jordan (yes)	55.6	1966
Oklahoma:		
Bellmon (no)	51.7	1968
Harris (yes)	53.7	1966
Oregon:		
Packwood (no)	50.2	1968
Hatfield (yes)	51.8	1966
Pennsylvania:		
Scott (no)	51.4	1970
Schweiker (yes)	51.9	1968
South Dakota:		
McGovern (yes)	56.8	1968
Mundt (no)	66.3	1966
Utah:		
Moss (yes)	56.2	1970
Bennett (no)	53.7	1968
Washington:		
Jackson (no)	82.4	1970
Magnuson (yes)	64.4	1968

[1] Election.
[2] 3 party candidates.

Mr. OBEY. I could not agree with the gentleman more.

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

The CHAIRMAN. The gentleman from Delaware is recognized.

Mr. DU PONT. Mr. Chairman, we have heard many arguments on both sides of the issue covering withdrawal from South Vietnam. The setting of a fixed date for ending our participation has received particular attention. The Nedzi-Whalen amendment purports to set such a fixed date. It does not do so.

I do not happen to favor the fixed date concept because it would undermine our negotiating position, and give unnecessary military advantage to the other side. Further, it seems unnecessary to tie the hands of an administration that has already reduced our participation in the war by more than 50 percent and is publicly committed to total withdrawal.

Regardless of one's position on the question of a fixed date, I believe this amendment should be voted down. The reason is fundamental: The American public believes that this amendment will stop the war by December 31, 1971. It will not, and therefore, is deceptive.

As one of the sponsors of the amendment the gentleman from Ohio, admitted on the floor 2 days ago—

> . . . There has been a misunderstanding to the effect that the passage of this amendment will remove troops from South Vietnam after December 31 of this year. This it will not do.

Yesterday's Washington Post carried a lead editorial making the same point.

Every Member of this body is aware that there exists today a serious "credibility gap concerning the war in South East Asia. The events of the past few days concerning our build-up in 1964 and 1965 may have taken us past the point where the American people will ever believe their elected representatives on this issue. The adoption of this amendment will only further polarize the country, because every Member here knows that when December 31, 1971, arrives, we will still be in South Vietnam. I fear then that the millions of Americans who believed this amendment was going to end the war will feel that they have been misled by false promises once again.

The amendment in no way affects deployment of U.S. forces in Southeast Asia, since it is attached to a military hardware procurement bill. Further, it is so riddled with qualifications and exceptions that it is ineffective even in its limited scope. The exceptions swallow the whole.

Could the bombing of Laos, Cambodia, or South Vietnam be increased under this amendment? Yes.

Could a strategy of fortified hamlets be reinstituted, under which U.S. troops could be sent to strategically located hamlets to defend South Vietnamese civilians? Yes.

Could a large contingent of U.S. combat forces remain in Southeast Asia indefinately under this amendment Again the answer is "Yes."

To enact legislation that purports to set a deadline for withdrawal, but does not do so, is wrong. To intentionally deceive the American people—who sincerely do believe that this amendment will end the war—is irresponsible.

I urge the amendment's defeat.

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

Mr. Chairman, there are important reasons why the Nedzi-Whalen amendment should not receive the support of the Congress.

It can have a number of negative psychological effects: First, It could undermine the efforts of the President to bring about a just and lasting peace in Southeast Asia; second, it could weaken the will of the people of South Vietnam at a time when they are putting forth increased efforts in assuming a larger share of the war's burden.

The record of the Nixon administration in reducing our troop strength in Southeast Asia is one which should lead us to fully support the President when he said as he did on April 7 of this year:

As you can see from the progress we have made to date and by this announcement tonight, the American involvement in Vietnam is coming to an end. The day the South Vietnamese can take over their own defense is in sight. Our goal is a total American withdrawal from Vietnam. We can and we will reach that goal through our program of Vietnamization if necessary.

The proposed amendment would establish a formal and fixed timetable for U.S. troop reductions in Vietnam. It seems to me the authors of this amendment have forgotten that as early as May 14, 1969, President Nixon offered to withdraw our forces from South Vietnam by a fixed timetable if North Vietnam would do the same. Unilateral action by the United States is not the way to set a fixed timetable.

Hope of progress in the Paris talks would evaporate. Put yourself in the position of the Communist negotiators. Knowing that American troops will be removed by a certain day, they will be even more inclined than at present to yield nothing and more encouraged to wait us out. In this regard it is helpful to review President Nixon's remarks in his February report to Congress on foreign policy:

Since 1968 the US has done almost everything that various parties—including Hanoi—told us would kindle negotiations. We halted the bombing and other acts of force against North Vietnam. We agreed to NLF participation in the Paris talks. We agreed to the principle of withdrawal and made substantial withdrawals, soon to total 265,000. We agreed in principle to remove all our troops. We took a series of de-escalatory steps, such as cutting back our B-52 and tactical air sorties. And we appointed a new senior negotiator in Paris.

These steps, except for the bombing halt, were unilateral measures, designed not only to reduce our involvement, but also to open the door to negotiations. Each of them was urged by the other side as a constructive contribution. None of them has generated movement by the other side.

If North Vietnam wished to cooperate in the cause of peace it could agree to our proposal of immediate ceasefire. Why do not the proponents of this amendment condemn this refusal to act. This amendment can only serve to undermine the efforts of the President to bring about a just and lasting peace in Southeast Asia.

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

Mr. Chairman, it is never an easy decision to take a position and to vote against the recommendations of the House Committee on Armed Services.

In voting for the Nedzi-Whalen amendment I do so because I feel it is necessary to express in perhaps the best way we have our opposition to a prolongation, perhaps an indefinite prolongation, of the wrong war in the wrong place at the wrong time.

Many of us voted for the Gulf of Tonkin resolution because we believed what we were told at that time. We believed that we were being told the truth when we were informed by high officials in the U.S. Government that two American naval vessels had been attacked. Today there seems to be overwhelming evidence that those vessels were not attacked.

I believe everyone agrees that the Gulf of Tonkin resolution gave legal and constitutional authorization for a massive build-up of U.S. military forces in Vietnam and the prosecution of what we refer to as the Vietnam or Indochina war.

That legal and constitutional authority vanished totally when the Gulf of Tonkin resolution was repealed by congressional mandate and signed by the President in the closing days of the 91st Congress. So the question arises, under what authority are we there now? As I construe it, we are there solely under the authority that the President has as Commander in Chief.

Mr. Chairman, there have been many statements made during this debate that this amendment would undermine the constitutional authority of the President as Commander in Chief. With that contention I totally disagree. In fact, as I read subsection (c) of this amendment, it reads very clearly. It says:

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

Implied in this amendment is a statement that the Congress of the United States no longer supports a prosecution of the war in Vietnam. The effect of this amendment as it is worded is more symbolic than pragmatic.

For many years I thought that at least two Presidents wanted a declaration by the Congress that Congress and the American people wanted this war ended. I believe, Mr. Chairman, that the Nedzi-Whalen amendment will give such a declaration of policy by the Congress to the executive branch that this Congress and this country want this war ended at the earliest possible time.

I, for one, think that the time allowed in this amendment is sufficient time to provide for the orderly and expeditious withdrawal of American forces from Vietnam which the President has stated he desires.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. HALL. Mr. Chairman, I object.

PREFERENTIAL MOTION OFFERED BY MR. FLYNT

Mr. FLYNT. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. FLYNT moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman is recognized for 5 minutes in support of his motion.

Mr. FLYNT. Mr. Chairman, if the objection had not been lodged to my unanimous consent request, the gentleman who made the objection might have gained 2 minutes. In fact, I think I can finish in 3 minutes, but I must say that along with, I know, several of my colleagues, we resent the lack of opportunity for House Members who are not members of the Committee on Armed Services to be allowed to speak to this bill and to this amendment. If I could have been recognized by the Chair at the conclusion of the remarks of the author of this amendment, the gentleman from Michigan, I would have yielded to him my 5 minutes and would have foregone the time which I have taken.

Mr. Chairman, let me say that I do not in any way consider this amendment as tying the hands of the President.

I certainly do not consider my vote a vote to tie the hands of the President. I know that some will say that that is exactly what I and others who support this amendment are trying to do. But I wish those who are nodding their heads and indicating that is the way they feel would accord to us who support the amendment the same integrity of purpose that we accorded to those who oppose it.

Mr. Chairman, I regret very much that anyone would see fit to attack the sincerity of purpose of the two authors of this amendment, the gentleman from Michigan and the gentleman from Ohio, or of any of the rest of us who see fit to support it.

I have always believed, Mr. Chairman, that an honest and honorable difference of opinion sharpens the intellect of all those who participate.

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

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

Mr. FINDLEY. The gentleman made a very perceptive comment, I think, about the constitutional powers involved here. Now that the Gulf of Tonkin resolution has been repealed and is no longer on the statute books, what authority does the Commander in Chief, does the President, have to stay in Vietnam? Is it not limited to the safety of the forces remaining there?

Mr. FLYNT. I think it is limited to the safe protection, and I might say, the safe and orderly withdrawal of those troops who remain. I just happen to believe that safe, orderly and expeditious withdrawal can be accomplished within the time specified in this amendment.

This amendment, if adopted, could in no way be construed as an expression of no confidence in the President. I think the President knows that this country and this Congress has confidence in him. I know I have supported him publicly and privately in conversations and in public speeches every time I have had the opportunity, because I believe his purpose in seeking to accomplish an expeditious and orderly withdrawal is exactly the same purpose which I have and the same purpose which all of us who are going to vote for this amendment have.

Mr. Chairman, with regard to the prisoners of war, I yield to no Member of this House in my desire that those honorable Americans be immediately released and returned to our homeland and to their families.

I somehow feel—and I hope that I am correct—that the language of this amendment might help to expedite, if adopted, the return of those honorable Americans who are now held in prisoner of war camps.

With regard to the negotiations going on in Paris, I have said before, and I say again, that I believe those negotiations are a farce at best and a fraud at worst.

Mr. Chairman, when the Secretary of State in testifying in 1969 before the Senate Committee on Foreign Relations stated that it was not the purpose of the new administration to achieve a military victory, there remained no reason whatsoever for the North Vietnamese and the Vietcong to negotiate on anything.

Once having adopted the policy of no-win, a reason to sacrifice the lives of our American manhood vanished.

This most tragic mistake in the history of the United States must be admitted and this road to destruction must be corrected without further delay.

Therefore, Mr. Chairman, I urge adoption of the amendment.

The CHAIRMAN. For what purpose does the gentleman from Illinois (Mr. ARENDS) rise?

Mr. ARENDS. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I know that the chairman of the Committee on Armed Services finds himself in a difficult position in view of his statement earlier today that he had no intention to attempt to close off debate. However, I notice by the clock that we have been debating and discussing this amendment for 2 hours and 10 minutes. I would like to find, if possible, whether or not there could be some agreement as to a time limitation on the Robison of New York amendment, but not the other amendment.

Mr. Chairman, I ask unanimous consent that all time on the Robison amendment be limited to 30 minutes.

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

Mr. RIEGLE. Mr. Chairman, I object.

Mr. CONYERS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

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

Mr. SPRINGER. Mr. Chairman, there have been many assertions here on the floor with reference to what the American people think, and I have here in my hand the complete Opinion Research Corp. poll of Princeton, N.J., as of May 8, which is barely 5 weeks ago. This complete poll shows false any impression that 73 percent of the people want our troops out of Vietnam regardless of the consequences.

Well, let me read to you what this poll says:

The recent highly publicized and widely misinterpreted national opinion poll—showing that 73 percent of all Americans wanted a Congressional vote to bring home all U.S. troops from Vietnam before the end of this year—turns out to be false in its implications and grossly misleading.

Here are some of the results of that survey:

This is a complete survey, not merely on the question of what some of them have been talking about here. Here it is:

1. By an overwhelming margin of 72 percent to 18 percent, the American people "support President Nixon in his plan to end the war in Southeast Asia."

2. Support for the proposed Congressional plan for pulling out all U.S. troops by December 31 almost evaporates—when the American people are confronted with the possible consequences such as jeopardy to our POW's or a communist take-over.

3. *Well over half* the American people oppose a December 31, 1971 deadline for withdrawal, if that withdrawal means a Communist take-over of South Vietnam.

4. *By almost seven to one,* Americans oppose any year-end withdrawal that threatens the lives or safety of American prisoners of war.

5. The earlier poll is misleading and has been grossly misinterpreted, because, while the American people will support *almost any plan that promises an end to the war—they clearly will support no plan that either endangers our prisoners, or threatens a Communist take-over.*

Now, Mr. Chairman, I plan to insert at the proper time this entire poll, and the poll will not show what has been put in the newspapers all over this land: that 73 percent of the people want our troops out of Vietnam by December 31. That was only a part of the poll. As I say, I am inserting the whole poll which gives the idea of whether or not they support the President, and they do, by 72 percent in this poll. The American people will support almost any plan to end the war, but they will not support two things: First is if there is going to be danger to the prisoners of war not getting back home, and, second, the possibility of a Communist takeover.

I wish that I had this material yesterday so that I could have inserted it in the RECORD so that all of my colleagues could have read it today, because I believe that they are entitled to have the whole truth, and not just a part of the truth.

The material referred to follows:

OPINION RESEARCH CORP.,
Washington, D.C.

DO THE PEOPLE REALLY FAVOR IMMEDIATE WITHDRAWAL FROM VIETNAM?

PRINCETON, N.J.—The Public seems willing to endorse any plan that promises to bring all U.S. troops home from Vietnam soon—but *not* if it endangers our POW's or threatens a Communist take over, according to the latest survey conducted by Opinion Research Corporation of Princeton, N.J.

72% of the public say they support President Nixon in his plan to end the war in Southeast Asia, compared to 18% who do not support his plan and 10% who have no opinion. At the same time, 68% of those polled would approve their Congressman voting for a proposal requiring the U.S. Government to bring home all U.S. troops before the end of this year; 20% opposed this move and 12% have no opinion.

However, when various possible consequences of quick withdrawal are tested, the public is against withdrawal of all U.S. troops by the end of 1971 if it means a Communist take over of South Vietnam. When asked if they would favor withdrawal of all U.S. troops by the end of the year *if it means a Communist take over of South Vietnam,* 55% said no, 29% said yes, and 16% had no opinion. Also an overwhelming majority, 75%, would not favor withdrawal by the end of 1971 *if it threatened the lives or safety of the United States POW's held by North Vietnam.*

PULL-OUT POLL MISLEADING

The recent highly publicized and widely misinterpreted national opinion poll—showing that 73 percent of all Americans wanted a Congressional vote to bring home all U.S. troops from Vietnam before the end of this year—turns out to be false in its implications and grossly misleading.

The belief that the American people want out of Vietnam by December 31, 1971, regardless of consequences, is a myth. This is clearly shown in the attached report of a national survey taken May 1–2.

Here are some of the results of that survey:

1. By an overwhelming margin of 72 percent to 18 percent, the American people "support President Nixon in his plan to end the war in Southeast Asia."

2. Support for the proposed Congressional plan for pulling out all U.S. troops by December 31 almost evaporates—when the American people are confronted with the possible consequences such as jeopardy to our POW's or a communist take-over.

3. Well over half the American people oppose a December 31, 1971 deadline for withdrawal, if that withdrawal means a Communist take-over of South Vietnam.

4. By almost seven to one, Americans oppose any year-end withdrawal that threatens the lives or safety of American prisoners of war.

5. The earlier poll is misleading and has been grossly misinterpreted, because, while the American people will support almost any plan that promises an end to the war—they clearly will support no plan that either endangers our prisoners, or threatens a Communist take-over.

11% of those polled would favor such a withdrawal and 14% had no opinion.

The results of this survey were obtained by nation wide telephone interviews conducted among 1,026 persons age 18 and over during the period of May 1 and 2. Following are the actual questions asked and their results:

1. "Do you support President Nixon in his plan to end the war in Southeast Asia?"
Yes, 72; No, 18; and No opinion, 10.
2. "A proposal has been made in Congress to require the U.S. Government to bring home all U.S. troops before the end of this year. Would you like to have your Congressman vote for or against this proposal?"
Yes, 68; No, 20; and No opinion, 12.
3. "Would you favor withdrawal of all U.S. troops by the end of 1971 even if it meant a Communist take over in South Vietnam?"
Yes, 29; No, 55; and No opinion, 16.
4. "Would you favor withdrawal of all United States troops by the end of 1971 even if it threatened the lives or safety of United States POW's held by North Vietnam?"
Yes, 11; No, 75; and No opinion, 14.

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia (Mr. FLYNT).

The motion was rejected.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose both of the amendments.

Mr. Chairman, despite being a member of the Committee on Armed Services, I hesitated to take up this additional time so that Members who are senior to me would be able to make the arguments they desire to make for your consideration. However, some of the arguments that have been made, by admission of the proponents, have not had a great deal to do with the amendments themselves. I think there are a few pertinent arguments that should have been made that have not been made, and I think it is my duty to do just that.

Mr. WHALEN has told us that this amendment does not take us out of Vietnam by December 31, or any other fixed date.

He has told us that the money or ammunition, guns, or planes would not be denied for use in Vietnam or Cambodia or over Laos.

Mr. NEDZI said that it does not mandate a withdrawal and another of our colleagues said the amendments are feeble and as wide as a barn door and obscure.

The gentleman from Illinois (Mr. PUCINSKI) 2 days ago really helped us focus just exactly what the question is here and I wish to express it to you, when he said:

> The gentleman says the only meaning that this amendment has is that it is going to give a signal of the American people's intentions. A signal to whom? A signal of what? Who is the signal going to be received by?

The gentleman from Ohio (Mr. WHALEN) responded:

> I think certainly we are signaling to the executive branch of the government our desire and our concern.

I would submit for your very respectful consideration that this resolution, this amendment, and others like it have done not what they have been held out to the American people that they would do; that being to end the war. But, in fact, they have been feeding ambiguous facts and statements for the Communists to use in their propaganda machine not only in Vietnam but throughout the world.

If you would just read some of the minutes of the negotiations in Paris, you would find there the words of the Communists quoting—yes—quoting statements of people who are Members of this Congress and, in fact, leaders in our Government or so-called leaders in our Government, and quoting editorials from some of our free press and, in fact, using that to tell the people of the world how immoral we are as Americans.

I rise emphatically today, because I do not believe that the United States is an immoral nation. I do not believe Americans are immoral people. I do believe that we are a nation under God. I believe we are a united nation despite statements to the contrary by some of the people who would have you support this amendment.

I would suggest that you consider seriously the very important action we take here today if we were to submit to this—and I am sure we will not—but were we to adopt this amendment. We would in fact be providing more ammunition to the Communist propaganda machine and we would be providing more propaganda material for radio Hanoi to beam to our troops in Vietnam.

As a member of the Armed Services Committee of this House, I have been to Vietnam and I have heard radio Hanoi propaganda quoting words and deeds of Members of the Congress and others as they attempt to downgrade and demoralize our American soldiers over there.

I say to you, ladies and gentlemen, it is time that we stop applying the pressure upon the leaders of our Government. It is time we stop trying to give President Nixon—or whoever the President of this great Nation might be—stop trying to give him a message. I say it is time to apply a little bit of that same pressure to the Communists—to the enemy. Let us give them a message, and by a resounding "no" vote on the Nedzi-Whalen amendment today, my distinguished colleagues, let us tell the Communists—let us tell the enemy—let us tell the aggressor—that we are not going to hand them victory on a silver platter.

Mr. Chairman, I close by quoting one of our other colleagues today who told you—and these are his words—"Do not bow down to the President of the United States."

I would add to that, my distinguished colleagues: Let us not bow down to the enemy of the United States. Let us apply the pressure where it belongs. Let us give the message to the right people. Let us give a real resounding "no" vote to this amendment today.

Mr. BINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Nedzi-Whalen amendment has been characterized by some very eloquent speakers this afternoon as meaningless and as accomplishing nothing. Well, I would suggest that if it is meaningless and if it accomplishes nothing, it still has attracted some very vigorous opposition, indeed, not only in this body but from outside this body.

Mr. Chairman, I would like to address a few remarks to those of the Members who may not have made up their minds on this amendment.

What this amendment really means, aside from all the detail and aside from all the specifics, is the proposition that a December 31, 1971, date should be set for an end to active American involvement in the Vietnam war, the date to be set by the Congress or set by the President.

As a number of speakers have suggested, a heavy vote for this amendment would be a clear indication to the President that there is a lot of sentiment here in the House that a termination date should be set for American involvement in Vietnam.

What would the setting of such a date accomplish? What would it do?

First of all, it would provide an opportunity to negotiate for the release of our American prisoners of war. Members of this body have received information that would be indicating that the prisoners would be released if the date was set.

The fact can be tested if a date is set. If we start now on negotiations for the release of the prisoners, we are starting with some 250,000 troops in Vietnam. The President's proposal apparently is to go on withdrawing troops until we have only 50,000 or less in Vietnam and then seek to use those troops as a bargaining chip for releasing the prisoners. Surely this is topsy-turvy reasoning. I would submit to you that, if the President were really focusing on the question of the release of the prisoners, he would indeed set a date, because he would have nothing to lose by that procedure and everything to gain.

I suggest that the real reason the President does not want to set a date is because his objective is to preserve the present Government of South Vietnam, the Thieu-Ky government. But I wonder how many Members of the House want this country to go on making the sacrifices we are making, with all the costs that this war entails, to keep a government of that nature in office in Saigon.

The setting of a date, whether by the Congress or by the President, would put pressure that has never up to now existed on the Saigon government to make a reasonable negotiation settlement. They have never had any interest in negotiations, because the United States was backing them and prepared seemingly to back them indefinitely. If the date for U.S. withdrawal were known, the Thieu-Ky government would have to be more realistic about making a compromise settlement, or else the Thieu-Ky government would fall and be replaced by a government prepared to reach a peaceful settlement.

It is not true, as the President has suggested, that there has been no progress in negotiations. There is one main issue that separates the two sides in Paris today and that is the issue of what the interim government will be in Vietnam pending elections. Everybody is agreed on elections. Everybody is agreed on international supervision. The real

crux of the issue is what kind of government will be in power when those elections take place. The President's position is that that must be the Thieu-Ky government. That is essentially what American boys are still being asked to die about.

Mr. Chairman, a date must be set. A heavy vote for the amendment will indicate that those who support the amendment want to see a date set. Voting for this amendment is not going to force the end of the war. I wish it would. But this amendment will not do that. But it will give us an opportunity to indicate where we stand on the issue of setting a date for the termination of this war.

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

Mr. BINGHAM. I yield to the gentleman from Indiana.

Mr. DENNIS. If merely setting a withdrawal date would return the prisoners of war, does not the gentleman think the enemy would simply say so, out loud and publicly?

Mr. BINGHAM. The setting of a withdrawal date would give us an opportunity for negotiating the release of the prisoners of war. As far as I am concerned, the troops would not be withdrawn unless the prisoners are released, and we cannot test the good faith of North Vietnam on this subject unless we set a date. The President steadfastly refuses to set a date.

Mr. DENNIS. What I suggest to the gentleman is that if it is the enemy's position that merely by setting a date we would get the prisoners of war, all the enemy would have to do would be to say so. But in truth and in fact they want other things. They want a coalition government. They want a Communist takeover.

Mr. BINGHAM. I cannot yield further. It is still my time. That may be the gentleman's opinion, but we will not be able to tell whether the gentleman's opinion is correct or whether the opinion of Mr. LEGGETT and others who have talked with North Vietnamese is correct unless we try; and unless we set a date, we will never know.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. BOLAND. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment. Our harrowing decade in Vietnam makes one thing plain: A military victory there, the goal that has beset and bedeviled the Pentagon since the early 1960's, is nothing short of an illusion. Further military action would be fruitless, plunging us still deeper into a war that now engulfs virtually all of Southeast Asia.

The United States has already paid dearly for what the State Department likes to call our "commitment" to South Vietnam—more than 50,000 American soldiers killed and more than $250 billion squandered. Draining our resources and dividing our people, this war is now little more than an exercise in futility. A negotiated political settlement is the only way—quite literally, the only way—to stop the bloodshed. The concept of victory, always suspect, is now absurd And the peace movement, once considered the worst kind of villainy, is now a powerful and prestigious force in American life. Even the most ardent advocates of the war have long since abandoned it. Who hears of "hawks" any more?

The events of the past several years have shaken the American people out of their weary apathy. Public opinion polls—poll after poll, year after year—show that the vast majority of Americans want our troops to quit Vietnam.

Our commitment to that country—if, indeed, anything even distantly akin to a binding commitment ever existed—has been fulfilled.

If South Vietnam is not yet ready to defend itself, it never will be.

The time to get out is now.

How much more can we endure, after all?

How many more planeloads of coffins, how many more mutilated and lamed soldiers, how many more heroin addictions, how many more Mylais, how many more plundered cities and burned villages?

A hastened withdrawal schedule—together with what the press terms a "date certain" for total withdrawal—would help to yield a political settlement and help to free our POW's in North Vietnam.

At the very least, it would help stop the mindless slaughter of a whole generation of America's young men.

Clearly, Mr. Chairman, the Nedzi-Whalen amendment would help achieve this goal.

I urge its passage.

A James Reston column, published in the New York Times of June 16, 1971, discusses this country's role in Southeast Asia and the public's right to know about it.

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

Mrs. DWYER. Mr. Chairman, will the gentleman yield?

Mr. FORSYTHE. I yield to the gentlewoman from New Jersey.

Mrs. DWYER. Mr. Chairman, the time has come in our long and tortured involvement in the war in Southeast Asia when the only course left to the Congress is to say, "Stop!"

That is what, as I interpret it, the Nedzi-Whalen amendment is designed to do—to say, "Stop!" I cannot do more, for under our rules of germaneness the amendment can only affect the money authorized to be spent—but not yet appropriated—by the pending legislation. Therefore, it necessarily leaves a wide degree of latitude to the President for a considerable period of time, long past the stated deadline of December 31, 1971.

Nevertheless, I intend to vote for it unless a demonstrably more effective amendment can be found. For it seems to be, at this time and place, the best we can do. And that best is clearly worthwhile. Though its value is chiefly symbolic, adoption of the amendment would tell the President, and our people, that Congress at long last is convinced that there is more to gain by ending the war in Southeast Asia than by prolonging it, no matter how low the level of our participation may be.

Mr. Chairman, I have reached this conclusion with some reluctance and only after all other efforts to end the war, including my own, have apparently failed. Neither unilateral withdrawal of our forces as of a fixed date nor gradual withdrawal combined with "Vietnamization" have ever appealed to me as our best alternative. For each would tend to perpetuate the war even though our direct involvement would ultimately cease. But of these two—and they seem to be the only alternatives left—the former is clearly the more desirable at this late date.

As many of our colleagues know, my own efforts for the past 5 years have been directed toward securing a cease-fire—a U.S.-initiated, mutually binding cease-fire, supervised by a United Nations force or units from an ad hoc group of neutral nations, followed by simultaneous withdrawal of all foreign troops. This, in turn, would stimulate more meaningful negotiations at Paris and maximize the opportunity for the Vietnamese people themselves to determine their own fate.

As an extension of my remarks, Mr. Chairman, I shall include in the appendix of today's RECORD the text of a newsletter I issued in June of last year explaining in detail the several features of my proposal and the specific formula for securing a cease-fire.

No one, of course, could guarantee that this or any similar plan would work. But as I explained in my newsletter and as I emphasized repeatedly to Presidents Johnson and Nixon and their top foreign policy advisors, we would have nothing to lose and everything to gain by trying. If it failed, the onus would be on the North Vietnamese for continuing the war, for we would have demonstrated convincingly our determination to end the war and reach a political settlement.

Unfortunately, however, neither this administration nor its predecessor has shown any serious interest in plans other than their own either for conducting or ending the war in Southeast Asia, which fact leaves us with the two alternatives of continued Vietnamization or congressional action to hasten our withdrawal.

In supporting the latter, I do so in the conviction that a vote for the Nedzi-Whalen amendment would be the most responsible action we can take today.

It would neither tie the President's hands nor excessively limit the options open to him in seeking an end to the war.

But it would, instead, enhance the position of the Congress as direct representatives of the people in sharing with the President for the first time active responsibility for determining how best to end the war.

It would not, in any way, imperil American prisoners of war or endanger

those American troops withdrawing from Vietnam.

On the contrary, not only does the amendment specifically provide for the return of our POW's and the safety of withdrawing troops, but agreement on a target date for withdrawal—even a tentative one—could well lead to the kind of understanding with the North Vietnamese which hastens, rather than delays, both the return of American prisoners and the withdrawal of American forces. Should the North Vietnamese violate such an understanding there would, of course, be no compulsion on us to withdraw according to schedule.

Neither would the amendment, Mr. Chairman, unduly disadvantage the legitimate defense of South Vietnam.

We have been told for some time that Vietnamization is working well, that most of South Vietnam is securely held by forces loyal to the Saigon government, that the army, navy, and air force of the country are far superior to those of North Vietnam.

Surely, this ought to be true. For more than 10 years, we have spent billions of dollars and tens of thousands of our officers and men to train, equip, supply, maintain, support, and advise the military forces of South Vietnam. Today, they are acknowledged to be the strongest such force anywhere in Southeast Asia.

If, with all of that, they are incapable of defending their tiny country or if the government is unable to hold the loyalty of its citizens, we shall at least have done our best. And I cannot understand how an additional few months of U.S. involvement after December 31, 1971, would substantially change this situation.

In the final analysis, Mr. Chairman, this war has been a bad investment for the people of the United States, however we measure this investment—morally, politically, economically, socially, or even militarily. From a purely selfish point of view, overlooking for a moment the huge toll of death and destruction imposed on the Vietnamese people themselves, the United States has put into this war more than a hundred billion dollars, the lives of 50,000 of its best young men, and the health of hundreds of thousands more. We have divided our people deeply and bitterly; we have strained to the breaking point our people's respect for their Government and confidence in its integrity; we have weakened our economy on which the livelihood of millions of Americans depend; we have stimulated inflation, incurred huge budgetary deficits, endangered our export trade, and suffered serious reverses in our balance of international payments; and now we are told by the Pentagon that the Soviet Union has caught up with or exceeded us in the development and deployment of major weapons systems.

All this—and more—is the direct and indirect results of our failure to see the costs of Vietnam in proper perspective.

In view of this, Mr. Chairman, I can find no objective or purpose which could justify remaining involved in military operations in Southeast Asia any longer than it takes to disengage. Consider, for example, that within the past few weeks, President Nixon has opened trade relations between the United States and Communist China and has greatly expanded the already comprehensive list of American products—including many with direct military applications—which our companies can sell to the Soviet Union. Yet, at the same time, the administration persists in its position that we are involved in Southeast Asia to defend free governments against a Communist conspiracy fueled by the Soviet Union and Communist China.

I do not think we can have it both ways.

Nor must we try to have it both ways, for there is not a great deal of difference between the President's position and ours. Insofar as we all are determined to end the war, withdraw our troops, and liberate our prisoners as soon as possible, then we are in agreement on the fundamentals, and I would hope that no lesser considerations should obscure this fact.

All I ask, therefore, Mr. Chairman, and all I believe the Nedzi-Whalen amendment involves, is for the President to make a little room for Congress and the people to participate meaningfully in determining how and when to end the war, or else to be more precise and convincing in telling us why the administration's plan should remain untouched and unaltered.

As one who believes the President has accomplished a great deal in reversing the trend of our involvement in Southeast Asia and has earned the gratitude of all who are concerned at the price we have had to pay for that involvement, I do not believe this is too much to ask.

If he will accept it in the spirit in which it is offered, the President will find, I believe, that this amendment can serve in an appropriate way the common purpose of all who wish to close this tragic chapter in American history.

Mr. FORSYTHE. Mr. Chairman, the Nedzi-Whalen amendment is proposed here today purportedly as a way to bring our troops home from Vietnam by the end of this year.

Many of the responsible and sincerely dedicated Americans who believe the President must set a date certain for disengagement are supporting this amendment.

I have great respect for these people, as I have for the amendment's sponsors and Members of this House who also support this proposal.

And, I must say, in all honesty, that I have, for weeks, debated with myself about this issue. I desperately want to do everything responsible to get us out of this war in Vietnam.

As you may know, I have been consistently opposed to setting a date certain, as a solution to our involvement in Southeast Asia. So, a yes vote for me would, of course, be a substantial change in position.

Mr. Chairman, I do not question the sincerity of those who are supporting this proposal here today.

They want the bloodletting to stop just as I do.

They want their people back home to know how they feel, just as I do.

They are tortured with every casualty on either side, just as I am.

They, too, are impatient and frustrated that the war has not ended.

They ask, and I ask, "Will the killing and maiming never stop? Cannot we in Congress bring this war to an end?"

Perhaps we can. Perhaps we can legislate peace. But I am not so sure. And, if we can, I must confess I do not know how. At least not yet.

But, Mr. Chairman, I do know this: Nedzi-Whalen, even though it has captured the minds of many people as a way to end this war, is a cruel hoax.

It is not the way to peace. It will not stop one bomb from falling after December 31, 1971. It will not bring one American home.

That is a fact.

Some supporters of this proposal argue that it is consistent with a statement of policy signed by a number of Republican Members, entitled "Action To End the War."

They argue that since this is so, it would be inconsistent not to support Nedzi-Whalen.

As a signer of this document, I continue to stand by its purpose and its intentions.

The crux of this statement is as follows:

> We shall work and vote for responsible legislation during the current session to fulfill our obligation to the President and to the people to work to end our military involvement in Vietnam, Cambodia and Laos this year, consistent with return of our prisoners and safe return of our personnel.

The key word here, Mr. Chairman, is responsible.

And, in my judgment, this is where Nedzi-Whalen fails.

Responsible legislation, in my mind, means legislation which will accomplish a stated purpose in a conscientious and accountable fashion.

It means, in short, that the proposal turns into specific results within a given period of time.

This simply would not occur with Nedzi-Whalen.

It cuts off funds for new procurement of military supplies after December 31, 1971, and, in this way, sets a "date certain."

But does the military and the administration need these funds to conduct the war after this date?

The answer is "No."

In fact, by the time military equipment covered under this bill gets down the pipeline to Southeast Asia, it will be long past December 31, 1971.

The amendment has no effect on personnel.

It would bring no one home. It would not stop the bombing. It would not stop the fighting.

And, by its very nature, people are being led to believe that this would occur.

If I were serious about wanting to set

a date, this certainly is not the vehicle that I would choose.

The amendment goes out of its way to assure that the administration's war-making powers are not abridged.

It hedges withdrawal with safe return of prisoners.

Mr. Chairman, there are so many loopholes that it would take Fruit of the Loom all week to patch them up.

The amendment is a cruel hoax.

Yet, supporters will tell their constituents: "I voted to set a date."

Most of those constituents will believe a date has been set, if Nedzi-Whalen passes, and that the demands of Hanoi have been satisfied.

They will be disillusioned because the date that has been set is meaningless.

The vote on this amendment is being declared as a vote of either confidence or no confidence in the President. This is unfortunate.

I do not consider my "no" vote to be a blank check for the administration. I am just convinced that this is bad legislation.

I will continue to seek responsible ways to participate in ending this war.

The New York Times release of some of the inside history of the Vietnam war further destroys confidence in our Government.

The Congress should not play this game of deception. This is the game that Nedzi-Whalen plays.

I repeat, my colleagues, that this is a most cruel hoax.

It does not do what it purports to do. It does not set any meaningful date.

It does not mandate withdrawal.

It does not stop the use of material to prosecute the war during either the period ending December 31 or even June 30, 1972. Or, really, even after that.

It does not stop the bombing or any of the things many people believe it does.

It does not stop the war.

Mr. Chairman, and my colleagues, let us not deceive the people. Let us seek to be truly responsible.

Let us question and seek new paths toward peace.

But, let us not deceive the people.

Mr. CELLER. Mr. Chairman, from some of the remarks made this afternoon one would get the impression that Congress had no hand in the conduct of this war. Well, I can only say that that is just balderdash. We are not political eunuchs. We have power when it comes to this war. The President is Commander in Chief of the Armed Forces, but we are the commander of the purse, and our power is almost equal to that of the President. The powers are coordinate. Since we have command of the purse, let me remind you of an old phrase: He who pays the price can call the tune. I think it is time we called the tune.

Mr. Chairman, it is quite evident we cannot win a military victory. That is admitted by all. It is quite evident, also, that we cannot have a diplomatic victory in Paris. That seems to be admitted by everyone. Therefore there can be no victory.

Why are we in Southeast Asia if there can be no victory whatsoever either on the diplomatic side or on the military side? Why continue this senseless war that the Nation does not want? To what purpose do we continue?

To my mind there is no logical answer. The continued killing and maiming of our sons is a dreadful and dreaded result. The indiscriminate destruction of the native population by indiscriminate bombing cannot be justified. It amounts to the slaughter of the innocent.

How long can we wait for this undeclared war to end? This is no more than manslaughter.

All sorts of promises, subterfuges, lies—and I emphasize lies—have been fed to us. Are we mice or are we men? Let us rise and assert ourselves now, we who should be concerned for our Nation, for its prosperity, for its dignity, and for its welfare.

It is ridiculous to say that we in Congress have no power over this unholy war. As I said before, the Constitution does give us power, and this amendment is within the ambit of that power. It concerns appropriations, it concerns moneys for the conduct of the war and for the maintenance and support of our armies in Southeast Asia.

We have been supine, apathetic, and quiet for too long a period. Let us act now and give the signal that the war must end. I think passage of this amendment will be that signal not only to the country but to the whole world.

Mr. McCLORY. Mr. Chairman, I move to strike the last word.

Mr. McCLORY. Mr. Chairman, as has been mentioned here earlier, I am the author of House Concurrent Resolution 321 in which 20 of my colleagues have joined to establish a fixed date, the earliest date I know of, for withdrawal from Vietnam, November 30, 1971. This resolution provides for a mutual withdrawal of the North Vietnamese Armed Forces and all other foreign armed forces from South Vietnam. It is also conditioned upon there being established a cease-fire and an exchange of all prisoners, also according to set dates. This resolution is set for a hearing before the Subcommittee on Pacific and Southeastern Asian Affairs of the House Committee on Foreign Affairs, and I expect to testify in support of that resolution next week.

It seems to me, as has been indicated here earlier, by my colleague from Illinois (Mr. ANDERSON), that this is the correct approach to take with regard to a fixed date resolution for withdrawal from Vietnam, or other congressional action.

I think personally that the President should set a fixed date for withdrawal, and this sense-of-the-Congress resolution would designate a date which could be adopted by the President for a mutual withdrawal.

Mr. Chairman, I do not feel that we are helpless or that we should sit here supinely as has been indicated by an earlier speaker. I think it is incumbent upon us to give every bit of support, advice, and assistance to help the President in bringing this war to a final conclusion at the earliest possible date.

Mr. Chairman, there is precedent for the Congress acting in such a way, because we have done this with regard to other conflicts which I have referred to in earlier remarks in this Chamber, and which are reported in an earlier volume of the CONGRESSIONAL RECORD.

Mr. Chairman, in a questionnaire which was circulated among 154,000 households in my congressional district support for the President's domestic policies ranged up to 85 percent. On other domestic issues the survey indicated that the voters were about 2 to 1 in support of what the President has proposed. But with respect to the subject of Vietnam and whether they felt our present Vietnam policy would be successful in terminating our involvement, the men gave only a 37-percent vote in support of the President, and 63 percent against. The women voted 31 percent for our present policy and 69 percent against. This indicates that they want something more to be done and that, in essence, is what my House concurrent resolution proposes to do. It says:

> Yes; the President is doing a good job, and he is keeping his word; he has reduced the total number of our troops in Vietnam in a little over two years from a high of more than 540,000 down to 242,000; he has kept his word with regard to the withdrawal schedule.

But, Mr. Chairman, the American people still want an accelerated withdrawal and a final termination date for this war.

Mr. Chairman, I am going to vote against the Nedzi-Whalen amendment and the Robison amendment, because I feel we should deal with this subject directly through the form of a House concurrent resolution at the hearings before the appropriate committee. I am hopeful that those who have joined me in this resolution will not feel that they are being let down by my not proposing my resolution in the form of an amendment to this bill. I hope that other cosponsors will support the position I have indicated, that of going directly to the issue with the expectation of bringing the resolution to the House for a vote after we have had hearings before the committee. This should enable us to have an early vote on this concurrent resolution.

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

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

Mr. MIKVA. Mr. Chairman, the time has come to put up or shut up. The Nation has had its full of sophistries about how we must kill for peace, and expand the war in order to end it.

When the Nedzi-Whalen amendment to the military authorization bill comes to a vote, every Member of this House of Representatives will have an opportunity to make known the wishes of his constituents—whether they want to end the war before the first of the year, or whether they want the war to continue.

Undoubtedly, there will be attempts by professional pettifoggers to cloud the issue with qualifications, to pretend that the issue is not that simple. It is that simple. Either Congress exercises its fun-

damental power of the purse by refusing to allow any more of the people's tax money to be poured down the drain in Southeast Asia, or it does not.

Either we stop the war or we do not. The recent revelations of manipulations by past and present administrations have taught us once again the lesson which President Nixon urged early in his term of office: do not pay any attention to what I say—watch what I do.

The country is no longer interested in what we say about the war. It is waiting to see what we do.

Words will not stop the killing, nor will they bring the return of our prisoners of war. The President refuses to set a date for ending the war because he says that would mean abandoning our POW's. Who ever heard of prisoners of war being exchanged in the middle of a war? Prisoners of war are exchanged when a war is over.

Countless people in positions both high and low have urged the President to signal an end to the war by announcing a withdrawal date, so that we can begin to negotiate with the North Vietnamese for a mutual exchange of prisoners. They have promised they will join us in such an agreement once a withdrawal date is announced. The amendment offered by my colleagues, the gentleman from Michigan (Mr. NEDZI), and the gentleman from Ohio (Mr. WHALEN), protects against a welching by the North Vietnamese; it permits the President to condition withdrawal on successful arrangements for mutual release of prisoners. The President has said that a date certainly would be a "precipitate" move. We have been involved in Vietnam 17 years—longer than the Civil War, World War I, and World War II put together. Isn't 17 years long enough?

Congress can evade its constitutional responsibility no longer. We have wheedled, cajoled, and deferred to the President time and time again, and to no avail. It is time we gathered up our moral courage and rose with a single voice to say "No more."

I would like to commend my distinguished colleagues, the gentleman from Michigan (Mr. NEDZI), and the gentleman from Ohio (Mr. WHALEN) for their leadership in pushing a reluctant House to stand up and be counted at last on the issue of ending the war. History will record whether the House accepted the responsibility to save the country from any more of this ugly war.

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

Mr. McCLORY. I yield to the gentleman from North Carolina.

Mr. MIZELL. Mr. Chairman, we are today considering legislation which calls on the Members of this House to express a formal desire to remove all American troops from Vietnam on a fixed date, December 31, 1971.

I oppose that measure, Mr. Speaker, for a number of reasons.

The legislation at issue here, the Nedzi-Whalen amendment to the Military Procurement Authorization bill, has been widely advertised as the House version of the well-publicized Hatfield-McGovern amendment, which was defeated in the Senate yesterday by a vote of 55–42.

But the Nedzi-Whalen amendment is vastly different from the Hatfield-McGovern measure. The Nedzi-Whalen bill cannot end the war by December 31, even if enacted, a fact finally admitted by its sponsors after weeks of misleading publicity.

The gentleman from Michigan (Mr. NEDZI) has conceded that even if his bill passed, it would not materially affect the course of the war for another 2½ years, since authorizations already approved would sustain American military operations through that time.

So the Nedzi-Whalen amendment, while calling for a December 31, 1971, deadline, could not force a withdrawal before the early months of 1974. I am confident that President Nixon will have ended American combat involvement in Vietnam long before that time.

But this amendment, though powerless to affect the war directly, could if passed provide the North Vietnamese and Vietcong with a powerful propaganda weapon, and to destroy any incentive for the enemy to negotiate an earlier settlement.

With these facts in mind, it is obvious that this legislation could only prove damaging to our efforts to continue an orderly withdrawal of American troops, and to turn the complete war effort over to the South Vietnamese and give them the responsibility of defending their own country.

A vote for this amendment would not be a vote for an earlier peace, since it could not have that effect. A vote in favor could only serve as a signal to the enemy that we are ready to give up our pursuit of a just peace.

President Nixon has said on several occasions that setting a fixed withdrawal date would not be in the best national interest at this time. As Commander in Chief of the Armed Forces, and with his access to the private discussions now going on in Paris, the President knows better than any Senator or any Representative what is the best course for us to follow in disengaging our troops.

The Vietnamization program is working—300,000 Americans have been brought home from Vietnam over the past 2 years. Troop withdrawals are continuing now at a rate of 19,000 a month. We are moving toward a total withdrawal of American fighting men.

Casualties are at their lowest point since the initial troop buildup was ordered by the Johnson administration 6 years ago. The number of American casualties has been reduced by 90 percent since the Vietnamization policy was implemented 2 years ago. None of us will be satisfied until we reach a 100-percent reduction—no casualties at all—but we are working toward that goal.

These are positive steps toward peace, not reckless rhetoric that cannot be supported by facts.

The facts are that we are getting out of Vietnam, and that the rate of withdrawal has been consistently accelerated.

All of us want peace. We want our sons and brothers and fathers home with us. We want our prisoners of war released, and brought home to safety.

President Nixon wants all this as much as any of us, and I am convinced he is doing his best to see these goals achieved at the earliest possible date. President Nixon has met or exceeded every commitment he has made to the American people, and with their support, and ours, we can conclude our involvement in this war in an honorable way, and hopefully achieve the goal of the President—a goal we all share—and that is a long-awaited generation of peace.

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

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

Mr. YATES. Mr. Chairman, I shall support the Nedzi-Whalen amendment. I believe it makes sense to establish a date certain for withdrawal of our troops from Indochina.

The time has come for the Congress to exercise its constitutional power to limit expenditures for military operations in that troubled area of the world.

It has been 10 years since our Americans began their bloody sacrifice. On December 22, 1961, Sp4c. James Thomas Davis of Livingston, Tenn., became the first American soldier to die in combat in Vietnam. Since that date almost 50,000 more American boys have joined him in death in that war and over 300,000 other American boys have been wounded, a dreadful toll. It was announced today by the Pentagon that another 25 American boys had been killed in combat. The time has come to bring such announcements to an end.

Almost 140,000 South Vietnamese have been killed in battle and almost 350,000 others have been wounded.

Three hundred twenty-five thousand South Vietnamese civilians have been killed and over 1 million more have received wounds.

The number of South Vietnamese uprooted from their homes and forced to become refugees exceeds 6 million, which is more than one-third of the total population. More than 5½ million tons of bombs have been dropped on Indochina, a staggering quantity which is 2½ times more than the total bombing by all belligerents during World War II.

We are told and we have tended to believe that the approximate cost of the war to date has been $125 billion. That is only the initial cost. A study by Prof. James L. Clayton of the University of Utah which has been accepted as a part of the Department of Commerce's Statistical Abstract of the United States estimates financial commitments attributable to the war as of June 30, 1970, to be $352 billion. This is broken down as follows:

First, $110 billion in direct spending by the Armed Forces;

Second, $220 billion in Veterans benefits made necessary by the conflict extending into the next century;

Third, $22 billion in interest payments on war-related Government debt.

Almost another year has gone by since last June 30 and almost another $15 billion has been spent on the war. It must be obvious that Professor Clayton's estimates are conservative. How much longer shall we permit our Nation's resources to be thrown down the drain in Vietnam?

It will be argued, however, that we must not pull the rug out from under the President—that the President knows best—that he is in possession of the vital facts relating to the war and to peace negotiations and that Congress should not interfere with whatever he is doing in this field.

Congress has tended more and more to leave such matters to the executive branch, depending upon the President to provide timely information for its guidance. In the years following World War II with the growth of American involvement in international affairs throughout the world, the Congress has given more and more power to the President and has deferred to his judgment.

We are reading in the press today the results of such reliance in the early 1960's.

Unfortunately, the executive branch has come to assume that in matters of war and foreign policy the Congress has little choice other than to accept the judgment of the executive branch. Unfortunately, too, some Members of Congress have the same viewpoint. One need only recall the demand of the White House for prompt approval of the Gulf of Tonkin resolution to realize the dangers inherent in inadequate questioning of Presidential proposals in this field. It is clear now that all the facts surrounding the episode in the Bay of Tonkin which led to the initial bombing of North Vietnam by American planes were kept from Congress at the time it voted on that resolution.

Too frequently the executive branch has failed to follow the sage advice of the late Senator Vandenberg that Congress should be informed and consulted before the takeoff on some foreign adventure and not merely at the time of the crash landing.

Obviously, we must not and shall not withdraw our Armed Forces from Vietnam without having repossessed our prisoners of war. No settlement is possible without their release. But they certainly will not be returned as long as the fighting continues and the Vietnamization program continues the fighting. It is true that on occasion belligerents exchange prisoners during a war, but that is the exception. Ordinarily, prisoners are released when hostilities are ended.

Hanoi has expressed interest in combining the return of the prisoners with American withdrawal. Approval of the Nedzi-Whalen amendment may serve to bring the negotiators together on a date for our withdrawal and the return of our prisoners, and I shall vote for it.

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

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

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

Mr. VAN DEERLIN. Mr. Chairman, it pains me once again to oppose my leadership on this legislation. And I wish to emphasize my admiration for the determination the committee chairman, the gentleman from Louisiana Mr. HÉBERT), has shown to assure full and unfettered debate on a most vital issue.

But Mr. Chairman, the startling series in the New York Times has revealed the extent to which Congress and the Nation were deceived by those who formulated our disastrous policies in Vietnam.

With many others in this body, I accepted as fact what has turned out to be—and I shall try to be charitable—a chain of prevarications surrounding the start of our massive involvement in this war.

In retrospect—and hindsight in these matters is always helpful—it appears President Johnson was ill advised by many of his senior counselors during the period of maximum buildup. I wish more of these officials had been like George W. Ball, our Under Secretary of State at the time, who at least had the courage of his convictions in openly opposing the wider war, involving as it did the commitment of large numbers of U.S. ground forces.

Some of the men around Mr. Johnson were less than frank in discussing the war with Congress and the public. I recall vividly the headlines of 4 or 5 years ago, over Mr. McNamara's pronouncements that the boys would all be coming home within a year or so. Either Mr. McNamara did not know what the facts were, or he was lying.

I do not think the war would have been allowed to progress in the way it has if Congress had been properly informed back in 1964 and 1965.

It is not necessary to belabor past mistakes. But it has been said that those who do not read history are doomed to repeat its mistakes.

Let us look, instead, to the future. Not alone because I feel duped by McNamara and others, but because such action now seems tragically overdue, I shall vote for the Nedzi-Whalen amendment.

I want America out of this war.

Mr. WALDIE. Mr. Chairman, I rise in support of the Nedzi-Whelan amendment. I listened to those who have said we should oppose the Nedzi-Whelan amendment, because if it were to pass, and since it is a meaningless expression, it would contribute to the further disillusionment that is already prevalent in our society.

I pose this question to them: What factors do they believe have been responsible for bringing about the disillusionment of the American people?

Mr. Chairman, clearly in my district there is the feeling that the House of Representatives and the Senate, particularly the House of Representatives, are institutions that have no ability to perform anything meaningful in disengaging us from Vietnam. That is where a large part of the disillusionment has come from. Further, that the President is the only one to whom they can turn to accomplish a change in that policy, while the House and Senate sit back and pass up opportunity after opportunity to take meaningful steps in their behalf.

Mr. Chairman, it is an ineffectual attitude on the part of the House of Representatives, particularly, that has contributed greatly to the disillusionment of the American people.

Mr. Chairman, the amendment may not do much, but this is the only amendment pending before us, and it is the only amendment that does anything. It is sophistry to suggest that there are better amendments and that we should have a better amendment than the one now pending before us. There are no other amendments pending before us. The Nedzi-Whalen amendment is the only amendment pending before us. If you want to bring about a lack of disillusionment on the part of the American people, let them know that the legislative branch of this country is effective, and this is the time and place for us to cast that vote.

I am also concerned with those who say that to vote for the Nedzi-Whalen amendment would cast a doubt on the faith that we might have in our President; that we should have total and utter faith in our President to bring us out of this complex dilemma in which our Nation finds itself, because they say that "he is the only President we have got." We have had total and utter faith in all of our Presidents. I think there are few in this Chamber who do not now say that that utter and complete faith has in fact been misplaced, and it seems to me it was misplaced in the last administration, if the brief information to which we have had access as to how they arrived at their policy is correct. And I am beginning to believe that the faith in this administration may be equally misplaced because of the adamant position this administration has taken to the further release of those decision papers that involve the administration in which they did not participate. I suspect their motivation may be that if a precedent is set with the Johnson administration, the public may thereby gain access to equally critical papers involving how this administration arrived at the peculiar decisions they have arrived at in this particular conflict.

Furthermore, those who say that if we pull out of Vietnam and end that tragedy, we will "lose face in the world," are suggesting that the face we now present to the world in Vietnam is a de-

sirable face. It is the ugliest and most tragic face America probably has ever presented to the world, and to all of our people in our entire history. To change that face by withdrawing from Vietnam does not seem to me to be a tragedy, or be a case of losing face, but it seems to me instead it is a case of changing faces from an ugly one to a much better one.

Finally, many have extended great credit to the President for faithfully "following his plan to end the war." That plan was described during the President's campaign as, "I have a plan to end the war." Despite urging that he reveal the details of that plan, the President as a candidate refused to do so. And, politically, that was a wise decision. Because if he had revealed a "plan to end the war" that 2½ years later was not any more nearly accomplished than this "plan" the American people would have clearly rejected that "plan" at the polls. In truth and in fact, the mysterious "plan" was not in existence—or if it was, has not worked. A quarter of a million troops still remain in Vietnam, casualties continue, the war drags on.

End this war, Members of Congress. vote to end it.

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

Mr. Chairman, I rise in support of the Whalen-Nedzi amendment. I would first like to thank all of those who supported the record-teller amendment last year for making it possible for me to cast my first vote squarely on the continuation of the Indochina war.

The real question before us today is whether the House will continue to act as a silent partner in any military undertaking commenced and conducted by the executive branch. We have been watchers from the sidelines in a war that is demoralizing our Armed Forces and dividing our people so deeply that it may be impossible to unite on issues of war and peace ever again.

This administration has made steady progress in withdrawing American forces. Absolutely nothing in the Whalen-Nedzi amendment repudiates this record of winding down the war. This is not a vote of no confidence in the President; it is a vote of new confidence in the Congress. Only joint action by the President and Congress can accomplish our complete withdrawal with the dignity and unity of purpose this Nation needs. Whether we like it, or even knew it or not, we have been accomplices in this war. Let us be real partners in achieving peace.

Mrs. HECKLER of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GUDE. I yield to the gentlewoman from Massachusetts.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I wish to identify myself with the remarks of the gentleman in the well, and to express my strong support for the Whalen-Nedzi amendment.

Mr. Chairman, the time has come for the Congress to take the lead in ending the war in Vietnam.

We have before us today the Nedzi-Whalen amendment that prohibits the use of military procurement funds to continue the war in Indochina.

We have had similar proposals offered in the House before to restrict the conduct of the war but each has been defeated. The time has come for the Congress to reassert its constitutional responsibility to finance war or the end of war.

The text of the Nedzi-Whalen amendment is reasonable, flexible, and perfectly within the prerogatives of Congress. It will effectively speed up the pace of our withdrawal from Vietnam, which is the Nation's established policy, a policy that nearly every American shares and a policy which three-quarters of us would like to see completed by the end of this year.

I know, Mr. Chairman, that many of our colleagues have long regretted their votes in 1964 in favor of the blank check to President Johnson that was given in the form of the Gulf of Tonkin resolution. They know that if we in the Congress are to retain our credibility as the representatives of the people we must reassert our rights and responsibilities in national affairs. We can do so through approval of the Nedzi-Whalen amendment. I believe the President is doing his job in ending the war. Now we need to do ours.

The revelations this week in the New York Times of the deceptions practiced on the Congress early in the Vietnam buildup makes it absolutely imperative that the Congress express its will now, however belatedly it might be. I am sure that every Member of this body who supported the Gulf of Tonkin resolution as an emergency response to attacks on an American destroyer was angered to learn that the resolution was, according to the Times, drafted 3 months before the incidents occurred.

I have pledged to work to settle the issues involved in this conflict by the end of this year. We need to complete the withdrawal that has already begun by the end of this year. We need to resolve the prisoner-of-war question to insure the safety of our men and their earliest possible return to this country by the end of this year. We need to heal the domestic wounds that have arisen because of Vietnam. And, we need to provide programs to insure the rapid assimilation of Vietnam veterans into our society and our economy.

In my view, the Nedzi-Whalen amendment would be a step toward each of these goals. The defeat of the amendment would be a severe blow to the possibility of achieving these goals and it would be a repudiation by the Congress of the wishes of the American people. Its passage would mark a significant step forward for both the Congress and the American people.

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

Mr. Chairman, I rise in support of the Nedzi-Whalen amendment. Millions of words have been spoken on this subject, and in this long debate perhaps we have heard far too many words. What we need to distill out of all those words are two simple things: first, does this body still have the belief that human life is sacred and valuable even in Vietnam? The second thing we need to distill from all of those words is whether or not the action that we will take today on this amendment will begin to restore credibility in the system of representative government.

I heard the distinguished minority leader say that this amendment is meaningless. I would ask the gentleman to tell that to the mother of that young man who worked in my campaign, who came back from Vietnam with his right arm blown off, fingers missing from his left hand, and his back permanently in a brace.

I would ask the distinguished minority leader to tell her that it is meaningless—when she has to face the awesome prospect that her second son will go to Vietnam, to face the same fate, or one that is worse. Perhaps that second son will be killed. I would ask the distinguished minority leader when he speaks about the amendment being only a symbolic gesture—I would ask him to look into the faces of those thousands of young college men and women I talk to, both black and white, who tell me, "Brother Parren, we do not believe in the system because the House of Representatives has failed in its responsibility, to end the war."

I would say to the distinguished minority leader, "my God, my God, if we ever needed a symbolic act—it is now." This is much larger than just the issue of Vietnam. This goes to the central issue of whether or not this is a democracy, as we know it and understand it, will survive or whether it will be eroded overtly and overtly, vitiated and perhaps destroyed by a lack of credibility in the system of government.

This is a crucible and this is a severe test for this body. The question in my mind, and the question in the minds of these young men and women whom I see every day is—how will this honorable body act at this juncture, at this point in history, will it meet that test? Will you act to restore credibility or will you once again act out of political expediency and lack of commitment and a lack of awareness of what that world is like outside this Chamber?

Mr. Chairman, I urge support of the pending Nedzi-Whalen amendment.

Mr. HUNT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are getting down to the closing moments of the debate, I hope, on this amendment and on the one offered by the gentleman from New York.

It would appear to me that perhaps the record sometimes becomes distorted in many channels to suit the person who emotes so unqualifiedly at times.

About 4 years ago I was one of the first persons in this body to advocate withdrawal of American troops from Indochina and the turning over of South Vietnam to the South Vietnamese. I did so when it became quite evident that we were engaged in a no-win war—where we were supplying the men, the materials

and the money, and because I thought the American people had been sold down the stream by persons who had deliberately misled them into believing, first, that we had been attacked in the Gulf of Tonkin and, second, that we were out to save the world for democracy.

Then we found out a little bit later as we went along that this is not the case—that those persons who were advocating this—and I need not be bashful about saying it was Robert Strange McNamara who said:

> We are about to see the light at the end of the tunnel.

He had no more intention of winning that war then than he does now.

I heard someone say a short time back in this Chamber that the people were disillusioned. You bet they are disillusioned. They are disillusioned with the picture that was painted by those people who sent over a half million men to Vietnam to fight a war that they never intended to win. The same people in this Chamber who supported that are today the greatest doves and the greatest bleeding hearts. Certainly, our people are disillusioned—why should they not be? I have been disillusioned and so have many more.

Loss of face—no one worries about loss of face today. That day has passed. Loss of face is not for us to discuss. The object for us now is to get our men home as rapidly as possible and to turn the government over to the South Vietnamese so they might have their own form of government and that they would not knuckle down to the Communist threat. The Hanoi line is that we turn over the entire range to the Vietcong of Vietnam—that we withdraw without our POW's, prisoners of war, being returned to us—or that we throw out Mr. Thieu who is their President—and unless we do everything the Communists want—that they will not acquiesce. I oppose the Nedzi-Whalen amendment because it is a gesture in futility, a cruel hoax on the American public and, in fact, does nothing to affect an honorable peace in Indochina.

The Nedzi-Whalen amendment would not bring one man home. It would merely cut off the authorization of money to support the men whom we are trying to bring home now. Why do they not speak the truth about this situation? Money is not going to save them. It is going to take the action of all the Members in this Chamber to think about this war with level heads, not to attack the President at every little whipstitch, not to be talking for your own benefit for reelection, and not to be speaking for these people who now seek to become President by virtue of this unfortunate occurrence we have found ourselves placed in as a result of the Gulf of Tonkin resolution.

Why do we not face up to the reality and say, "Mr. President, you are the first man to bring troops home. You are the first to try to do a job in this respect. We think you are doing the right thing, and we are going to try to help you get them home as soon as possible"? Why do we not do that for a change, and stop giving solace to the Communists in Hanoi so they might parrot the lines of people in this very House tomorrow morning on the radio, so they might broadcast the support that is being given them by the Members of the Congress, if you will, because they do not have the courage to stand up and face their own inadequacies?

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

The CHAIRMAN pro tempore (Mr. HOLIFIELD). The gentleman from Missouri is recognized.

Mr. RANDALL. Mr. Chairman, I oppose the Nedzi-Whalen amendment because it is my carefully considered conclusion that it will only lead to further frustration and disillusionment of our people. It is not very often that I find myself in complete agreement with the minority leader. But no truer words were ever spoken than when the gentleman from Michigan said in the well a moment ago that if we adopt this amendment it will lead our people to believe it will end the war on December 31, which it will not, and when they wake up to find that it did not do what they thought it would do, there will be more cycnicism and more disillusionment than has been produced by anything the New York Times articles have said about the Gulf of Tonkin resolution being the outgrowth, not of an actual attack, but a provoked attack. I repeat, more cynicism can result from the mistaken effect of this amendment than all the articles written in recently the New York Times.

I predict that if we adopt the amendment we will be once again confusing, deceiving, and even misleading our people.

Why do I make that statement? First, because the date is misleading. I think we should take time to once again review, even at the expense of repetition, some of the things this amendment will not do. First, it will not lead to the withdrawal of our troops, such as the McGovern-Hatfield amendment in the other body would provide.

Why is this so? Because of the total of $28 million involved in the procurement bill, only about $2.5 billion will have any reference at all to the fiscal year 1972. Quite a substantial portion of the funds will be spent in 1973, 1974, 1975, 1976, 1977, and some as late as 1978.

Second, the amendment cannot be effective or restrictive of the war because there are already enough funds in the pipeline, funds already appropriated in former years, already authorized and funded, to carry on the war for a considerable time.

Third, if by the assumption of some strange hypothesis we could freeze or suspend the use of all funds provided in former years, then notwithstanding—and there has been a lot said about the powers of the President as Commander in Chief—under those powers the President would retain the authority to circumvent all the provisions of this amendment. He could take planes, tanks, or ships already authorized for our forces for use anywhere else in the world and simply transfer them to Vietnam and still be in conformance with the terms of this amendment. The hardware from former appropriations sent to Vietnam could be replaced by hardware from this authorization without any violation of this amendment by the President.

For these foregoing reasons the amendment is so filled with loopholes as to be ineffective. It is not only misleading but deceiving to all of our people who have been led to believe it will end the war.

Finally, it has been said that if the amendment cannot be effective it still has left its symbolism, that it is a signal from the House that we want the war over. I am sure I am speaking for the great majority when I say that the authors of this amendment and those who support it, enjoy no monopoly in wanting to end the war. We are all for ending the war. This amendment, however, will not accomplish that objective but it will be misleading, deceptive, and lead to greater frustration and disillusionment than ever before. Later this afternoon I intend to join in either a substitute to this or a separate amendment which will express the concern of the House, without the disadvantages of this most ineffective amendment.

There has been some talk about the hearings to be conducted by the Foreign Affairs Committee. I am convinced that even before these hearings we can adopt this afternoon a reasonable expression of the sense of this House to withdraw our troops before we complete this debate today.

We all want an early withdrawal of our troops from the war. But the way to achieve that objective is not to mislead, confuse, deceive and increase the cynicism such as would result from the adoption of this amendment.

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

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

Mr. FINDLEY. I wonder if the gentleman could support an amendment something to this effect:

> None of the resources authorized by this Act shall be used to support action by United States combat forces in Vietnam except as required to effect the safe withdrawal of all such forces by the earliest practicable date.

Mr. RANDALL. My answer is in the affirmative. If I heard you correctly such wording would clearly express our intent and I will support your effort to adopt such a meritious proposal.

(Mr. HICKS of Washington asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. HICKS of Washington. Mr. Chairman, during the past 2 months I have received petitions with several hundreds of names requesting my support for measures similar to the amendment offered today by our colleagues, the gentleman from Michigan (Mr. NEDZI) and the gentleman from Ohio (Mr. WHALEN). To

each signatory of these petitions I have sent a letter which reads as follows:

I am sympathetic to your view that the Indochina war come to an immediate end. If it appears that the President does not intend to continue withdrawal at the same or at an increased rate until all forces are out of Indochina, then I shall vote to cut off funds. Otherwise, I should prefer to give the President the opportunity to disengage in accordance with what he feels to be in the best interest of the nation so long as that does not include a residual force in Vietnam or the continued use of air and naval power from outside Vietnam.

Mr. Chairman, in the summer of 1968 I took the position before the Washington State Labor Council that our commitment to the South Vietnamese essentially had been fulfilled. When President Nixon began withdrawing American forces in 1969, I applauded his efforts. I still believe that as long as the President continues to withdraw our troops at the present or preferably an increased rate he should be allowed the opportunity to disengage in accordance with what he determines to be the best interests of the Nation.

I did not support the Nedzi-Whalen amendment when it was offered in committee. It is my intention to vote against it today on the floor. However, Mr. Chairman, if at any time it becomes clear to me that the President does not intend to withdraw all American forces, and, as has been discussed both in the national press and here today in the House, that a residual force may be left in South Vietnam, I will then support legislation to end all funding of our military efforts in Indochina.

SUBSTITUTE AMENDMENT OFFERED BY MRS. MINK FOR THE AMENDMENT OFFERED BY MR. NEDZI

Mrs. MINK. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The Clerk read as follows:

Amendment offered by Mrs. MINK as a substitute for the amendment offered by Mr. NEDZI: Title V, General Provisions, of H.R. 8687 (FY 1972 Defense Authorization Bill) is amended by adding the following new section:

"SEC. 502. (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."

Mrs. MINK. Mr. Chairman, the Nedzi-Whalen amendment has received wide publicity. I believe it has been lobbied without care or attention to the details which detract from its effectiveness. Nevertheless, even though its import is questionable, it has been advertised as an end-the-war amendment and only as such I shall support it. However, I offer my amendment to delete all but the first paragraph so that at least the intended purpose of this highly touted amendment will be allowed to stand by itself without all the bypass equivocation and qualifications.

My amendment would simply delete sections (b) through (f).

It would strike first of all paragraph (b) which states that if the President determines that the cutoff date does not permit the safe and orderly withdrawal of all U.S. military personnel from Vietnam, or fails to insure the return of our prisoners of war, he may recommend to the Congress legislation setting another date within the fiscal year which will permit the accomplishment of these objectives. All along President Nixon has refused to set a withdrawal date because he believes to set a date is injurious to the safety of the men who are remaining. He has authorized incursions into Cambodia and Laos on the grounds that these were necessary to safeguard American lives. We know how the President stands on the matter of a cutoff date. Therefore section (b) is nothing more than an endorsement of the President's argument against a deadline. If a cutoff date is adopted, obviously, the President may at any time propose any legislation he wants. Therefore, section (b) is entirely unnecessary.

Paragraph (c) should likewise be stricken. It states that the amendment shall not be construed to affect the constitutional power of the President as Commander in Chief. Again, this section is unnecessary. We all know that we cannot overrule the Constitution by a statutory act such as the military procurement bill. Any constitutional power the President may have will be unaffected by this bill. But the danger of the section is that it appears to confer legislative sanction of the President's claims of authority to do practically anything he wants with our military forces without congressional approval. The powers of Commander in Chief have been used to justify the invasions of Cambodia and Laos.

On December 29, 1969, President Nixon signed the Defense appropriation bill for fiscal year 1970 into law. It contained the Cooper-Mansfield amendment which said that no funds could be used "to finance the introduction of American ground combat troops into Laos or Thailand." But this did not prevent the President from spreading the war into Laos. He has authorized extensive use of American air and logistical support, reconnaissance flights, combat support flights, payment of non-American troops, and introduction of 643 American advisory, training, and logistical personnel as listed by him in his statement of March 6, 1970, on our involvement in Laos. Mr. Nixon said he acted because "it has been necessary to protect American lives in Vietnam."

On January 11, 1971, President Nixon signed the Defense appropriation bill for fiscal year 1971, again carrying a prohibition of the use of funds for the introduction of U.S. ground combat troops into Laos or Thailand. This second provision was as ineffective as the first, for almost concurrently, the President staged a secrecy-shrouded invasion of Laos in which U.S. troops gave massive combat air support to the South Vietnamese invaders.

Similarly, we passed a Cooper-Church prohibition as part of the Special Foreign Assistance Act of 1971, but this has not stopped our extensive operations in Cambodia. Clearly, the constitutional powers of the Congress to declare and terminate war are infringed upon by the powers of the President as Commander in Chief. We should not therefore further degrade our own authority by adopting section (c).

Section (d) should be deleted because it is entirely contradictory. It states that the amendments shall not be construed to affect the power of the President to provide military assistance to Cambodia, Laos, or the Republic of Vietnam consistent with the objectives of the amendment. How could any military assistance be consistent with this amendment? If we really are opposed to our military involvement in Southeast Asia this section must be stricken.

Section (e) states that all these funds provided under this act may nevertheless be used for ensuring the return of prisoners of war. The President bases his refusal to set a deadline for our total withdrawal on the need for obtaining the release of American prisoners of war before setting such a date. In this regard section (e) supports the reasons for the President's refusal. Yet it should be apparent to all that the only way of obtaining the release of our prisoners is to end the war. When the fighting stops, the prisoners will be released. This section while seeming to help our prisoners is nothing more than a statement of approval for the prolongation of the war. If we wish to establish a firm unequivocal date to end the war then we must not include in such a resolution all the excuses for its suspension.

Section (f), which permits the assignment of customary military personnel to diplomatic missions, further violates the stated intention of the amendment. There have been numerous charges in the past of large numbers of diplomatic assignees performing largely secret advisory or even clandestine military roles in such countries as Laos and Cambodia. Indeed, the expansion of these missions got us into Vietnam in the first place. We should not repeat this mistake.

In summary, sections (b), (c), (d), (e), and (f) add nothing to the goal of obtaining our withdrawal by the end of this year. If we are serious about the import of this amendment, let us not burden it with loopholes. I urge your support of my amendment.

The CHAIRMAN. The time of the gentlewoman has expired.

Mrs. MINK. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Hawaii?

Mr. HALL. Mr. Chairman, I object.

Mr. ANDREWS of Alabama. Mr. Chairman, I rise in opposition to the amendment.

PARLIAMENTARY INQUIRY

Mr. GUBSER. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. ANDREWS of Alabama. I am glad to yield to the gentleman.

Mr. GUBSER. Could the Chair inform the gentleman regarding the order in which votes might come, assuming that no other amendments or substitutes are offered at this time?

The CHAIRMAN. The first vote would come on the Robison amendment to the Nedzi-Whalen amendment.

Mr. GUBSER. Then, if that vote fails, the vote would come on the Mink substitute?

The CHAIRMAN. That is right.

Mr. ANDREWS of Alabama. Mr. Chairman, there is not any question but that this amendment is a popular amendment, because all Americans want this war to end. It seems that it has been with us "since the memory of man runneth not to the contrary." It is the same war that should have been won in Korea 20-some-odd years ago and could have been won if we had followed the advice of that greatest of all Americans, Gen. Douglas MacArthur.

Mr. Chairman, the issue was the same then as it is now, trying to stop Communist aggression. The enemy was the same, the Communists.

Now, I am somewhat of a hawk. I have made many speeches from the well of this House calling on President Johnson and President Nixon to either fight to win or get out. You should never get in a war unless you are willing to use all the resources of the country to back up the young men who are out facing the bullets.

So, when the former President and his successor, the present Commander in Chief, announced to the world that we were not fighting to win, I was ready then to back the ships upon the beaches and tell the boys to turn their backs on the enemy and run and get aboard those ships.

Mr. Chairman, a man told me years ago when I was District Attorney:

> Do not ever pull a gun on a man unless you are ready to kill him.

That is good advice for a human being and is equally good advice for a nation. Do not ever send a young man out to a war unless you are willing to back him up.

Mr. Chairman, the most important question before the American people in my humble opinion is the return of those poor unfortunate prisoners of war. How on earth can you get those prisoners returned when you are operating from a standpoint of weakness? Every time you withdraw troops from South Vietnam, you weaken our position.

Last year we had a high-ranking military man before our committee, and I told him that I admired his optimism about the Vietnamization program, but I did not share his views. I said, "General, if all these if's that are cranked into the Vietnamization program come to pass and we equip the South Vietnamese and we train them, I want to ask you a $64 question—will they have the capability and the determination to protect their country?" He said, "Mr. ANDREWS, that is a $128 question, and it is a question that remains to be answered."

Mr. Chairman, in view of the experience which the South Vietnamese had in Laos not too long ago, that question might have been a $500 question, which I asked that General.

Now, 2 weeks ago the Air Force people were before our committee, and I asked them if they still had the remaining capability in South Vietnam to put the port of Haiphong out of commission. His answer was "Yes." I said, "How long would it take?" He said, "Two weeks."

Mr. Chairman, 85 percent of the materiel of war that are used to kill our men in Southeast Asia goes through that port of Haiphong. I said to that General, "It is unfortunate that we did not do it 8 years ago."

Mr. Chairman, one of the saddest by-products of this war is that a whole new generation of dope addicts are being bred in Southeast Asia.

We had a general before our subcommittee week before last. I asked him how long it would take a young man to get hooked on that pure heroin, as easily as it is available and as cheaply as they can buy it, and he said, "One week." A young man was reported to me as having said 90 percent of all the men in his company were addicted to heroin.

So, Mr. Chairman, of course, to vote for this amendment would be popular, because the American people want this war to come to an end.

Mr. Chairman, I oppose the amendment, because I do not want to put a stumbling block in front of the President.

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

Mr. Chairman, the American involvement in Vietnam has been a long and sad one. In retrospect it can be seen that most every move made there has been unwise. This dates from the initial decision of President Eisenhower in 1954 to send advisers. Parenthetically, it may be noted that Vice President Nixon advocated sending troops at that time. Since then Presidents Kennedy and Johnson must share discredit for a continuing escalation of the conflict.

For years our leaders had an alternative that could have been followed, and that in my view the majority of the people supported. This was simply that we should choose to fight the war on a full-scale basis to win as soon as possible or to quit and get out as soon as possible. Our leaders would never make this decision, however. When President Nixon came into office in January of 1969, these options still remained. Instead of winning the war or getting out of the war we have stayed on indefinitely. Though President Nixon is bringing our troops home, he is not doing it as fast as he should. His basic rationale for delay is the concept of "Vietnamization." Most objective thinking Americans know in their own hearts and minds that Vietnamization will not work. We know that within weeks or months of the withdrawal of American troops and support, the Saigon government will fall. Our Government has now been following the President's program of "Vietnamization" for approximately 2½ years. During that period, 20,000 young Americans have died and over 50,000 have been hospitalized in Southeast Asia. Vietnamization is not worth one American life or one American casualty. And it is also clear that Vietnamization has retarded efforts to have our prisoners of war returned. The best evidence now is that setting a specific withdrawal date will be helpful in negotiating release of those 1,100 or so prisoners.

Our disillusionment, disappointment, despair, and sorrow for our killed and injured American men is now compounded by reliable assertions that for every American now being killed, we are returning to our society a Vietnam veteran addicted to narcotics. Scarcely a week goes by without such a case from my district coming to my attention. The grief that is beginning to pervade our people as a result of this alarming development is incalculable.

Today marks the first time, Mr. Chairman, we in the House will be recorded on the issue of setting a specific withdrawal date—December 31, 1971—to have all of our troops out of Vietnam. During my period in the Congress I have been reluctant to be critical of the President on conduct of the war, realizing that he did not create the problem and further believing that he was sincere in bringing the troops home. Though I have often said that he was not bringing them home fast enough, he at least was moving in the right direction. I have tried to resolve all doubts in favor of the President for as long as possible. The point has now been reached where I can no longer do this. There is no justification for continuing to delay. Let us support the Nedzi amendment. Let us return our troops now.

Mr. PREYER of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. BURLISON of Missouri. I yield to the gentleman from North Carolina.

Mr. PREYER of North Carolina. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment. Americans have been extraordinarily patient in waiting for the ending of the Vietnam war—the longest and most inconclusive in U.S. history and the most marginal to our vital interests. When Nixon beat Humphrey in 1968, in part because he seemed less a prisoner of past Vietnam policies, would anyone have imagined that well into the 3d year of his term, the United States would still be so heavily involved in the war? It is time to get out.

Almost no one outside the White House any longer believes that the President's refusal to commit himself to total withdrawal will win concessions from the other side. This makes it difficult for the public to accept the President's policy.

Whatever the particular date, the President should proclaim one publicly. This would revive understanding and support of the President, eliminate the uncertainty, and enable us to set an honorable post-Vietnam course. It would change the entire atmosphere and show that the Government is in control of events and has firmly chosen its course. A prolonged and open-ended withdrawal will further divide the country and may put great pressure on the President to accept terms in the end that are truly shameful.

From the point of view of those who favor a strong America, we need to end the war quickly before anti-Vietnam emotions cause us to cut defense spending, out of anger and frustration, without regard to national security and to retreat into neoisolationism. A strong America is the only thing that maintains the security of all free nations in the world, as Israel knows. Anger and rising frustration over Vietnam threatens to undermine our ability to carry out this role.

We need to end the war quickly so that we may begin to restore confidence in the military. Morale is badly undermined. The examples of "fragging" officers are not uncommon. We have recently learned the chilling news that 10 percent to 15 percent of all U.S. troops have developed a heroin habit. The soldier going to South Vietnam today runs a far greater risk of becoming a heroin addict than a combat casualty. This is one more heart-rending reason to get out.

We need to end the war quickly in order to have our prisoners returned. Negotiations have proved fruitless. There is no real bargaining leverage in a residual force. It is more hopeful to rely on the age-old tradition of warfare—exchanging prisoners at the end of hostilities.

The war will end and we must be prepared to handle the historic aftereffects of our tragic intervention in that struggle.

We should not talk as though we were a nation of war criminals, as the rhetoric of the left would have us do. There can be no question that the North Vietnamese began this war in South Vietnam and Laos, and carried it on with the utmost ruthlessness. Our intentions were honorable—to support the principle of self-determination and to help small countries resist aggression as we had rightly and successfully done in North Korea. We made a serious error in misjudging our capability and that of our allies to carry on such a war successfully, and to do so without being drawn into other kinds of atrociousness.

We should not berate ourselves for having lost a war. Rather, we should consider that our intervention has not been entirely in vain. For one thing, the danger of widespread resort to "wars of national liberation" for expanding Communist domination has lessened. Second, Communist China now no longer seems in an expansionist, belligerent mood but in improving relations with the rest of the world. Third, the North Vietnamese may have suffered to the extent that they must concentrate on their own reconstruction and cease for a time at least to be a troublemaker in Southeast Asia. Fourth, the war provided time for other nations in the area—Thailand, Malaysia, Singapore, Indonesia—to strengthen and modernize their countries. Fifth, the United States has learned a valuable though costly lesson through this tragic and divisive experience.

We have learned the limitations of our power, and that we cannot control events in distant parts of the world. We will emerge a wiser and more mature nation.

There is now a national consensus on withdrawal; the fear of a rightwing backlash that we lost the war is no longer a threat as it might have been a year ago. We have done enough. Withdrawal will bring an enormous sigh of relief in this country. It will "bring us together" like nothing else. Let us have peace with healing in its wings and begin the task of binding up our wounds.

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

Mr. Chairman, I rise in support of H.R. 8687, and wish to take this opportunity to commend our distinguished colleagues on the Committee on Armed Services for the most thorough review of individual items in the budget of the Department of Defense we have seen in many years. By careful scrutiny of each item they have managed to reduce the overall total authorization by some $18.5 million, a remarkable accomplishment in this year of constantly accelerating costs.

I also believe the committee majority is to be commended for resisting an effort to so amend the bill as to attempt to legislate an end to our military engagement in Southeast Asia, an amendment offered by some of our colleagues with what I believe are the best of intentions, but one which would dangerously tie the hands of the President in his efforts to bring our boys home safely at the earliest possible date.

In the 2 years since Vietnamization began in South Vietnam, the number of our men has been reduced by 294,800, and the President has pledged that another 63,200 will be home by the end of the year, leaving a residual force of 184,000 or less. It is difficult to believe that any American citizen really thinks the President does not feel more deeply than any other man the responsibility for the 247,200 fighting men who remain in Southeast Asia and that he is not exerting every effort to end the conflict. Yet such belief could be the only possible reason for supporting an amendment to this legislation which would be gleefully broadcast throughout the world by the enemy and pose as grave a danger to the men who still fight for us in Vietnam as do the North Vietnamese bullets.

I am disturbed by the seemingly casual manner in which some proponents of this amendment brush aside the fact that our repeatedly announced intention not to expand the war into North Vietnam, our repeated pledges of a cease-fire whenever the North is willing, and our several bombing halts, have yet to elicit the first word of commitment from the North Vietnamese that they will even abide by the conditions of a cease-fire once all Americans have been withdrawn. Even more disturbing to me, perhaps because time has only slightly dimmed but will never erase the memory of the filth and desolation I knew during my months as a prisoner of another enemy in another war, is their expressed confidence that we can expect the same barbarians who are now bayoneting and torturing our men in their prison camps to suddenly become civilized and return them to us in good health when we have removed the last weapon with which our President can negotiate, our armed resistance to their brutal aggression.

I am sure that no Member of this House disagrees with the earnest desire of the proponents of this amendment to see an end to this war. Without question it has been the most frustrating and fruitless conflict in the history of this Nation, the end too long in coming and the cost unbearable in human lives and money. It has placed a heavy burden on our economy, our manpower, and especially on our servicemen whose sacrifice for their country is unlimited.

One of the most unfortunate consequences of the conflict is the fact that it has so divided the American people that it is now almost impossible for the President as Commander in Chief to conduct the foreign policy of the Nation without the Communists questioning whether or not he is speaking and acting for all the American people. Never before in the history of the Nation have American boys been required to fight on foreign soil without the confidence that they have the complete support of the American people. By instant satellite communications from home they now see rioting on streets and campuses in America by Americans protesting the actions they are commanded to take.

This situation has become intolerable for those who remain in Vietnam. It is an impossibly severe blow to the high morale which is essential to the proper conduct of military actions. Regardless of our individual attitudes toward the Vietnam conflict, all of us owe these brave men all of the morale support we can give them until the last American boy, soldier or prisoner, has returned home.

Mr. Chairman, I urge support of H.R. 8687, and defeat of this crippling amendment.

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

Mr. BROYHILL of Virginia. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 5 o'clock.

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

Mr. EVANS of Colorado. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. ARENDS

Mr. ARENDS. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 5 o'clock.

The CHAIRMAN. The question is on the motion offered by the gentleman from Illinois (Mr. ARENDS).

The question was taken; and on a division (demanded by Mr. EVANS of Colorado) there were—ayes 89, noes 39.

So the motion was agreed to.

The CHAIRMAN. The Chair has noted the names of Members standing seeking recognition.

Each Member will be recognized for 2 minutes.

PARLIAMENTARY INQUIRY

Mr. BOGGS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. BOGGS. Mr. Chairman, will the Chair state the time specified in the motion just adopted.

The CHAIRMAN. The motion provides that all debate on the pending amendment, and all amendments thereto, close at 5 o'clock.

AMENDMENT OFFERED BY MR. M'DADE TO THE SUBSTITUTE AMENDMENT OFFERED BY MRS. MINK

Mr. McDADE. Mr. Chairman, I offer an amendment to the substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. McDADE to the substitute amendment offered by Mrs. MINK: in the last line strike the word Laos and the period and insert the following: "Laos, *Provided*, That all U.S. prisoners of war under control of the North Vietnamese, the Viet Cong or their allies, be released not less than four months prior to the above date; and *Provided further*, That the government of North Vietnam, the Viet Cong and their allies shall do nothing to interfere with the safe withdrawal of U.S. troops."

Strike subsection 401(b).

Redesignate subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e) respectively.

(By unanimous consent, Mr. YATES yielded his time to Mr. McDADE.)

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 4 minutes.

Mr. McDADE. I thank the gentleman from Illinois.

Mr. Chairman and my colleagues, I realize that the hour is getting late, that time has been limited, and we are in a difficult parliamentary situation. Let me explain to you, if I may, exactly what I was trying to do.

I have offered an amendment to the substitute that was offered by the gentlewoman from Hawaii, Mrs. MINK, and an amendment that goes right back to the language of the original Nedzi-Whalen amendment, with one, as I view it, tremendously important addition. The language that I offer in this substitute provides as follows, and I would like you to listen to it:

Provided, that all U.S. prisoners of war under control of the North Vietnamese, the Vietcong or their allies, be released not less than 4 months prior to the above date—

The above date being December 31, 1971.

I think that we in this House have had a good and constructive debate during the past few days, a debate that I concede has caused some confusion, both at home and in this Chamber. All of us have received telegrams. We have received postcards and letters indicating the confusion that exists. There has been confusion on the floor of the House of Representatives among members regarding the import of the Nedzi-Whalen amendment. I think with commendable candor the gentleman from Ohio has spelled out rather clearly what is in this amendment, the Nedzi-Whalen amendment, and what is not in this amendment.

I think probably all of us had occasion, or most of us, to see the editorial that appeared in the Washington Post just a few short days ago indicating what was not in the Nedzi-Whalen amendment and what was in it.

The Washington Post stated:

The . . . Nedzi-Whalen amendment, which is to be voted on today in the . . . House . . ., would not "end the war" or automatically retrieve the American P.O.W.s or guarantee the safe exit of American forces, or least of all, assure a Vietnamese reconciliation. Any such claim promises more than the amendment can deliver and invites further frustration and disillusionment.

The fact is, stated the Post, the amendment can only be symbolic.

As I indicated before, our distinguished colleague, the gentleman from Ohio, makes the thrust of his amendment clear. His comments in the RECORD disclose that his amendment will not require that troops be withdrawn from South Vietnam after December of this year. It will not cut off the pay of any American troops remaining in South Vietnam after the effective date of December 31.

And so, as he stated yesterday, the amendment is a message. And that seems to be the centrally agreed upon point, whether the amendment be referred to as a symbol, or signal, or message.

I ask to do one thing with this signal. I ask to signal the world that the House of Representatives today serves notice that we will not withdraw from Vietnam by December 31 unless, at least by August 31, all American prisoners of war have been returned. I do not believe that it is an earth-shattering change in what a lot of us feel. I think it is a change, however, and an important change in the mechanism that we send out to the world, if a signal is voted on here today, when we give notice. I think what we ought to demand and what we ought to serve notice of is that we seek some sort of reciprocal action on the part of the North Vietnamese in return for a withdrawal by December 31.

For myself this is it. For myself this is the key question, I think, that remains. Our Nation, through the expenditure of innumerable resources and tens of thousands of lives and hundreds of thousands of wounded, has discharged any debt we might have to the government of Saigon. The time has come for the people of South Vietnam to determine their own destiny. Seventeen years of training is enough. Over 5 years of Americans fighting a South Vietnamese war is enough. In my viewpoint, there is one debt that remains outstanding, and we cannot avoid it, however difficult. That is the debt that we owe to our POW's and to those who are missing in action.

So I offer the amendment in the hope that all of you might be able to support it and to tell the world—yes, we may get out by a terminal date of December 31, but we want one thing in return by August 31: release every American prisoner of war.

Mr. J. WILLIAM STANTON. Mr. Chairman, will the gentleman yield?

Mr. McDADE. I yield to the gentleman from Ohio.

Mr. J. WILLIAM STANTON. I compliment the gentleman in the well, and point out that this is the most meaningful amendment that has so far been offered. It is in keeping with my belief that after the return of our prisoners all of our forces should be brought home as quickly as possible thereafter. I support the gentleman's amendment.

Mr. HARVEY. Mr. Chairman, I rise in support of the amendment of the gentleman from Pennsylvania (Mr. McDADE). Since his inauguration on January 20, 1969, I have considered myself a stanch supporter of President Nixon and his policies, both foreign and domestic. Just last week, I appeared on a television program which regularly appears in my district and highly praised the manner in which he had taken over a most difficult situation in Vietnam, and had succeeded in withdrawing more than half of our troops. I said then, and I repeat, that I believe President Nixon's first term in office will be remembered chiefly because he brought an end to the war in Vietnam and succeeded in withdrawing our troops.

The Vietnam war, however, is the longest war in our history. Moreover, it is an undeclared war. The hardship and sorrow that it has created here at home have long been apparent. It is said that we should leave the decisions as to our future participation to the President. The Constitution does not give sole authority in this field to the President, however. The Congress also has the duty to exercise its judgment.

The plain facts which are available to the public at the Pentagon are that the South Vietnamese now have more than 1,100,000 men under arms. This force includes men trained in planes, helicopters, tanks, and other sophisticated weaponry. At best, using the Pentagon's own figures, the number of North Vietnamese and Vietcong in South Vietnam total something less than 250,000 men. The total military strength of North Vietnam is estimated at less than 325,000 men.

In other words, the South Vietnamese have at least 2-to-1 numerical superiority and most estimates place that figure as high as 4 to 1.

In making the decision whether it is time to withdraw, it is also fair to take another look at the Government of South Vietnam. By December 31, 1971, that Government will have undergone elections in every village and Province and on a national scale for the second time. Regardless of who is elected President, this is a real achievement and reflects stability.

I can readily understand why it is difficult to make the decision that it is time to withdraw. Certainly, undertaking the training and equipping of a military force of more than a million men, and providing guidance in the formation of a government, both of which we have done, will be recognized by history as herculean tasks. I submit, however, that we can train and equip this military force, but we cannot instill the will to resist aggression. We can give counsel in the formation of a government, but we cannot instill in those who shall rule, or in those who are governed, the same appreciation of freedom, tolerance, and the freedom from corruption that we enjoy in our own Government.

I believe that during one of my recent visits to my district, a mother put the matter in perspective better than anyone else I have heard. As we discussed the war in South Vietnam, and as I defended the length of time it was taking to train the South Vietnamese force so that it could defend itself, she said:

I don't agree, Mr. Harvey. My son was drafted in April, sent to Vietnam in September, and killed in October. It only took six months to train him. Why should it take more than three years to train the South Vietnamese?

Needless to say, Mr. Chairman, it was a difficult question to answer. It serves to illustrate, however, that measured by the training we give our own men, certainly we have done as much as can be reasonably expected in the training of the South Vietnamese.

I am inclined to agree with Senator MIKE MANSFIELD who said yesterday, and I quote him:

If they (the South Vietnamese) aren't ready now after 17 years of being advised, equipped, trained and financed, they'll never be. They've got the seventh largest army in the world.

By any standard of measurement, the South Vietnamese are as well prepared as we can train them to stand on their own feet and defend their country. For this reason and for the many reasons so well expressed in the Saginaw News editorial dated June 13, 1971, which follows, I believe that by the end of this year the time will have come for us to withdraw our troops and to turn over the task of defending themselves to the South Vietnamese.

Any such resolution setting a date for withdrawal, however, should make clear that our action is conditioned upon first, release of the prisoners of war under control of the North Vietnamese, as well as those held in the South or in Laos or Cambodia, and second, a guarantee of the safe withdrawal of our troops. In my judgment, such a congressional resolution setting a date for withdrawal could be of substantial help to the President in making clear our determination to secure the release of our prisoners of war, and at the same time the safe return of our troops.

The amendment offered by the gentleman from Pennsylvania does all of these things. It declares that we are ready to end our role in Vietnam, but it says that we will only do so upon release of our prisoners of war and the safe return of our troops. I shall strongly support it. Unfortunately, the Nedzi-Whalen amendment, which has been so highly publicized, fails in this regard.

The Saginaw News editorial follows:

IT IS TIME TO DECLARE DECEMBER 31 VIET DEADLINE

These must be difficult days indeed for the families of men held prisoner in Vietnam. And they must be equally difficult for those who have sons or relatives serving in Vietnam.

The lack of national purpose in this whole mess—called Vietnam—crystallized last week with the charges and counter-charges that flew in Washington.

There was the plan offered by former Defense Secretary Clark Clifford, which, in brief, called for announcement of troop withdrawal by Dec. 31. Mr. Clifford said he had been assured that the prisoners would begin being released 30 days after such an announcement.

As has been the case in so many of these proposals, there was a high amount of intrigue. Clifford would not name his source of information offering such an assurance on prisoner release.

Meanwhile, back at the negotiating table in Paris, no one was saying anything that definite to our top negotiator, Ambassador David E. Bruce. He said the Vietnamese Communists are playing politics of a most reprehensible variety.

Then U.S. Sen. Edward M. Kennedy got in his licks. He charged that President Nixon's Vietnam policy is politically motivated. Not so, said U.S. Sen. Hubert H. Humphrey, titular head of the Democratic party. Sen. Humphrey went on to say that he believes the President wants peace.

And on it goes, week after week, seemingly without end and without too much hope. The war—the war—the war.

This newspaper carried a report Thursday that U.S. casualties in Vietnam were the lowest in 5½ years—19 American lives in the preceding week. Small comfort for 19 American families who must have to ask themselves: What did our son die for? There indeed is the question. Certainly not to make Vietnam free for democracy.

The South Vietnam political campaign is already moving into high gear. The president and vice-president of that country are counting noses and getting their respective political machines into action—as opponents. To put what they call politics into perspective, let's not forget the man who opposed the present South Vietnamese administration in the last election. At last report he was still in prison, but there have been no reports of anyone actually seeing or talking with him.

Obviously the opposition has to put the highest of stakes on the line if there is to be opposition. That's not democracy. That's a police state.

With due respect to Mr. Nixon, it becomes more and more difficult to justify staying one day longer in Vietnam. We fear we could be there forever and never accomplish the objective of seeing a stable government calling the shots in Saigon. We've been there since the late 1950s—just think of that for a minute or two—and yet we are told more time is needed to adequately prepare the South Vietnamese Army to defend its country.

Mr. Nixon has accomplished much to wind down the war. He has achieved results that his predecessors did not. When he took office, he inherited a problem as big as any incoming president could inherit. And he has moved toward a solution with determination and directness. He must be credited with setting a course that is getting us out—and the administrations of neither Lyndon B. Johnson nor John F. Kennedy could make that claim.

But we share the view of U.S. Rep. James Harvey that complete withdrawal from Vietnam by the end of the year should be our goal. We hope the President will come around to this point of view and make corrections in his timetable to achieve that result.

When one puts the whole efforts we have made in Vietnam on the scale of values, there is no balance. To say that the war has never had broad public support is an understatement. The fact that its manpower needs were met by a draft system that was grossly unfair and undemocratic in nature and organization says something about public attitude.

There have been a number of ways, including college deferments for those who had the ability and could afford to attend college, to avoid service in Vietnam—or service in the armed forces for that matter. The Army has had a recruiting practice of promising service in Germany for those who sign up for a full hitch. We submit that a nation concerned dedicated to a cause would have never let this situation exist all these years.

And just how have we treated the men who risked life and limb in the service of their country in Vietnam? Shoddily. Veterans are having an extremely difficult time finding employment, once they are mustered out. In relative terms of the returning World War II vet and the Viet vet, the boys who served in Vietnam are a poor relation in terms of opportunities for employment, education training in comparison to the lot of the World War II vets.

And what about those thousands of Vietnam vets who probably will spend the rest of their lives in hospitals? How much concern as a nation have we really shown for them? Not very much.

We have been dismayed over reports that many of those coming home from Vietnam are returning hooked on heroin. And we are just beginning to acknowledge that problem.

We couldn't very well let it go unnoticed. After all, the dope traffic is becoming a political issue in Vietnam with allegations that there are persons in high government places who are masterminding the narcotics traffic.

And when we get reports that some men are re-enlisting to return to Vietnam because they can sustain their drug habit for $2 a day rather than the $60 to $100 it costs stateside—we submit it is high time to be concerned about what we are involved in over there.

This war has torn the country apart. It has divided our government. It has alienated our youth. It has been a source of anguish and grief for almost 60,000 families which have lost sons and thousands more who saw their sons come home without arms, legs or perhaps their eyesight.

In prosecuting the war over the years, we have created a class of wealth in Vietnam whose members have lived off an enterprising black market. We have supported governments that proved to be highly corrupt. And we have had to face the world with the scar of My Lai on our collective conscience.

In view of all this, we see little hope for accomplishment in the next 12 months that couldn't be achieved in the next six.

We urge complete withdrawal by Dec. 31 so that not one family will lose a son in 1972. It would be a great prospect for beginning a new year.

The CHAIRMAN. The Chair recog-

nizes the gentlewoman from New York (Mrs. ABZUG).

Mrs. ABZUG. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment.

I do so because I believe that approval of this amendment is the very least the House can do in response to the overwhelming desire of the American people to end this war.

I cannot in good conscience profess to believe that the amendment will indeed terminate the war in Indochina by December 31, 1971. It is riddled with escape clauses that, in effect, give the President authorization to continue the war and to disregard the will of the people, if he so decides. There is some value, however, in having Congress on record for a specific date for a cutoff of funds for the war, even though under this amendment it would be expressing a pious wish rather than inescapable mandate.

The discussion today has gone into the questions of the weaknesses and the symbolic quality of Nedzi-Whalen, including the fact that it may mislead the American people.

That last argument is entirely spurious. Adopting the Nedzi-Whalen amendment today might mislead the American people, but it would be a great kind of misleading, because there would be basically a restoration of faith and confidence of the American people in the House of Representatives and their Representatives in it. It would be a great kind of misleading.

It is about time Congress used its power under the Constitution and exercised its obligation to represent the people of this country by cutting off funds and withdrawing our troops before the end of the year.

It is very germane and very correct, therefore, that the Nedzi-Whalen amendment is coming up in connection with the $21 billion Defense Procurement Authorization Act. This bill contains authorization for billions of dollars for missiles and weapons while we cannot get the kind of money we need for education, or the money for health, housing and all the other priorities so desperately needed in this country.

This would show the people that Congress finally has come to its senses and recognizes that even as it considers authorizing an unjustifiably large military budget, that it must cut off at some point and does cut off the war in Indochina, the worst example of our incorrect military policy.

I have said that I consider adoption of this amendment the very least that Congress can do. I am told that the language had to be punched full of loopholes in order to make it palatable to a large number of Members of this House. It is a shocking measure of the insularity of this body and the unreality pervading its cursory debate that the Members should have to be coaxed along so gently and deferentially into taking the first tentative step toward doing what they should have done long ago.

The war has been on for 10 years, and for 6 of those years our troops in huge numbers have been fighting and dying to save the neck of one hopelessly corrupt and undemocratic regime in Saigon after another. Almost 50,000 or our troops have died, a quarter of million have been wounded, some maimed for life, and now our remaining troops, in epidemic proportions, are turning in despair to heroin.

The American people have long since repudiated this war, three-fourths of them and just yesterday the conference of mayors. Their wisdom in doing so is borne out by the revelations in the Pentagon study of the war which shows that our involvement in this tragic conflict dates back to a decision by President Truman to side with the French colonial interests against the Vietnamese population which had fought violently against the Japanese and felt it had earned its right to freedom. The study traces the step-by-step descent of successive administrations into a wrong policy based on deceiving the American people and the Congress and escalating a minimal commitment into a massive and unspeakably brutal war.

Although we are told that the Pentagon study followed the war only through 1968 I should like to say to Mr. HÉBERT, the chairman of the Armed Services Committee, and to Mr. ALBERT, the Speaker of the House, that we in Congress can have no confidence that we are not getting the whole truth about our Nation's continuing role in that war. We have repeated ambiguous statements from the President and other administration spokesmen about their plan. At times they speak of total withdrawal at some vague, indeterminate date. At other times, we are told that a residual force will have to remain in Indochina indefinitely, and that bombing missions, whether based in Indochina proper, offshore, or in Okinawa will continue to be authorized. This is not a prescription for ending a war, but rather for prolonging it. And by insisting on linking continuation of the American presence to the stability of the Saigon government and its ability to defend itself, President Nixon is perpetrating the follies of his predecessors. Our task, Mr. HÉBERT and Mr. Chairman, is to do honor and give support to the President if he is right, but to restrict him and check his power when he is wrong—and he is wrong.

Mr. Chairman, the American people have a right to know the full details of all policies relating to the continuation of this war. I commend the New York Times for its decision to publish the McNamara papers and support its right under the first amendment to do so. And I condemn the Government's attempt to keep this vital information from the American people. This is clearly in the public interest, and perhaps the editors of the Times have learned something from their past mistake in repressing the news of the contemplated Bay of Pigs invasion, which so quickly turned out to be a fiasco.

I believe the Congress, which under the Constitution is given the power to declare war and peace, should have full access to the entire McNamara study. Accordingly, at the appropriate time, I shall introduce a privileged resolution of inquiry under which the House can require members of the executive department to provide it with full information. I shall request that the President, the Secretary of State, the Secretary of Defense, and the Joint Chiefs of Staff provide the House with the complete text of the McNamara study and also with all documents, reports of other material relating to estimates of the military strengths of the Saigon Government, its potentiality to maintain its defense without military or financial help from us, its popular support, its repression of neutralist and peace movements within South Vietnam, its election plan and procedures, its jail system, and the involvement of the members of the Government, if any, including members of Parliament, in drug traffic.

I believe this information is necessary to enable the Congress to make a realistic assessment of the prospects for a speedy and total termination of the American military role in Indochina.

There is ample precedent for a resolution of inquiry. Most recently, it was introduced in 1950 by Representative Lodge in requesting information about Formosa from the Department of State. Once introduced, the resolution is referred to the appropriate committee, which then must report it out, either favorably or not, in 7 days. I hope that other Members of the House will join me in proposing this inquiry.

Finally, I ask my colleagues to heed the will of the Nation and to approve the Nedzi-Whalen amendment. As the Washington Post pointed out yesterday, this would at least provide an expression of national torment over the war and the country's profound skepticism that the President, any President, can be trusted to wind it down." We should do much more. I do not see how we can do less.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas (Mr. PRYOR).

Mr. PRYOR of Arkansas. Mr. Chairman, over the course of 4 years in Congress, we have together seen the issue of Vietnam ebb and flow, discussed, thrashed out, debated, and yet the war goes on. It has now become the longest war in the history of America. The Pentagon issues its periodic weekly report which proclaims "only 76 killed in action this week," which, because the number is less than in the same week 2 years ago, is considered some sort of victory.

It is hard to conceive that 55,000 young men have been sent into an undeclared and unwinnable war to give their lives to an unknown cause and an unappreciative ally. Over a quarter of a million have been wounded—some to the extent that they will never see walls other than their hospital's for the balance of their lonely, long years ahead.

It was early 1967 when I first had to start deciding about Vietnam. Like so many, to do anything but "support the President" was bordering too closely on showing a lack of patriotism. Of course, we had known the late General Mac-

Arthur's admonition of never entering a land war in Asia—and we all became familiar with the basic cry of "win or get out"—but we did neither.

We believed the President. We believed the Pentagon. Just a few more thousand troops. Just a few more billion dollars. Just a few more months. After all, we were the world's most powerful people; how could we lose?

But the real truth was that we had waded off into quicksand. By 1968, not only our prestige but an entire generation was at stake. The country started coming apart. The system was challenged. Official fumbling, contradictions, and more rhetoric couched in terms of "honorable peace," "Vietnamization," and the like only added to our dilemma, rather than solved it. I soon began to see what was meant by the politics of war.

Time passed. Peace talks in Paris began—even a ray of hope now and then. But it was all false, all words and more rhetoric and more speeches promising a coming miracle for a facesaving, convenient, and glorious finale to the most horrendous of all American catastrophes.

For a long time, I sat silently by—hoping, and believing, like you, that the end was in sight. Now that even our President has said we will not win a military victory in Vietnam I believe:

First, that Vietnam is not worth one more American life;

Second, that we should come home now;

Third, that funds to support our present policy in Vietnam should no longer be continued;

Fourth, that the Congress must be an integral part of the decisionmaking power to commit our sons to foreign lands in the future.

(By unanimous consent, Mr. PRYOR of Arkansas yielded his remaining time to Mr. RYAN.)

Mr. RYAN. Mr. Chairman, I support the Nedzi-Whalen amendment, which would prohibit the expenditure of funds authorized in this bill after December 31, 1971, in support of U.S. military deployment or military operations in or over South Vietnam, North Vietnam, Cambodia, or Laos. I support it because I believe it is time the Congress asserted its constitutional responsibilities in this area.

The amendment itself has certain weaknesses. I wish it were stronger. I would prefer, as every Member in the Chamber knows, an amendment which would terminate the war immediately—without waiting 6 months or another day. I am not in sympathy with the loopholes in the amendment, particularly the language which gives wide discretion to the President. This could negate the whole purpose of the amendment.

However, the amendment, if passed, would be a major step toward ending our involvement in this dead end war, it would be an expression of congressional determination to assert the constitutional responsibility which Congress has abdicated as a body over the past 7 years.

I have said time and again that the only way the war is going to be brought to an end is through congressional action, by exercising our power over the purse and prohibiting the expenditure of any additional funds for its prosecution.

Despite what he says, despite his rhetoric, the President of the United States has no plan to end this war. He says he is winding it down. What that means is that fewer American lives are being sacrificed, and the war is being made more palatable solely in terms of statistics counting American dead and wounded. Vietnamization means a continuing loss of Vietnamese lives and a continuing American presence to prop up the Thieu-Ky regime.

Several weeks ago, when the Selective Service Act amendments were before the House, I offered an amendment which would have set December 31, 1971, as the end of this perfidious war. Unfortunately, that amendment was defeated on April 1. Today, we have another chance to vote for what is right and what is decent and what is necessary. We cannot squander this chance also. Our duty to our Nation, to our constituents, and to humanity, demands that we, in this body, vote to end the war in Southeast Asia.

Yesterday, in the Senate, the McGovern-Hatfield amendment was defeated. Today, we, in the House, must act to end the war. Thus far, the people of America have been left largely powerless. They want an end to the war—at least 73 percent of them, according to the Gallup poll.

Actually, the issue of numbers of people wanting an end to U.S. involvement in the tragedy of Southeast Asia is really beside the point. I have voted against every appropriation for this war, since the first bill appropriating money for military activities in Vietnam came to the floor of the House on May 5, 1965. I would venture to say that in 1965 and 1966 and even later than that a majority of Americans supported the then President in his conduct of the war.

The issue has never been how many people the polls register as opposed to the war. The issue has always been the morality of the war. And on that issue, the balance has never been in doubt. This war is wrong; it is misguided; it is insane. The United States intervened in what began as a civil war. It has used every means, short of nuclear weaponry at its disposal. Free fire zones, search-and-destroy missions, massive defoliation, massive bombing—all of these have been the devices used to leave this Nation's signature on a hapless land thousands of miles away.

In the pursuit of its policies, this Nation has supported successive despots in power in South Vietnam. The democracy some have claimed we have been fighting to preserve in that land, or to engender in that land, is alien to the regimes which have held sway there. Today, it is Thieu and Ky. The same Thieu and Ky who jail thousands of political prisoners; the same Thieu and Ky responsible for the tiger cages on Con Son Island.

The recent publication in the New York Times of the Pentagon study of our Vietnam policies reveals the duplicity and deception which have led this Congress and this Nation down a path of despair and destruction.

We, Congressmen, must end this war. The President will not. We must.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Chairman, reasonable men can differ on how best to get our prisoners back, but no reasonable men would argue that we would abandon them under any circumstances.

I would like to try to put these thoughts of ours in a new perspective. We have been talking to one another and we have been exchanging views and some emotion and some bombast. Suppose, instead of the Members of this House in the seats before us, we had 500 other men, the 500 who will in fact die—at least that many, the way things are going, at the rate of 20 a week—even befor the suggested "deadline" of December 31 of this year. Perhaps it is easier for us to explain to one another the importance of sustaining this conflict than to them. Because I can see how a hand would go up in the back and say, "Why must I die?" And I can see the answer being given, if it is taken directly from the administration, "Well, to insure that we get our prisoners back and, secondly, that the South Vietnamese have a chance to defend themselves."

Then, should another hand go up, the question could be put that we have been there 10 years and 6 in full combat. Is that not giving them a chance? But should another hand go up with the question, "What do you mean by the South Vietnamese getting a chance? Is it not true that a man who has been sentenced for political crimes is no longer able to participate in the political life of that country? So to which South Vietnamese are we giving a chance?"

Gentlemen, I find it difficult to answer the question. I do think that the admittedly symbolic response of the House under the circumstances should assure these young men and their parents that this Congress, while powerless to spare their lives, can and will act to save others to come. For such an act the time is now.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Chairman, like all Members of the House, I have agonized over the Vietnam war more than any other decisions on which I have had to reach a conclusion. As you have heard before in the well of this House, I was the next to last person to vote for the Tonkin Gulf resolution. I hesitated because I was concerned about the very things that have since developed. However, I have supported all of the administrations in their efforts to resolve this problem of Southeast Asia.

I have listened attentatively to the debate on the Nedzi-Whalen amendment, and I concluded, as I believe many of us have, that it does not do what the public has been led to believe that it would do—that is, stop the bombing and bring the

troops home by December 31, 1971. The fact is that it will not bring troops home one bit faster—it is only a symbol—and it is the wrong kind of symbol.

We, Mr. Chairman, cannot win this conflict unilaterally, nor will we be able to keep the peace unilaterally. The fact is it is going to take an international effort. So—as my contribution—I tried to come up with an amendment. It would create an international commission whose purpose would be:

First, to supervise an agreed-upon cease-fire.

Second, to supervise the arrangements for the release and exchange of prisoners of war.

Third, to supervise elections in South Vietnam in which all South Vietnamese individuals, parties, and groups, including those who have supported or served the Vietcong, could participate if they renounced violence, and were willing to abide by the results of the election.

Finally, it would have the responsibility to supervise the establishment and functioning of the interim arrangements for governing South Vietnam during the period between the elections and the establishment of a new government that might result from the elections.

Now, in talking with the Parliamentarian, I learned that this amendment would be considered non germane. During today's debate the point was made by our colleague from Illinois, (JOHN ANDERSON), that the Foreign Affairs Committee would be the place in which a forum for further consideration of this proposed creation of an International Peacekeeping Commission.

But, we will not be able to have any International Commission if we do not have the strength that comes from standing with our President in his efforts not only to turn the responsibility for the conflict over to the people of South Vietnam but also for the alternative of an International Commission.

Mr. Chairman, after World War I, we tried the League of Nations, and it did not work. After World War II, we tried the United Nations, and that has not worked. But we must keep on trying, because I think that is the universal hope of mankind.

Years ago, Mr. Chairman, Tennyson wrote, in the 1860's, at the time of the Civil War, a poem. This was long before the days of the B–1 or the SST—long before the days of the League of Nations or the United Nations. He wrote in "Locksley Hall":

For I dipped into the future, far as human eye could see,
Saw a vision of the world, and all the wonder that would be;
Saw the heavens filled with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rained a ghastly dew
From the nations' airy navies grappling in the central blue;
Far along the world-wide whisper of the south-wind rushing warm,
With the standards of the peoples plunging through the thunder-storm;
Till the war-drums throbbed no longer, and the battle-flags were furled
In a Parliament of man, a Federation of the world.
There the common sense of most shall hold a fretful realm in awe,
And the kindly earth shall slumber, lapped in universal law.

Now Mr. Chairman perhaps, long before the arrival of the day of envisioned by Tennyson—we can force a step toward peace in Southeast Asia. We can discuss in our Foreign Affairs Committee the internationalizing of this peacemaking and peacekeeping effort.

Mr. Chairman, we can win friends in other lands—and particularly in Southeast Asia—if in further debate we remind them and the other nations of the world that our goals here are no different than those for which we fought and sacrificed in World War I and World War II—and in Korea.

We in Congress have generally recognized that the executive branch—perhaps with the advice and consent of the Senate—have the major responsibility for foreign policy. The debate here today—and I believe the vote which will soon come—indicates that we still hold that the executive branch does have this major responsibility. My suggested amendment will, if it is further discussed before the Foreign Affairs Committee, encourage and seek international understanding. Furthermore, I believe it will support our noble effort to not only resolve this problem today, but to stabilize Southeast Asia for tomorrow.

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

(By unanimous consent, Mr. ARENDS was allowed to yield his time to Mr. KEITH.)

(By unanimous consent, Mr. FINDLEY was allowed to yield his time to Mr. KEITH.)

Mr. KEITH. Finally, it would have the responsibility to supervise the establishment and the functioning of the interim arrangements for governing South Vietnam during the period between the elections and the establishment of a new government that might result from the elections.

Now, in talking with the Parliamentarian, I learned that this amendment would be considered as not germane. I learned during today's debate that, the Foreign Affairs Committee hearings to which the gentleman from Illinois, Mr. ANDERSON, referred earlier would be the place in which I could find a forum for the consideration of this International Commission.

But, we will not be able to have any International Commission if we do not have the strength that comes from standing with our President in his effort to turn the responsibility for the conflict over to the people of South Vietnam.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. DELLUMS).

Mr. DELLUMS. Mr. Chairman, I find it virtually inconceivable that we now find ourselves in the position where many of us who are deeply concerned about our presence in Indochina must address ourselves to this extremely serious question within the period of 2 minutes. I find it even more inconceivable when I place in juxtaposition to this incredible time limitation the fact that thousands of American GI's fought and died in Southeast Asia, and the relatives, friends, and loved ones must carry the sorrow of the death of those GI's forever, and the many hundreds of GI's who fought in Indochina, and returned to this country as amputees who must carry the burden of the cruel war forever.

However, we as Members of Congress now must limit ourselves to 2 minutes on a matter of such grave importance to the American people. How paradoxial and tragic this has become.

Now, let me try to say something to you in the few seconds I have remaining, regarding the concern of millions of Americans who are standing and saying to the people's branch of the Government, the Congress: Assume your responsibilities.

I rise in support of the substitute amendment offered by the gentlewoman from Hawaii (Mrs. MINK) because it does have substance, it does have meaning, and it does address the criticisms of those colleagues who based their objection to the Nedzi-Whalen amendment solely on the basis of the notion that the amendment is nebulous. It does remove all the objections, it sets forth a mechanism very loudly and very clearly to end this insane war.

Second, to place this issue in broader context, I think it is clear to many in this country that the U.S. Congress is perhaps the weakest branch of the Government on the Federal level, and the executive branch is growing stronger every day, and we are doing nothing about it.

We are taking no firm stand on ending an insane, illegal and immoral war in Indochina. Let us vote this substitute amendment into law in order to have a clear way to end this war, and replace and restore some faith in the people's branch of the Government by the people of the United States themselves. We must do that which we can, and that is to cut off the funds for carrying on this illegal and immoral war in Indochina.

Next we must address ourselves to the question of moral responsibilities, to assume some moral leadership in this country. For instance, how can we oppose violence in this country and fight an unconstitutional war in Indochina? I think this is a moral contradiction that millions in this country see and understand.

My final comment on this is that many people have said that war is hell. Then let us assume our responsibilities and support this amendment, and get the hell out of hell, and turn to using our human and economic resources to address the critical human issues that must be dealt with immediately.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. RIEGLE).

Mr. RIEGLE. Mr. Chairman, it is awfully hard to know exactly what to say at this point in the debate, when the

time has arbitrarily been cut off. I want to express my very deep sense of disappointment that the minority whip of my party would see fit to cut off debate on this issue. Our young men have been asked to go and fight that illegal war in Vietnam for 10 years, and yet in response to their sacrifices and continuing agony we restrict the debate to only allow 2 minutes for each speaker. This restriction brings shame and humiliation on this House. I am appalled that this should be done—and done by my party. I have never, in 5 years, been more disappointed in the judgment of the minority whip, the gentleman from Illinois, than I am today. It is little wonder that the people of America are coming to think of the Republican Party as a war party.

I heard Richard Nixon say, to my face, on the 22d of June in 1968 that if he were elected President he would end the war in 6 months. We are in the third year of this administration, and 18,000 young Americans have died under Nixon—and we cannot even debate that issue in this House Chamber.

Of course we ought to pass this amendment to end the war. This is the first time in 10 years that the House has even come close to having the courage to face a direct vote on the war.

We all know that this is not a perfect legislative vehicle, but that is due to the fact that the leadership of the House has steadfastly refused to bring to the House floor a straightforward resolution where we could vote—yes or no—to cut off the war.

Of course we should support the amendments before us, but when we only have 2 minutes to speak on them then I say that it is an indefensible practice—it is just indefensible.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Chairman, I yield my time to the gentleman from Ohio (Mr. WHALEN).

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

Mr. EVANS of Colorado. I yield to the gentleman from Ohio.

Mr. WHALEN. Mr. Chairman, I thank the gentleman from Colorado for yielding me his time.

Mr. Chairman, I would like within the 2 minutes that I have to make three or four observations regarding the debate concerning the Nedzi-Whalen amendment.

First, there have been some comments made that there is deception involved in this amendment. I would certainly hope, and I certainly believe that the Members of this body who made those statements are not accusing the authors of this amendment of deceit.

It was for this very reason that during the debate on Tuesday I outlined precisely what this amendment would do, and would not do.

The gentleman from Michigan, Mr. NEDZI, today during the limited time given to him did the very same thing.

Second, it has been stated that this amendment is meaningless. I would suggest to those who have made that statement that they would not support any amendment that would have the real effect of pulling out by December 31 all troops from Vietnam.

Third, I would point out that the Nedzi-Whalen amendment goes as far as we can under the germaneness rule.

As I mentioned Tuesday, the jurisdiction of this committee and thus this bill is limited. Consequently, this amendment is as far as we can possibly go under the circumstances. Fourth, I applaud the dean of this House, the gentleman from New York (Mr. CELLER) for his statement. Mr. CELLER very clearly pointed out that we, in this body, as well as the President, have the responsibility for considering and attacking the problems confronting our country.

Within the limitations of the jurisdiction of our committee and of this body, I certainly think the Nedzi-Whalen will do just that. I urge its adoption.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. DRINAN).

Mr. DRINAN. Mr. Chairman, I rise to support the Nedzi-Whalen amendment. I do so, however, with the greatest misgivings about the meaning, thrust and implications of this one slender chance by which the Congress can reassert its power over the military in America.

The extent to which the Congress of the United States has abdicated its constitutional right and duty to declare war and to appropriate funds for any war declared by Congress is dramatically demonstrated by the simple fact that the Nedzi-Whalen amendment is necessary. Never before in all of American history has it been necessary for the Members of the Congress to propose that their colleagues in the Congress join them in opposing the continuation of an undeclared war carried on by the President of the United States not in one country but in four nations.

My vote for the Nedzi-Whalen amendment is cast with the hope that the potential advantages of this amendment will not cancel out the very serious potential dangers inherent in the wording of this amendment.

The clearest and the most promising provision of Nedzi-Whalen is the proposal that "No funds authorized to be appropriated pursuant to this act may be expanded after December 31, 1971, to support the deployment of U.S. military personnel or the conduct of any U.S. military operations or over South Vietnam, North Vietnam, Cambodia or Laos." This provision, as the coauthors of the Nedzi amendment have conceded, does not in fact require the war in Southeast Asia to be terminated on December 31, 1971. Appropriations from sources other than H.R. 8687 or the defense authorization bill for fiscal 1972 would be available to the President to carry on various military activities in Indochina.

If, however, the Nedzi-Whalen amendment contained only the language cited above it would at least provide some assurance to the American people that the Congress had expressed its wish in a relatively clear and forceful way that the military operations in Southeast Asia terminate at the end of this calendar year. The other provisions of the Nedzi-Whalen amendment unfortunately blunt and possibly even negate the thrust of the provision noted above.

In section (b) of the Nedzi-Whalen amendment it is stipulated that the President may return to the Congress with legislation "setting another date within the fiscal year which will permit the accomplishment of these objectives." The "objectives" are the "safe and orderly withdrawal of all U.S. military personnel from Vietnam" and the return of the American prisoners of war. There appears to be at least a bit of a contradiction in such a suggestion, if not an invitation, to the President since surely the objectives on which everyone agrees can in fact be carried out if the United States would announce a date of December 31, 1971, for the cessation of all American military operations in Southeast Asia.

Section 3 of the Nedzi-Whalen amendment which simply indicates that the proposal "shall not be construed to effect the constitutional power of the President as Commander in Chief" does not add anything except potential confusion to the situation.

Section (d) of the Nedzi-Whalen amendment is most objectionable on many counts. The section affirms the alleged fact that the President has the power to provide for "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." It is by no means clear that there is any inherent power in the President to give "asylum" to foreign nationals without some authorization from the Congress. Furthermore, there is a very broad assertion or grant of power to the President indicating that in the event that asylum is not appropriate he may use "other means" to provide for the safety of Vietnamese citizens. While the intentions of the authors of the Nedzi-Whalen proposal in authorizing "other means" are laudable, it can be feared that such a broad unspecified authorization could be another Tonkin Gulf resolution.

Section (d) of Nedzi-Whalen is even more objectionable in that it states that the proposed amendment "shall not be construed to affect the power of the President to provide—military and economic assistance to Cambodia, Laos, or the Republic of Vietnam." This, of course, is an extraordinary assertion in that it concedes the power of the President to continue giving military assistance not merely to Vietnam, but also to Cambodia and Laos. To those who feel as I do that the President had no authorization to invade Cambodia or to assist the invasion of Laos, any suggestion that he has an inherent power to continue military assistance to these two countries is objectionable in the extreme.

Once again, section (e) of Nedzi-Whalen suggests a very broad grant of

power to the President in that there is no limitation on the use of funds "for purposes which may be necessary to insure the return of prisoners of war." As much as one can be sympathetic with the plight of the prisoners of war and their families it does not seem advisable to extend to the President the broad power conferred in section (e) of Nedzi-Whalen.

Section (f) of Nedzi-Whalen insures the continuation of what is called "customary military personnel to diplomatic missions" in Southeast Asia. If this means simply military guards for Embassies and similar personnel there can be no objection. But if this is all that section (f) intends there is no need to include it in the bill.

Mr. Chairman, the hundreds of thousands of messages received by the Members of the Congress endorsing Nedzi-Whalen are but a small manifestation of the profound and intense desire of the American people to end our involvement in Southeast Asia. At the same time the ambiguities and the loopholes in the Nedzi-Whalen amendment constitute a manifestation of the indecisiveness and confusion of the Congress in not being willing to assert the inherent power of the Congress to end this undeclared war. A more vivid example of the unresponsiveness of our Government can hardly be imagined.

Mr. Chairman, despite my misgivings as explained above, I hope that the Nedzi-Whalen amendment to the 1972 military authorization bill will pass.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I do not know what is going to happen to the amendment now pending before the House, but I do hope that when the smoke clears, all Members on both sides will join me in signing the discharge petition now on the Clerk's desk urging the President to impose a moratorium on the sending of any further troops to Vietnam.

The only way we are going to get American troops out of Vietnam is not to send them there.

I have circulated through the Chamber a table I have prepared showing American troop rotation and troop reduction and, if the President's present troop withdrawal policy is unaltered, the rate at which we will become disengaged in Vietnam. The table shows all of our troops will be out of Vietnam by December 1972, under Mr. Nixon's present withdrawal rate. But, we will stop sending any more replacement troops by January 1972, because by that date our troop rotation rate each month will be smaller than our monthly reduction rate.

From May 1 until December 1, 1971, we will have rotated back home 138,000 boys who have concluded their tour of duty in Vietnam. The President has ordered that 100,000 of these troops not be replaced, in other words, as our boys are rotated home most of them are not being replaced. All I am asking the President to order a moratorium on any further troops to Vietnam so that the remaining 38,000 not be replaced. We can open up a new dimension for the peace talks in Paris and ask for the immediate release of our POW's and for an immediate cease fire.

My resolution does not interfere with the President's constitutional powers. This is a sense of Congress resolution, urging the President to announce to the world that after July 1 a moratorium will be placed on any further troop movement to Vietnam. As the boys are rotated back home under normal rotation, we will not replace them.

If you study my table you will see that between July 1 and the rest of this year, we will send only 22,000 more American troops to Vietnam. We can have a whole new dimension at the peace talks in Paris and we can capture the imagination of the world and we can stabilize the home front so that the hundreds of thousands of American families whose boys are faced with the draft or are now being trained for overseas duty can get their first decent night's sleep. I honestly believe such a moratorium would provide a new incentive for meaningful peace talks in Paris.

Mr. Chairman, I hope all Members will join in signing the discharge petition.

Mr. Chairman, I am including my letter and table "Projected American Troop Withdrawal from Vietnam," at this point in the RECORD.

PROJECTED AMERICAN TROOP WITHDRAWAL FROM VIETNAM

DEAR COLLEAGUE. Following is the projected U.S. troop withdrawal from Vietnam based on President Nixon's present troop reduction policy. If the President does not alter this policy after December 1, 1971, you can see that all of our troops will be out of Vietnam by December of 1972. Assuming the President will not reduce the withdrawal rate after December, 1971, and based on our present troop rotation policy, it is clear from these projections that no American troops would be sent to Vietnam after December of this year.

In other words, you can see that our monthly reduction rate will exceed our monthly rotation rate, and therefore, no troops will be sent after the first of the year. I have suggested that since we are talking only about 38,900 troops which will be sent to Vietnam this year, the President consider announcing a moratorium on all troop movements immediately. This would mean that as soldiers are rotated back home, they would not be replaced, and the remaining units in Vietnam would be consolidated with other units. It is my hope that such a moratorium will open a new dimension for the peace talks in Paris and obtain a cease-fire immediately as well as the return of our American POW's. My proposal in no way alters our present rotation policy. I have a Discharge Petition on the Clerk's Desk urging such a moratorium, and I hope you will join me in this effort.

ROMAN C. PUCINSKI,
Member of Congress.

Month	Total troops in Vietnam	Due for rotation this month	President Nixon's monthly reduction rate	Number of replacements to be sent to Vietnam during month [1]	Total troops in Vietnam at end of month
May 1971	280,000	23,333	14,300	9,033	265,700
June 1971	265,700	22,142	14,300	7,842	251,400
July 1971	251,400	20,950	14,300	6,650	237,100
August 1971	237,100	19,758	14,300	5,458	222,800
September 1971	222,800	18,567	14,300	4,267	208,500
October 1971	208,500	17,375	14,300	3,075	194,200
November 1971	194,200	16,183	14,300	1,883	179,900
Total		138,308	100,100	38,208	
December 1971	179,900	14,992	14,300	692	165,600
January 1972	165,600	13,800	14,300	0	151,300
February 1972	151,300	12,608	14,800	0	137,000
March 1972	137,000	11,416	14,300	0	122,700
April 1972	122,700	10,225	14,300	0	108,400
May 1972	108,400	9,033	14,300	0	94,100
June 1972	94,100	7,842	14,300	0	79,800
July 1972	79,800	6,650	14,300	0	65,500
August 1972	65,500	5,458	14,300	0	51,200
September 1972	51,200	4,266	14,300	0	36,900
October 1972	36,900	3,075	14,300	0	22,600
November 1972	22,600	1,883	14,300	0	8,300
December 1972	8,300	691	14,300	0	0

[1] This represents the difference between soldiers being rotated back and the President's monthly reduction factor.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I intend to vote for the Whalen-Nedzi amendment. I do not do so necessarily as a critic, blamefinder or an historian. I do only as one who believes the time has come for Congress to take a recorded position on this matter.

I have supported President Nixon's withdrawal policies, and indeed I campaigned in support of those policies. I applaud the President's actions in reversing the American involvement in Southeast Asia and in withdrawing our personnel and winding down our efforts. I take particular pride and pleasure in the fact that the President has met each deadline that he has set for himself.

Nevertheless, I am personally weary, and, in my judgment, the citizens of my district and of this country are also weary of our involvement in Indochina. While endorsing the President's withdrawal program, I strongly believe that it should be accelerted and that the people of this country should be given some assurance that our efforts there will terminate.

For a few years, it was appropriate not to talk of date-setting as a matter of strategy and tactics. At this stage of the game, as we move into the final phases of an "irreversible" withdrawal, the policy of date-setting is no longer

destructive to our overall strategic policies.

I and many of my constituents are depressed with the dependency that we have created in the Republic of South Vietnam. Until some definite termination date is established, in my judgment the South Vietnamese will continue their heavy dependency on us. Until they have a fixed target date on which they must stand, relatively, on their own feet, they will be happy to be supported by us and our personnel as long as we are willing to provide support.

For many years we have propped up a government which was said to be under attacks of external aggression. Under the Nixon doctrine there ought to come a time, at a fixed date, when that country undertakes its own defense without the assistance of our military personnel. We do not have a perpetual obligation to any country.

I am aware that the Whalen-Nedzi amendment will not do all of the things that many of the people outside of these halls who support it believe it will do. I am also aware that it is not likely to be adopted. I agree with the local newspaper editorial yesterday that its consideration is largely symbolic. As a general rule I abhor symbolic votes in legislative bodies.

This case, however, is different. This House has had no direct votes on this subject. In my judgment the people of the United States deserve a couple of symbolic votes on this issue.

In summary, Mr. Chairman, my vote for the Whalen-Nedzi amendment is not necessarily critical of anyone. It is simply a vote that says we have done that which we set out to do and can do in Vietnam. It is a vote that says our people are weary—that they wish to escalate our withdrawal and terminate our involvement. It is, of necessity, a symbolic vote, but it is an honest and deeply felt one.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, this is a momentous occasion in the House. It is the first time we have had a clear opportunity to raise our voices to reassert our constitutional authority, to reaffirm the oath of office we have all taken—to face up to our warmaking and peacemaking powers.

I hope that the House will adopt the amendment of the gentlewoman from Hawaii, Mrs. MINK, because I think it is a clear, simple, straightforward clarion call that will go from here to the White House and will be listened to.

But in the event it is not adopted, I certainly will support the Nedzi-Whalen amendment. I think that it would be clear, absent sections B, C, D, and E, for the reasons that our colleague from Massachusetts, Mr. DRINAN, mentioned. But the fact that this amendment to a procurement bill is not going to have any legal force and effect in the next 6 or 8 months because it does not control expenditures for personnel, and the crunch on equipment will not be felt for several years, what we are doing today is symbolic in nature. But the importance of that symbolism is transcendental for all of us, because we have a Nation that is, in a very real sense, dying here. Our cities have lost their sense of comity. We have been unable to provide the essential facilities and services that a civilized nation provides for its own people. The war has sapped our resources, and alienated the young and the poor. We desperately need to find the way out—suggested by Clark Clifford and others—and this amendment will signal to the President our collective determination to extricate ourselves from the most futile, wasteful, squalid war in our Nation's history.

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KOCH. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment. It is far from perfect but more perfect than the processes which govern this House. And since it is the only opportunity that we in this House will have today to register our opposition to the war in Vietnam, it becomes a symbol behind which all of those who are outraged by our continued involvement in Indochina must rally. However, as has been pointed out by others preceding me in the well of this House, the Nedzi-Whalen amendment is more than a symbolic act. It provides that no funds authorized under this bill 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.

Members of this House who were here when the Gulf of Tonkin resolution was passed have said today that had they known what is now being revealed by the publication of the Vietnam papers authored by members of the Johnson Administration, they would not have voted for that resolution providing the basis for President Johnson's escalation of our military involvement. It is ludicrous that while now for the first time since the Gulf of Tonkin resolution we vote squarely on the war and whether this House supports our military involvement in Vietnam, the Nixon administration has gone into court to prevent the publication of background information which would have a bearing upon the Members' votes today; similarly it has even refused to supply such information requested by congressional committees.

At the conclusion of today's debate I will vote "yea" on the Nedzi-Whalen amendment, but the probability is that it will not prevail. And so, should it be defeated, I will vote "nay" on the final passage of the authorization bill.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, the involvement of the United States in Indochina, I think, was a commitment that we were going to stop or try to stop unwarranted aggression by Communist nations. I do not think there was a single instance, other than the Gulf of Tonkin resolution, that caused our involvement. We were involved because we wanted little nations to have the right to choose their own government. I therefore do not think our leaders deceived us, or that we were not given full information. I stand here in the well today to say that it is not proper for some of our Members to use hindsight or the advantage of it, in trying to say that we were not given the full facts. We went into this war to try to stop aggression, to draw the line, and that is what we did.

Whether history will treat us kindly, whether it will say that we did right or wrong remains to be seen. Perhaps we should have gone in with greater force to try to achieve a military victory. But I do not think the American people would have supported that. I think history would have treated us more unkindly if we had not tried to help. We have, as a nation, done our best.

We took the policy that said, "We will give the South Vietnamese time." We have now given them that time to defend themselves and to establish their own government.

I say to the administration, "You are coming mighty close to the time when total disengagement must be reached." I call on the administration to tell us, "What is your troop withdrawal policy as of December 1971?" I am told at that time you will have 184,000 troops left in Vietnam then. You do not tell me what your troop withdrawals are or will be after that point, and you do not say what your policy will be with respect to the cessation of bombing. I think the American people are entitled to that information. We ought to have given and we have given the South Vietnamese Government time to set up their own government.

I am therefore willing to give them time—at least until after the election this fall—and then we should have another announcement of plans and schedule. I do not think the pending amendment will stop the war. It is an expression of intent—and with that I think we can all agree. If it would stop the war I could support it.

I am willing to give this administration time, as I have to previous administrations, to bring this thing to a quick conclusion. But I say to you that you are reaching the point where you have to give answers to those two big questions. What can we expect to a definite troop withdrawal and what can we expect about future bombings?

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, the question that I would raise is, Where are the votes for the Nedzi-Whalen amendment in view of the fact that we all say we are against the war? I suggest that the absence of the necessary votes is a reflection upon our leadership in the Congress and a reflection upon those

liberals here who have professed to support the end of the war as soon as possible. Now we have an opportunity, and this body will go on record, as the Senate did yesterday, that we really are not for stopping the war, even under this very modest proposal.

So I want to suggest to you that some of us must pledge to keep on after the vote of the day here. Some of us must examine what we are going to do and how we are going to bring an end to the war. I am saddened when, after we get assurance from the Chairman of the Committee that he will not interfere to halt the debate, we have the whip of the minority side interfering with the debate. Then I hear my esteemed Speaker of the House lead us against this amendment. It is a very disappointing day for liberals.

So what I ask us to do, on both sides of the aisle, is to begin to formulate the policies and tactics that will force an end to this war, because we are now Vietnamizing the United States of America. Yes, the violence there is the same violence that is coming into our cities across this land.

I would like to ask the Members of this body are present, if we are waging a war that is unpopular with the American people—why are we in it? I think that is the question which goes to the very heart of the difference between the way this Government operates and the way the American people want it to operate. It should be clear that we are in a war that is not sanctioned by the American people even after avalanches of propaganda to condition us to accept the inhumane consequences of this war. The American people reject this war not only because of the devastation to the poor peoples of Asia and not only because of what it does to our own American men who are sent there—but really because of what it is doing to the very fiber of this country. Why is it that we are in a war that the American people refuse to sanction?

One of the reasons that we are unable to extricate ourselves from a war that nobody claims to have wanted is that we do not have on either side of the aisle leadership that has convinced me that they really want to take the necessary steps to end the war. This body does not operate by magic. It does not operate in some mysterious way. The simple fact is that we do not have enough people in the legislative branch who are sufficiently concerned.

They are against the war. Everybody is against the war. I have not met one person in the last 6 months who is for the war. So, I am beginning, after a few years of service in this great body, to ask the hard questions that the American people are asking: If we are all against the war, why aren't we getting out? If we are all against the war, where are our leaders to develop programs that will extricate us from the horrors of Vietnam?

It is not going to satisfy the American people to have a few Congressmen out of 535 articulate their objections to the war. I think something is going on in this country that is far more profound than most of our Members are ready to recognize, much less acknowledge. And that is that the war in Vietnam is having a devastating psychological effect upon the American public. The people are losing faith in the entire system of Government, and if some of us do not begin to say that to our leaders, we are going to be faced with legislative leaders who want to govern, with a citizenry which will not accept their leadership. We are faced with young people, and now increasingly with old people, of all races, of all classes in our society who are beginning to seriously question for the first time the validity of this system of Government. And I believe that the finger can be pointed to this horror of Vietnam as the single factor that has contributed more to undermine the confidence of the people in this Government than any one other thing.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Chairman, I rise in opposition to this amendment which would set a specific, unilateral withdrawal date for American troops. I find it incredible that so many should suggest that we withdraw our troops regardless of whether or not we receive any similar action on the part of the aggressors, the North Vietnamese.

Outside of Congress, the promoters of this amendment, the American peace movement, have sold the American people a bill of goods. I have received many letters from interested citizens in my district who seem to believe that 73 percent of the people support this pullout resolution. As is the case in many other areas, there has been a basic perversion of the truth. To say that 73 percent of the American people want to bring home all U.S. troops from Vietnam before the end of this year is false in its implications and grossly misleading.

The belief that the American people want out of Vietnam by December 31, 1971, regardless of consequences, is a myth. This is clearly shown in the attached report of a national survey taken May 1–2.

Here are some of the results of that survey:

First, by an overwhelming margin of 72 percent to 18 percent, the American people "support President Nixon in his plan to end the war in Southeast Asia."

Second, support for the proposed congressional plan for pulling out all U.S. troops by December 31 almost evaporates—when the American people are confronted with the possible consequences such as jeopardy to our POW's or a Communist takeover.

Third, well over half the American people oppose a December 31, 1971 deadline with withdrawal, if that withdrawal means a Communist takeover of South Vietnam.

Fourth, by almost 7 to 1, Americans oppose any yearend withdrawal that threatens the lives or safety of American prisoners of war.

Fifth, the earlier poll is misleading and has been grossly misinterpreted, because, while the American people will support almost any plan that promises an end to the war—they clearly will support no plan that either endangers our prisoners, or threatens a Communist takeover.

The Wooster Daily Record, Wooster, Ohio, printed this public opinion poll in its May 24, 1971 issue. Here is exactly what the paper printed:

PULLOUT IS POPULAR WITH RESERVATIONS

PRINCETON, N.J.—The public seems willing to endorse any plan that promises to bring all U.S. troops home from Vietnam soon—but not if it endangers our POW's or threatens a Communist take over, according to the latest survey conducted by Opinion Research Corporation of Princeton, N.J.

Seventy-two per cent of the public say they support President Nixon in his plan to end the war in Southeast Asia, compared to 18 per cent who do not support his plan and 10 per cent who have no opinion. At the same time, 68 per cent of those polled would approve their Congressman voting for a proposal requiring the U.S. Government to bring home all U.S. troops before the end of this year; 20 per cent opposed this move and 12 per cent have no opinion.

However, when various possible consequences of quick withdrawal of all U.S. are tested, the public is against withdrawal troops by the end of 1971 if it means a Communist take over of South Vietnam. When asked if they would favor withdrawal of all U.S. troops by the end of the year if it meant a Communist take over of South Vietnam, 55 per cent said no, 29 per cent said yes, and 16 per cent had no opinion. Also an overwhelming majority, 75 per cent, would not favor withdrawal by the end of 1971 if it threatened the lives or safety of the United States POW's held by North Vietnam. Eleven per cent of those polled would favor such a withdrawal and 14 per cent had no opinion.

The results of this survey were obtained by nationwide telephone interviews conducted among 1,026 persons age 18 and over during the period May 1 and 2. Following are the actual questions asked and their results:

1. "Do you support President Nixon in his plan to end the war in Southeast Asia?"

Yes	72
No	18
No opinion	10

2. "A proposal has been made in Congress to require the U.S. Government to bring home all U.S. troops before the end of this year. Would you like to have your Congressman vote for or against this proposal?"

Yes	68
No	20
No opinion	12

3. "Would you favor withdrawal of all U.S. troops by the end of 1971 even if it meant a Communist take over of South Vietnam?"

Yes	29
No	55
No opinion	16

4. "Would you favor withdrawal of all United States troops by the end of 1971 even if it threatened the lives or safety of United States POW's held by North Vietnam?"

Yes	11
No	75
No opinion	14

Mr. Chairman, the other aspect of this debate which intrigues me is the number of legislators who have fallen for the 30-day argument, that is, the hope that the Communists will release our American prisoners 30 days after we pull out even though they do not promise this in advance. I maintain that the record clearly indicates that they did not do it even when they promised, let alone without giving any assurances.

On June 9, the Washington Post quoted the former Secretary of Defense Clark M. Clifford as saying that he had "reason to believe" that the Vietnamese Communists would release all American prisoners of war within 30 days of an agreement to withdraw all U.S. military personnel from Indochina by December 31.

Mr. Clifford, as a former Secretary of Defense, should certainly have been aware of the true facts concerning Vietnamese Communists' treatment of prisoners of war. On July 20, 1954, during the Geneva Conference, the Vietminh Communists signed a treaty on the cessation of hostilities with the French Government. Article 21 of that treaty reads in part as follows:

All prisoners of War and civilian internees of Vietnam, French and other nationalities captured since the beginning of hostilities in Viet-nam during military operations or in any other circumstances of war and in any part of the territory of Viet-nam shall be liberated within a period of thirty (30) days after the date when the cease fire becomes effective in each theater.

Eight years later on November 17, 1962, the North Vietnamese Government announced over radio Hanoi that—

After a rather long period of negotiations between the DRV (Democratic Republic of Vietnam) Government and the Government of the Republic of France on the repatriation of French soldiers who had surrendered, on 25 October the representation of the Republic of France sent a message to the DRV Ministry of Foreign Affairs stating that it had been authorized to work out a plan for transporting commencing November 1962, French soldiers who had surrendered and who had applied for repatriation. The message proposed that our government approve the French transportation plan.

In its 30 October 1962 message, the DRV of Foreign Affairs replied that it approved the transportation plan drafted by the French representation and asked that the French Government take the necessary steps so that the repatriation can be carried out on schedule.

Apparently, Mr. Clifford would like us to make the same bad deal that the French made 17 years ago. If we have learned nothing else in our years of dealing with the Communists, we should at least understand that they cannot be trusted to keep their signed agreements.

Mr. DENHOLM. Mr. Chairman and my worthy colleages in the "House of the People," I am depressed and I am saddened because I see storm clouds on the horizon and—

When a land rejects her legends,
Sees but falsehoods in the past;
And its people view their Sires
In the light of fools and liars,
'Tis a sign of decline
And its Glories cannot last.

We not only have rejected our legends but we, the elected Representatives of the people, are about to reject our obligations imposed upon us by the Constitution of this Republic. Again, this great body is willing to "pass the buck" to one man, one Commander in Chief, one President. When we cannot make a decision we say to him alone, "You make that awesome decision and we will all be free to go our individual ways and campaign at will not matter what the results might be."

It seems to me if we wanted to act as true Americans, as elected Representatives of the people and pursuant to section 8 of article I of our Constiution, we would say that we, the Representatives of the people, will decide on the grave issues of peace and war, and that we would on this occasion support the amendment to end the military involvement of this country in Vietnam today

I believe our continued involvement in a Civil War in Vietnam has corrupted our people there and it has divided our people here. If we actually seek peace in this world we must seek that utopia in the spirit of the words of Ethel Blair Jordan when she said:

In hearts too young for emnity,
There lies the way to make men free.
Let child love child and wars will cease.
Disarm the heart, for that is truly peace.

Mr. Chairman, this Nation emerged following World War II as the only nation that had never lost a war. This country has never lost a war when Congress has acted and declared war.

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 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.

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.

NO AUTHORITY—NO PRECEDENT

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 access of 2 years without another request to the Congress for further appropriations to finance war.

THE MORE SUBTLE ISSUES

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 unmistakeably 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 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.

SUMMATION

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 beyond the Gulf of Tonkin resolution. More recently we 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 escalation of 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 considered 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 exactly how our national security is exposed. 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 and does now exceed any reasonable degree of temporary defense of our national security in Indochina. If we seek but the balance of power in a bypolarism 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.

CONCLUSION

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 expediencies 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.

Mr. Chairman, the "Congress shall have power to declare war, to raise and support armies"—Article I, section 8, U.S. Constitution.

Mr. Chairman, does the Congress have the power to seek the peace? That is the question before the House today. Crime, corruption, war, and war crimes will darken the horizon of each new day until we respect the supreme law of this land and until the President—the Commander in Chief—clearly places the issues before the Congress pursuant to the Constitution of this land—I will remain steadfast in what I know the law of this land to be according to our brilliant history of the past.

I am hopeful that I am wrong about the storm clouds coming—I am hopeful the generation behind me will not reject the legends of this land and see but falsehoods in the past—certainly I hope they will not look upon the leaders of this Nation in the light of fools and liars—for if they do then I fear that it is a sign of decline and the glories of America cannot last.

Thank you, Mr. Chairman.

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

Mr. DENNIS. Mr. Chairman, there are a few things that I think we all know. One of them is that we would like to see an end to the war. Another is that the pending amendments do nothing whatever to end it. These amendments, under the circumstances existing, are only symbolic, and I submit that, under the circumstances existing, they are and can be only symbols of weakness in the midst of an ongoing conflict which the President of the United States, in the proper exercise of his duties, is bringing to a close as expeditiously as it can be done. Such a symbol at such a time seems to me unfortunate and unwise, and I urge the defeat of the pending amendments.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, it is probably difficult at this late hour to add anything to the debate or to change any votes, but I do think one thing is clear. With the various amendments that have now been offered, by the gentleman from New York (Mr. ROBISON) and by the gentleman from Pennsylvania (Mr. MCDADE) making our withdrawal contingent upon the release of the prisoners of war; and even considering the original conditions included in the Nedzi-Whalen amendment which would allow us to give military aid to South Vietnam after we have withdrawn, and also to station marines at our Embassy there, which the gentlewoman from Hawaii would remove, it is clear that what we are really doing here in these proposals is not legislating but trying to negotiate and to set down negotiating conditions that say we will withdraw only under such and such conditions.

The fact of the matter is, Mr. Chairman, that we cannot negotiate with an enemy from the floor of a legislative body. Under the Constitution of the United States the President has the exclusive right to negotiate. I think we ought to concede him that right. We ought to stop having 535 individual Secretaries of State visiting Paris to negotiate with the North Vietnamese and the Vietcong. Let us allow Ambassador Bruce speak for America on this issue with one voice.

After all, we are getting out of Vietnam, steadily and irreversibly. There is no question of that. And if we do want to get out safely and get our prisoners of war back safely and with honor and provide for some measure of stability in Asia, then this country must pull together again.

In the closing months of the war in Vietnam I believe very strongly that we ought to speak as a unified country instead of continuing to divide ourselves so bitterly down the middle over what are after all relatively minor matters, such as whether we get out 2 or 3 months before or after some particular deadline. What is really important is not only when we end this war but whether once we have left Vietnam this country continues to remain a factor for world leadership and for peace in the future. We certainly cannot expect to do that if we continue to be a bitterly divided country in the face of a stubborn and determined enemy.

The CHAIRMAN. The Chairman recognizes the gentleman from Utah (Mr. LLOYD).

Mr. LLOYD. Mr. Chairman, I rise in opposition to the amendment and to all amendments thereto.

I believe that they constitute a vote of no confidence in this administration, which the evidence does not justify.

Mr. Chairman, although there are some distinguishing features in the Nedzi-Whalen amendment, the fundamental issue is still whether the Congress should impose upon the Commander in Chief a requirement that the disengagement of all military forces from Indochina should be based on a date certain, established by Congress. I believe it is my responsibility to speak out on this overriding issue.

The current revelations by the New York Times, which suggests that the buildup of troops in Indochina under President Johnson may have been made in accordance with a deliberate calendar designed to provoke a response from the North Vietnamese, has in the absence of time for clearheaded evaluation added to the public clamor for a simplified withdrawal procedure. For example, although the dates suggested in the two Houses of Congress usually designate the end of this year and are conditioned upon safe withdrawal of our troops and release of the prisoners of war, the Utah Democratic Party last Saturday went beyond these suggestions, and in that party's State convention passed a resolution calling for withdrawal of all troops by September 15 of this year without any conditions attached pertaining even to prisoners of war. It may be suggested that this was a purely political convention, so produced an extreme decision, but I do agree the people of this country are increasingly restive.

I think what the people of this country want, however, are not political declarations but hard evidences of the reality of withdrawal of the U.S. forces from Indochina. An objective and nonpolitical analysis of the present military policy of this administration does in fact reveal that hard evidence.

This administration has, according to reliable reports, been stepping up its withdrawal of military personnel so that the former objective of reducing U.S. troop strength to 184,000 troops on December 1, 1971, will not only be achieved but there will be a considerable number less than that 184,000 as of that date. In addition, President Nixon has announced a goal of total withdrawal.

Secretary of Defense Melvin Laird has stated in an interview in U.S. News & World Report that the combat operations of U.S. troops will be ended by the end of this summer. Considering the fact that the buildup in Indochina reached a total troop strength there of approximately 550,000, the phased, deliberate and consistent withdrawal of troops is proof this administration is fulfilling its pledges.

Furthermore, there is something of value to be gained by our sacrifices in South Vietnam which should not be discarded out of hand. The administration issues favorable reports about the "Vietnamization" program. If the people of South Vietnam can exist as a free nation under democratic procedures and resist Communist domination in accordance with their responsible desires, then this is certainly a plus for the free world. Under the circumstances, a congressional mandate of a date-certain for disengagement, which the Commander in Chief opposes, would constitute a vote of no confidence in the Commander in

Chief, a decision not justified by the facts.

After more than 6 years of war, it is natural for many Americans to conclude that unless a date-certain is established, there will actually be no conclusion to our participation, and I can certainly understand those who share this opinion. The deliberate and premeditated statements of the President and others in this administration, however, are that there will be total withdrawal with the hope that the South Vietnamese will be able to defend themselves.

Respecting the opinions of my constituents who favor the concept of a date-certain withdrawal, I recently sent an "Issue of the Month" presenting what I believe to be objective arguments for and against the date-certain concept.

As of this date, I have received 1,151 replies, almost all of which are accompanied by comments or letters and all of which are addressed and stamped by the constituent himself. Of these replies, 354 support the concept of a date-certain and 775 oppose the concept and support the President; 22 are undecided. For the RECORD, this "Issue of the Month" is as follows:

THE SHERM LLOYD REPORT: ISSUE OF THE MONTH

A DATE-CERTAIN WITHDRAWAL FROM VIETNAM

For many months a variety of resolutions have been introduced into the two Houses of Congress to establish a cutoff date for our military operations in Southeast Asia. One of the best known was introduced into the Senate nearly a year ago—the McGovern-Hatfield Amendment to the Military Procurement Bill, which would originally have cut off all funds for the Vietnam War on last January 31, 1971, in the absence of a declaration of war by Congress. The Amendment was subsequently amended and defeated.

In the meantime, a wide variety of similar proposals have been introduced. Peace demonstrations have accompanied the proposals. Some of these demonstrations have been lawful and effective to a degree. Others have not. Peace demonstrations, being more general in nature, have usually cited as their objective: "Immediate and unconditional withdrawal of all U.S. troops and material from Southeast Asia."

There has been a buildup of support for the concept of a time-certain withdrawal. The President and the Congress are under increasing pressure to adopt such a policy. My office is no exception. Recently, a statement was suggested to the House of Representatives by a Republican, Charles Mosher of Ohio. Up to twenty and perhaps more Republicans have joined him, and the list grows. The statement would require that all U.S. military personnel be removed from and over Vietnam, Cambodia, and Laos by December 1, 1971, conditioned upon safe removal of our troops and safe release of our prisoners of war.

I have received, in the past two weeks, more than 200 telegrams and letters urging that I join in supporting the Mosher Resolution. Many of the communications refer to Common Cause, an organization of repute, which supports such action.

It is difficult to gauge public opinion accurately. The Gallup Poll reported on January 31, 1971, that 73 percent of Americans want their Congressmen to vote to withdraw U.S. troops by the end of the year. Critics of the poll assert the question presented did not give sufficient freedom for completely accurate evaluation by the citizens.

In Utah around the latter part of April, I put the question to several groups, including students of Kearns High School, Cyprus High School, and higher age group in Granger, Salt Lake, and Cedar City. In every case, there was overwhelming support for the Nixon position as against a time-certain withdrawal. My results have been criticized as having not been produced by sufficiently objective presentation and questioning. In reply, I will state that it was my intention to be objective and give both sides, but it is true my own support for the Nixon position at the time was expressed and may very well have colored the way the question was put. As to the age groups above high school age, it is also true these were preponderantly Republican. (Although I think it is unfortunate that public meetings addressed by a Congressman should be largely avoided by those who do not belong to the Congressman's political party.)

ARGUMENTS FOR A DATE-CERTAIN WITHDRAWAL

After six years of fighting, we have more than discharged any "commitment" we may have had.

This is a civil war in Vietnam in which we should not meddle.

The war has seriously divided America, creating disturbances and worse. The war has promoted revolution among the young, has exposed our military men to drugs, and other moral and emotional problems.

Our domestic needs are so overwhelming, we should begin binding up our own wounds.

Continuation of our participation in the war will add to the misery and hopelessness of our prisoners and their families. A date certain will increase pressure on Hanoi to release prisoners.

The war is undeclared, and is therefore unconstitutional and immoral.

President Nixon is prolonging the war so that he can end the war in an election year, thus adding to his chances for reelection.

The draft is un-democratic. Those who cannot afford the several methods of exemption are forced to bear an unequal burden in providing sons for combat in a war which is not supported by the American people. Therefore, unless Congress declares war, we should not draft boys to fight in it.

The objective of helping to maintain a "free society" in South Vietnam is unrealistic. They have no concept of the freedom which is traditional to America, but foreign to the realities of Southeast Asia.

We are supporting a regime guilty of corruption, which is not truly supported by the South Vietnamese, and which is accepting and encouraging American assistance only for personal and selfish gain. This regime will eventually fail regardless of our effort.

There are others, and supporters of the time-certain withdrawal concept can undoubtedly find fault with the above presentation.

ARGUMENTS AGAINST A DATE-CERTAIN WITHDRAWAL

President Nixon did not start the war. He inherited it. When he came into office, there were 536,000 U.S. military personnel in Vietnam. He announced a policy of withdrawal and "Vietnamization," (loosely interpreted as a policy which would give the South Vietnamese a reasonable chance to provide for their own defense). He has kept his pledge. 200,000 have already been withdrawn. 100,000 more will be withdrawn by December 1, this year, and he has announced a goal of "total" withdrawal from Vietnam, (contrary to South Korea where around 50,000 troops have been kept for peacekeeping purposes since 1953, with general approval of Americans.)

The North Vietnamese have not stated they will release prisoners of war if we withdraw—but only that they would "discuss" on the matter of release, indicating they could be using the prisoners for larger stakes.

We cannot negotiate an "honorable" peace as successfully if we give our plans to the enemy.

President Nixon has kept all his pledges to date as Commander-in-Chief. Under these circumstances, he should not be handicapped by ultimatums.

Any date-certain withdrawal announced now by the U.S. would create bitterness in South Vietnam, and create completely new sets of objectives for the South Vietnamese election in October.

"Vietnamization" is "proceeding apace." Over one million South Vietnamese are now in uniform in defense of their country. The October elections have attracted at least three candidates for the top office, and will be supervised by international agencies in an effort to guarantee maximum freedom. Our objective of allowing the South Vietnamese free elections is attainable.

Announcement of a time-certain withdrawal will contribute to "defeat" in South Vietnam, a take-over by the North, with prospects of a bloodbath for the South, and loss of the total investment we have made in South Vietnam in blood and treasure.

MY POSITION

Up to the present time, I have felt that President Nixon was entitled to my support. This does not mean I feel an "obligation" to the President in this matter superior to my obligation to the people. It has been a matter of continuously deepest concern, study and evaluation. Pursuant to that objective, I would now like to have *your* opinion:

I support the concept of a time-certain withdrawal.

I do not at this time support the concept of a time-certain withdrawal.

Comments:

Name and address.

COMMITTEE ON FOREIGN AFFAIRS—JUNE 8, 1971

FOREIGN ASSISTANCE AUTHORIZATIONS AND APPROPRIATIONS, FISCAL YEARS 1971 AND 1972

Program	Authorization, fiscal year 1971	Appropriation, fiscal year 1971	H.R. 8961, fiscal year 1972
Technical assistance	$396,870,000	$353,435,000	$415,250,000
Worldwide	(183,500,000)	(166,750,000)	(183,500,000)
Alliance for Progress	(90,750,000)	(82,875,000)	(90,750,000)
Multilateral	(122,620,000)	(103,810,000)	(141,000,000)
Development loans	[1] 350,000,000	420,000,000	[2] 580,000,000
Alliance for Progress	(428,250,000)	(370,375,000)	(428,250,000)
Loans	337,500,000	287,500,000	337,500,000
Grants	(90,750,000)	(82,875,000)	(90,750,000)
American schools and hospitals abroad	12,900,000	12,895,000	25,000,000
UNRWA (Arab refugees)	1,000,000	1,000,000	1,000,000
Industrial Basin:			
Grants	$7,530,000	$4,925,000	$15,000,000
Loans	([3])	6,980,000	
Supporting assistance	414,600,000	414,600,000	800,000,000
Supplemental	195,000,000	155,000,000	
Contingency fund	15,000,000	15,000,000	100,000,000
Supplemental	[4] 15,000,000	[4] 7,500,000	
Administrative expenses:			
AID	51,125,000	51,000,000	57,600,000
State Department	([5])	4,100,000	([5])

Footnotes at end of table.

COMMITTEE ON FOREIGN AFFAIRS—JUNE 8, 1971—Continued

FOREIGN ASSISTANCE AUTHORIZATIONS AND APPROPRIATIONS, FISCAL YEARS 1971 AND 1972—Continued

Program	Authorization, fiscal year 1971	Appropriation, fiscal year 1971	H.R. 8961, fiscal year 1972
Overseas Private Investment Corporation	(5)	$18,750,000	(5)
Total, economic assistance	$1,796,525,000	1,752,685,000	$2,331,350,000
Military grant assistance	350,000,000	350,000,000	705,000,000
Supplemental	340,000,000	340,000,000	
Total, economic and military	2,486,525,000	2,442,685,000	3,036,350,000
Foreign military credit sales	$250,000,000	$200,000,000	$510,000,000
Israel (supplemental)	(6)	[6] 500,000,000	
Grand total	2,736,525,000	3,142,685,000	3,546,350,000

[1] Plus $300,000,000 authorized but not appropriated in prior fiscal years.
[2] Plus $230,000,000 authorized but not appropriated in prior fiscal years.
[3] $51,220,000 authorized in the Foreign Assistance Act of 1967.
[4] Earmarked for relief, rehabilitation, and reconstruction assistance in East Pakistan.
[5] This is a permanent authorization of such amounts as may be necessary.
[6] This was authorized in the Military Procurement Act (Public Law 91-441). The appropriation was carried in the supplemental appropriation, 1971 (Public Law 91-665).

Mr. Chairman, this is a time for a nonpolitical evaluation of this overriding issue. Purely objectively, I do not believe the imposition of a date-certain requirement upon the Commander in Chief constitutes provision for national defense or will assist in our responsible disengagement from Indochina. While my "Issue of the Month" is certainly not a scientific cross-section of the State, it is mailed to 30,000 constituents on a nonpolitical basis. While a great many Republican officials are on this mailing list, those who have replied do not appear to include a disproportionate number of Republican Party workers, and I consider it valid or I would not have issued the communication in the first place.

My constituent response is in accord with my own conviction that a congressional imposition of a date-certain withdrawal at this time is clearly adverse to the national interest.

(By unanimous consent, Mr. LLOYD yielded the remainder of his time to Mr. ROBISON of New York.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. ROBISON).

Mr. ROBISON of New York. Mr. Chairman, I appreciate this opportunity to remind my colleagues that I do have a pending amendment before the committee, and that it will be the first item on which we vote, and to remind them that it differs from the Nedzi-Whalen amendment only in that it extends the cutoff date or deadline by 4 months, from December 31, 1971, to April 30, 1972.

And, further, that it then conditions that deadline upon the prior happening are two events:

First, a cease-fire arrangement, and, second, an arrangement relative to the prisoners of war, to be followed by the actual release of our servicemen held as prisoners of war. This approach encourages negotiations which, of course, would be conducted, as the gentleman from New York, Mr. STRATTON, knows, by the President and not by the Congress.

Conversely, Nedzi-Whalen would tend to discourage negotiations as the amendment now stands.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. GUBSER).

(By unanimous consent, Mr. ROUSSELOT yielded his time to Mr. GUBSER.)

Mr. GUBSER. Mr. Chairman, this is a historical hour when we will make one of the most significant decisions in my 19 years' experience as a Member of this body. The issue has been building for at least 10 years and unfortunately has been entwined with unfulfilled predictions, hopes and promises, and allegations of deceit and misrepresentation. This has brought us to the point where millions of Americans do not trust the words and deeds of their Government.

An intensive nationwide lobbying effort has been directed at this hour of decision. The effort appeals to the pent-up emotions and frustrations of a citizenry which distrusts its leadership and despises a war that politicians have determined not to win.

If one is to react to public opinion, if one's bent is to follow and not to lead, if one considers his responsibility to act as a human computer and vote in accordance with the latest public opinion polls, then his decision will be easy. But if on the other hand he wishes to do the right and moral thing, he must risk his personal political security and weigh it against current truth.

Today's decision cannot be made by assessing blame for what has gone on before. It must not be made on the allegations of past duplicity and deception. It must not be made on the assumption so subtly created by demagogs that no government or administration can be trusted. In my opinion, today will give us a true measure of statesmanship.

The question we must decide is not how we got into Vietnam, but how we can get out.

Mr. Chairman, no amount of debate, whether each of us talks 2 minutes or 2 hours, could decide this question in a parliamentary body. That is something that must be decided at the negotiating table in Paris.

By assuming what is constitutionally and historically the function of the executive branch we cannot declare the war to be ended. We do have the right, and we should reassume the right to declare the war when it begins.

Mr. Chairman, the Washington Post has said that—

> McGovern-Hatfield and Nedzi-Whalen simply do not offer a way to end our participation in the war, let alone end the war. Inevitably that must be a political exercise in political symbolism.

The gentleman from Ohio (Mr. WHALEN), a coauthor of the amendment, has forthrightly admitted that it would do none of the things professional lobby groups have said it would accomplish, nor would it end our participation in the war. He has frankly admitted that it is a symbol.

This is an authorization bill. It authorizes the subsequent appropriation of funds for the acquisition of ships, missiles, aircraft, tracked vehicles, trucks, and rifles. The appropriation process must follow, then contracts must be negotiated, and the realities of leadtime considered. It is safe to say that none of the arms authorized in this bill will be in inventory for at least a year, and most of them would not be in inventory for from 3 to 5 years. The Nedzi-Whalen amendment would clearly allow the President of the United States to continue the war in Southeast Asia with weaponry currently in inventory, or in the pipeline, or on order from prior-year funds. As a means of ending the war by December 31 it is meaningless.

Some may argue, "Why not pass it if it is meaningless? If it is meaningless is it not harmless? Why not reassure the American people?"

I have two answers for such arguments: First, we would not be reassuring the American people; we would be deceiving them. Second, if we look ahead instead of backward at the public opinion polls, we should determine how passage of the Nedzi-Whalen amendment or any of its substitutes today will be interpreted by the Vietcong and the North Vietnamese negotiators at Paris when they meet on next Monday morning.

A withdrawal date is a negotiable item which the North Vietnamese and the Vietcong strongly desire. The Nedzi-Whalen amendment constitutes a unilateral concession of that negotiable item. Can anyone with any degree of sincerity argue that the North Vietnamese would negotiate in good faith when this Congress meddles in the negotiation process and unilaterally concedes what they want? I believe with all my heart that the chance for an earlier end to the war than December 31 would be lost if we were to fall victim to the calculated plan of Hanoi to marshal U.S. public opinion to exert pressure against our Congress.

Mr. Chairman, as I stated earlier today, I am convinced we would seal the doom of our prisoners of war, and they would meet the same fate as the 20,000 who fought for the French and to this day have not been accounted for.

Some tell us we cannot have a settlement of the prisoner-of-war issue before we have a settlement of the war. History belies that contention.

The final cease-fire and actual armistice in Korea were agreed upon on July 27, 1953. It is noteworthy that the POW issue was resolved on June 8, 1953, while fighting was still going on and the agreement became effective with the July 27 armistice. Thus, in the past a POW settlement has been negotiated prior to the cessation of hostilities. In my opinion, it can be again.

Mr. Chairman, I believe it would be a terribly dangerous precedent to get away from the constitutional and historical precedent that negotiations in foreign affairs are carried on by the executive branch of Government and not by legislative action. If we attempted to conduct negotiations on the floor of the House, I predict future foreign affairs would result in chaos. The very nature of negotiation makes it impossible for it to be conducted within the confines of hard and fast legislative language. Congress should insist upon its constitutional prerogative of declaring war, but recognize the impracticality of a political parliamentary body negotiating a peace.

The one thing that has been strangely missing in the debate today is the point on which I would like to conclude. What about the projected balance sheet of human life? Yes; if we remain in Vietnam until December 31, or any date even shortly thereafter, American lives will be lost.

But, ladies and gentlemen, I went to Hue just a few short weeks after the Tet offensive, and I saw those thousands of graves of innocent Vietnamese people who had their hands tied behind their backs, were buried alive, and had their throats cut from ear to ear, because they cooperated with the United States of America and the South Vietnamese Government. After seeing that, I cannot help but believe that an ill-advised withdrawal date would only increase the pressures here in America for an even earlier withdrawal date. It would amount to an immediate date, taking no account whatsoever of the ability of the South Vietnamese——

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

The Chair recognizes the gentleman from Alabama (Mr. DICKINSON).

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

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

Mr. GUBSER. Mr. Chairman, as I started to say, such a withdrawal would take no account whatsoever of the ability of the South Vietnamese to defend themselves against massive massacres. And I have no doubt that the thousands of innocent people who cooperated with the United States would find their throats cut from ear to ear, just as the people of Hue had it happen to them.

Now, if you want to sum up the balance sheet of human life, do not just stop at white lives. Does it make any difference if the people who would be slaughtered are brown, and perhaps have slanted eyes? Would you feel better if they were all black or all white, or all red or all brown? They are human beings. You know in your heart that if we succumb to this pressure there would be greater pressure for an even earlier withdrawal date. There would be no consideration paid to the ability of South Vietnam to protect its own citizenry which is composed of human beings created by the same God as created you and me. Morality should not follow geographic lines, religious lines, or color lines. Let us not create a massive blot upon the American conscience.

I beg you, let us stand up and do the right thing today. Let us not look at the political polls and react like inhuman, bloodless computers. Let us do the right thing and the moral thing, and allow the President—who has demonstrated his willingness to get us out of Southeast Asia as fast as he can—to proceed in a reasoned and constitutional fashion.

I hope we vote down all of these amendments.

Again I thank the gentlemen from Alabama and California for yielding to me.

Mr. DICKINSON. Mr. Chairman, anyone who says that a vote for this amendment is a vote for peace and a vote against it is a vote to prolong the war is either being a demagog or is totally ignorant of what the amendment will do.

Even the author of the amendment, the gentleman from Ohio (Mr. WHALEN), states what this amendment will not do on pages 19962–19963 in the CONGRESSIONAL RECORD. He admits:

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

Second. It will not cut off the pay from any American troops remaining in South Vietnam after the effective date of December 31.

Third. It will not deny American troops the use of equipment and weapons systems that are already in South Vietnam.

Fourth. It will not deny the use of weapons systems authorized in previous procurement programs.

Fifth. It will not deny to the administration the right to provide military assistance to our three allies in Indochina.

What will this amendment do? Simply stated, it is a snare and a delusion. It will not shorten the war by one day—it will not save one life.

What will it do?

It will show the North Vietnamese and the Vietcong that we are weak in our resolve; it will take some of the leverage from the President and Ambassador Bruce to negotiate for the return of our POW's; it will delude the American people into thinking there is a deadline for a total withdrawal. There is no good to come from it—but a great deal of evil can and will flow from it.

I oppose the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. MCKINNEY).

Mr. MCKINNEY. Mr. Chairman, I am sorry that I will not have time to address this House on my amendment to the Nedzi-Whalen amendment, because I think it would answer the objections of most of the Members of this House.

It would have given the President the clear right and prerogative to go to the Paris peace talks and say that if we can reach agreement by December 1, a bilateral agreement on the prisoners of war, and a cease-fire, we will follow the Nedzi-Whalen objective, which is to withdraw from Vietnam.

In essence:

It returns the proper prerogatives to the legislative branch;

It does not compromise the position of the Executive;

It speaks directly to the prisoners-of-war issue;

It shifts the essence of credibility to the North Vietnamese Government; and

It firmly declares this body's intention to end this war.

But what I resent most, though, in the limited time I have, because of the parliamentary maneuver, are the statements that have been made in this House that if you are for peace you are against the President, because quite frankly he is the first man in this country who has had the guts to try to bring this war to an end.

Now, I resent also its being classified that only liberals can be for peace in Vietnam, because I can tell you something this war is doing, and anyone who is economically conservative knows it, it is destroying the American dollar. Anyone who is interested in the defense posture of this Nation knows it is destroying the Navy, the Army, and the morale of our fighting men.

I say this: I support President Nixon. I believe in what he is doing, but I am going to vote for this amendment because, above all, I stand and I must stand, for as quick a withdrawal as possible. The one thing I never have understood is the fact that in my war, which was Korea, and in this war, the Senate and this House have allowed American men to go out and fight and die without a commitment from the people who are supposed to represent the individual voters of this country, the House and the Senate of the United States. Sooner or later the people of this Nation will demand that their elected representatives must stand and be counted on the disposition of our fighting men on foreign soil. This is our constitutional duty and we have for far too long avoided it.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana, the majority leader (Mr. BOGGS).

(By unanimous consent, at the request of Mr. HÉBERT, the time allotted to him was granted to Mr. BOGGS.)

Mr. BOGGS. Mr. Chairman and members of the committee, first let me congratulate the great chairman (Mr. HÉBERT) and all the Members of the House on the character and the caliber of this debate. I think it has been one of the finest debates on Vietnam that I have heard since I have been here.

For just a minute I would like to sum up my own impressions of the debate. I cannot do so without recalling a bit of

history. I came to this body shortly before World War II. At that time this country was tremendously divided. We had all kinds of rallies all over the country against any type of participation by our Nation and we extended the draft by only one vote. Finally, Pearl Harbor united the Nation.

Then in 1950 we had the Korean war which was again a very divisive war and it had a tremendous impact on the presidential race in 1952.

Now for the past decade we have had Vietnam.

I cannot believe that any man or woman who is a Member of this body is not for peace. I cannot believe that anyone here would not settle for peace as of yesterday—and certainly not later than today.

Having said that, I just do not believe anyone can question anyone else's motive or sincerity. I have looked at the amendment offered by the distinguished gentleman from Michigan and the distinguished gentleman from Ohio—and the gentleman from Ohio has been quite honest. He spelled out in the RECORD on June 15 that the only thing his amendment does is prohibit the use of equipment in Vietnam after December 31, 1971, if the equipment was purchased by funds authorized in this bill.

But everything else remains the same—the troops can stay there and the full power of the United States can be brought all over Indochina. If that amendment is a symbol; it is a very damaging symbol. Because the American people do not interpret it that way. They interpret it as an end of the year cutoff of hostilities in Vietnam.

I do not say that there is any deliberate intent to deceive, because obviously there is not.

The authors of the amendment have spelled it out and I think that symbolism is not a good symbolism if it cannot be carried out.

Then follows the question—is the President acting in good faith? Now I have had a lot to do with a lot of Presidents, both Republicans and Democrats. Goodness knows, I have opposed many Presidents on many issues and I opposed many, many of the policies of the present occupant of the White House. But I have had Presidents say to me: "It is not a question of doing right—it is a question of knowing what is right."

I cannot believe that any President, regardless of his political affiliation is not for world peace, peace in this country and the security of this country. Therefore, it seems to me that if we adopt this symbolic language that the real impact will be to tie the hands of the men who are charged with trying to negotiate some type of settlement in Vietnam. I just cannot believe that that kind of symbolism is worth that price—because that is the way it will ooperate if you analyze this amendment as to what it says.

After all, this is a very limited bill, Mr. Chairman. This is not an appropriation bill. This is an authorization bill. The amendment can only go to that section of the authorization which deals with the equipment which may go to Vietnam after December 31, 1971. I think if we are wise, and if we look at it without emotionalism and if we realize that every man and every woman in this Chamber is for peace and for peace immediately and we are all struggling to find out the best way to achieve it, I just do not believe that we should penalize and make it more difficult for those who are trying to negotiate for peace.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I would like to say at this time that I think through the patience of the chairman of our House Armed Services Committee, the gentleman from Louisiana (Mr. HÉBERT), this House has distinguished itself today by having the finest debate on the issues of war and peace that we have been able to have in many, many years. I believe that through the initiative of the gentleman from Michigan (Mr. NEDZI) and the gentleman from Ohio (Mr. WHALEN) we have a very formidable issue here placed before the House. We can argue about the form of the amendment, but we all know that this amendment has to be very, very narrowly construed in order to be germane.

We have amendments to the Nedzi-Whalen amendment. We have a substitute by the gentlewoman from Hawaii (Mrs. MINK). We have amendments to the substitute of Mrs. MINK. Very frankly, I think I am going to support all of the amendments and all of the substitutes, because I do not really see that much difference in them. They all relate to a date. I do not think it makes too much difference if we set a date in December or a date in April, or whether we limit it to prisoners or the cessation of hostilities or a cease-fire. My information is that when the President sets a date, we are going to be able to start serious negotiations in Paris.

I know some people have indicated that perhaps we have usurped the prerogatives of the State Department in even talking to the other side. I want to assure you that any initiative by any Members of the Congress in talking to the other side have been welcomed by our negotiators over there in Paris. I tend to think we have a real opportunity for peace. I think the President is going to see that perhaps 40 percent of this House will be supporting various of these amendments. I think if he reads this RECORD he will find 20 or 30 percent more of this House are for some kind of date, but they do not want to put any limitation on him. They want to give him the discretion. Personally I would like to give him the discretion. I would like to let him wind this up all by himself, and it should be wound up with honor, with dignity, and with perhaps 6 or 8 months' notice to the South Vietnamese that we are going to let them fight their own battles. It should be wound up with assurance in the bank that we are going to get our POW's back, and I think we can make some deal in private, not relying on anything any of us have said, but actually getting to the nub of private negotiations over there.

We can assure that our men can get out of Vietnam without being fired upon. We can get a list of prisoners. We can restore men to family units that have been separated for 5, 6, or 7 years.

I think there is a danger that if the President thinks the matter is going to wind up all by itself, we might have a problem. We are told that we will have about 181,000 troops there in Vietnam by December 1 of this year. What happens after that? We have asked the JCS, the Joint Chiefs, before our committee what the residual force will look like. Very frankly, they have not figured that out.

I tend to think that the best political thing for the President to do is to set a date 6 or 8 months in the future and get assurances from the other side, get them in the bank, and we will have the benefit of the bargain. We can get the best benefit of bargaining right now while we have 250,000 men in that country.

Let us fight the issues next year in the elections strictly on the basis of the economy. Let us have peace behind us, and let us not worry about whether or not 40,000 or 50,000 men will be a club we can use to get back our prisoners of war and keep the honor of the United States. I tend to think that if the President believes that 40,000 men and perhaps American bombers, and so forth, and bombing personnel is a real club that we can use against the Communists, he is going to find that perhaps he is as mistaken as we were in 1962 and 1963 when we found we had to escalate the war in order to try to terminate it. Those are my views.

Again I say I congratulate the committee for managing a very excellent debate.

Mr. SKUBITZ. Mr. Chairman, in my opinion the Nedzi-Whalen amendment, if passed, would not end the war on December 31, 1971, it would not result in the release of a single prisoner of war but would in fact weaken the President's ability to bargain. It would not guarantee the safe departure of our boys; however, it would give aid and comfort to the North Vietnamese and could in fact be interpreted as a vote of "no confidence" in the President of the United States. I have no intention to be a party to such action.

I do want to commend my colleague from New York (Mr. ROBINSON). I must confess that at first blush I was tempted to vote for his amendment, because it provides for complete withdrawal when and if an agreement is reached for a cease-fire for an exchange of prisoners and safe departure for our trooops and in my opinion this should be the basis for negotiation and settlement, but the question that bothers me is whether we are going to legislate here today or try to negotiate.

Win or lose I urge the President to heed the Robinson proposal. It is sound. It is in accord with the views of the majority of the people of the fifth district of Kansas.

Mr. O'HARA. Mr. Chairman, I intend to vote today for the Nedzi-Whalen amendment to the Defense Procurement Act. I do so in the strong belief that this body should be on record in support of the setting of a definite date of termination of U.S. military activity in Indochina.

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

The Nedzi-Whalen amendment takes account of the need to protect our withdrawing troops, and further provides that the withdrawal date is contingent upon the release of all our men now held captive by Hanoi and the Vietcong.

Finally, the amendment would permit continued economic assistance to South Vietnam and the other nations in Indochina.

Mr. Chairman, in October 1969, I stated in a speech in the House that we should disengage ourselves from the struggle in Vietnam. I said that our disengagement ought to be accompanied by renewed efforts to strengthen Saigon's capacity to defend itself.

Since that time, Saigon has been given every opportunity to prepare herself for the day when she will take over full responsibility for her own defense.

It is time now to give her that responsibility. Whether the government and the people of South Vietnam will be able to survive as a viable nation now rests squarely upon the South Vietanamese themselves. We will continue to provide economic assistance, but the South Vietnamese will have to demonstrate their determination to survive as a free and independent nation.

On the occasion of the administration's decision to send U.S. troops into Cambodia in May 1970, I said here in the House that—

> Too many lives have been lost, too much money spent and too much damage done to our national character . . . during the extended course of U.S. involvement in that Southeast Asian conflict.

I strongly believe that the time to disengage U.S. troops from that conflict has long since come. Passage of the Nedzi-Whalen amendment will be a firm step toward that overdue objective.

Mr. Chairman, the vote today on the Nedzi-Whalen amendment is the most direct opportunity the House of Representatives has ever had to express itself on the question of U.S. military withdrawal from Indochina.

As I said in my statement here more than a year ago:

> It is time for all of us to stop demonstrating our own courage at the cost of other men's lives.

Mr. ADDABBO. Mr. Chairman, I support the Nedzi amendment to end our engagement in Vietnam by December 31, 1971. I believe the amendment has sufficient safeguards to guarantee the return of the prisoners of war.

Mr. Chairman, my position on the Vietnam war and our involvement in Indochina has been known for some time. As a member of the House Appropriations Committee, I have voiced concern over the expansion of the war, the extent of our role in Southeast Asia, and my support for a Vietnamization policy which should end our troop commitment by December of 1971.

It is said that the move to end the war by December 1971 gives solace to the enemy. This cannot give any more aid or comfort than the President's Vietnamization policy or the President's announcement of continued pullouts. I believe that after 10 years—after all our dead and wounded—after dropping over 4 million tons of bombs, twice as much as we dropped during World War II, including Korea—after 40 percent of our troops starting to use drugs, it is time to let the South Vietnamese know that they must take over the responsibilities in the field.

The South Vietnamese did not start drafting their 18-year-olds until we gave them the ultimatum; so, once again, I believe we must give them an ultimatum—a definite date beyond which the United States will not continue to provide troops in Vietnam.

We are not running out—this is the third year of the Vietnamization program. The South Vietnamese have been fighting in Cambodia and Laos, and they have told us that they will get out of Cambodia when they wish. South Vietnam has had an election and they will have another in September. If they cannot go it by December, they will never be able to defend themselves.

In 1968 the President told the American people that he had a plan to end the war. That plan had to be withdrawal of all American forces, for in reality the Vietnamization program was started by President Johnson when he ordered the training of the South Vietnam Army to defend itself under the pacification program. By calling for complete withdrawal by December 31, 1971, we are supporting the policy of Vietnamization but calling for its completion in 1971 instead of 1972, a presidential election year.

The President has pledged to end the war. He has told us that all U.S. troops will be withdrawn from Southeast Asia. I say let that be our policy and let it be achieved by the end of this year.

Mr. COTTER. Mr. Chairman, I rise in strong support of the Nedzi-Whalen amendment.

During my campaign last year and after my election, I became increasingly convinced that the Congress must reassert its prerogatives in foreign policy, specifically by assisting the President in liquidating our divisive Southeast Asia military commitment.

My actions to date indicate the depth of my commitment to have Congress share the responsibility with the President in ending this tragic war.

During my second week in Congress, I cosponsored the Vietnam Disengagement Act of 1971. This legislation would forbid the use of U.S. funds to support U.S. personnel in or over Vietnam. This legislation also takes account of U.S. POW's in Vietnam and provides for the safety of South Vietnamese during the withdrawal of U.S. personnel.

The importance of setting a date is twofold. First, it would allow serious negotiation on the prisoners-of-war issue. Our distinguished colleague, BOB LEGGETT, and the former Secretary of Defense Clark Clifford, have clarified one crucial point in the debate over the POW issue. There will be no discussion of U.S. POW's unless there is a date set for full U.S. withdrawal.

Mr. Chairman, I do not like this situation one bit, but we must realize that there has never been a total exchange of prisoners in any war until the hostilities ceased. We cannot be naive or trusting of the North Vietnamese or the NLF, but I feel that setting a date will serve the following goals: it will lower the temper of the Nation on Vietnam, it will provide a basis for negotiation on the POW issue, and it will force the Government of South Vietnam to stand on its own feet.

I have specifically mentioned these goals because the President has increasingly tied U.S. withdrawal to both the POW issue and, with more alarming frequency, to the ability of the South Vietnamese Government—the Thieu-Ky regime—to stand alone. This position, I submit Mr. Chairman, has to be rejected. From 1954 to 1971, our Nation has poured billions into "getting the South Vietnamese ready to defend themselves." We have lost 55,000 U.S. soldiers and suffered tens of thousands of U.S. wounded both physically and psychologically. We have contributed enough U.S. manpower to allow the South Vietnamese to "stand alone."

For these reasons, I voted at the March 21 Democratic caucus to put the House Democrats on record for the first time as supporting the end of the war by December 31, 1971. Unfortunately, this resolution was defeated by a vote of 100 to 101.

Recently, I signed a letter of intention—the O'Neill letter—to vote for amendments that would restrict the use of DOD funds in Southeast Asia to end the war by December 31, 1971.

In keeping with this unwaivering support of efforts to end this tragic war, I am today supporting the Nedzi-Whalen amendment to the military procurement authorization bill.

This amendment, too, cuts off funds in order to end the war by December 31, 1971. This amendment allows the President some flexibility by allowing an extension of this deadline, but only after he secures the approval of the Congress. This feature reinforces my position that Congress must reassert its authority and share responsibility for ending the war.

The Nedzi-Whalen amendment is the first concrete legislation initiated in this Congress to end this disastrous war.

I urge my colleagues to vote for this amendment.

Mr. SNYDER. Mr. Chairman, it seems to me that there has been a lot of misinformation disseminated across the country about the effect of this amendment on the conduct of the war in Southeast Asia. It is not my intent to try to place blame for the misinformation, but

I have discussed with the gentleman from Ohio (Mr. WHALEN) what the amendment would do, if adopted. He assures me that both he and the gentleman from Michigan are aware of the facts attendant to the amendment.

This is a military hardware bill and authorizes the procurement of certain weapons in the nature of ships, tanks, guns, aircraft, et cetera, for which appropriations will be made for the fiscal year July 1, 1971, through June 30, 1972. This amendment, if adopted, would only relate to the expenditures authorized to be expended by this bill. The truth of the matter is that this country is not today destitute of military hardware and no doubt has an arsenal in hardware sufficient to continue the war in Southeast Asia for a long time in the future. In addition, of course, funds appropriated under this authorization could be spent for hardware to be used in Southeast Asia for the 6-month period which would end January 1, 1972.

Additionally, the amendment specifically states that it shall not be construed to affect the constitutional power of the President as Commander in Chief—which would allow the President sufficient authority to continue what was in his best judgment necessary in Southeast Asia. This is not only my opinion but the opinion of most of those with whom I have discussed the amendment.

There is the additional provision that the amendment shall not be construed to limit the use of funds for purposes which may be necessary to insure the return of prisoners of war. Again, this, in the opinion of many, would leave conduct of the war in Southeast Asia pretty much to the discretion of the President.

Now, I want to make it perfectly clear that I am not objecting to the latter two provisions which I have mentioned, but I just would like to have the record clear that this is not an end-the-war amendment—and this is not an amendment which would necessitate having our troops out of Southeast Asia by January 1, 1972, or any reasonable date thereafter.

Nevertheless, I do believe that the amendment does serve a useful purpose. I have repeatedly said here in the Congress and publicly at home that I do not believe we should ever commit American troops to foreign soil except with the commitment to win whatever conflict we may be engaged in. I still believe that.

The previous administration and this administration have made it patently clear that that is not our commitment. Likewise, it has been my position, since we have no commitment to win, that we should get our troops out of Southeast Asia as rapidly as possible. I really believe the President is doing that—and I do not believe that the adoption of this amendment is going to hinder him in these efforts nor give solace or comfort to the enemy. It is my opinion that this administration has had the "pressure on" the South Vietnamese Government ever since a determination was made that they were going to Vietnamize the war in an effort to get the South Vietnamese to assume the responsibility of defending their own country.

On the other hand, the South Vietnamese have never had it so good economically, and it seems to me that there is some reluctance on their part to assume the responsibility that this administration desires they assume. We train American boys to defend foreign soil in less than 6 months. It seems to me that the South Vietnamese ought to be able to be trained in the several years that have now elapsed since Vietnamization became the official policy of this Government.

I have no illusions as to passage of this amendment today. Nevertheless, I do believe that if it were adopted or if it makes a substantial showing, that it will be notice to the South Vietnamese Government that they must expedite their obligations in connection with their war.

Mr. Chairman, while I believe, as I have said, that there is something to be accomplished by a vote for the Nedzi-Whalen amendment, I am distressed that, by and large, the general public believes its adoption will do much more than it will.

I believe the following Washington Post editorial is worthy of our attention:

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—as witness the transcripts of radio commercials on the McGovern-Hatfield amendment which appear elsewhere on this page today.

We bring all this up not to argue against the two amendments—we favor them—but merely to make the point that they should be judged for what they are and for what they could realistically be expected to accomplish, even in the unlikely event that they should become law.

The fact is, they can amount to more than a kind of symbolic protest or demonstration; what they say is that some in the Congress reject the President's policy of withdrawing ground combat troops from South Vietnam by next year, while leaving a residual force and continuing the Indochina air war until 1) all American prisoners are returned and 2) the President decides Saigon has "a reasonable chance" to survive on its own. The counter-policy expressed by the two amendments would have the President withdraw all troops and halt all air and naval operations "in or over" all parts of Indochina by next Dec. 31—assuming the prisoners of war have been released.

It is the central condition of all Vietnam debate, however, that no stark statement of a policy position is ever what it seems. Whether Mr. Nixon will in fact indefinitely maintain a residual force and continue bombing in Indochina cannot be foretold. Negotiating openings or the two elections—Saigon's next October, Washington's next year—could bring a change. Even more policy slippage is built into the two amendments. Necessarily (and redundantly), they note that the President retains authority to delay withdrawal for the sake of prisoner release and to assure that withdrawal is orderly. Therein lies a loophole big enough to fly a B–52 through. Moreover, both amendments—and properly—leave open to the President an option to provide post-withdrawal aid to Saigon. This option would seem to cut across a full-widthdrawal requirement since, by expert consensus, a sizeable number of American troops would have to stay on hand to administer a military aid program necessary to keep the South Vietnamese armed forces functioning in the style to which the United States has accustomed it. Finally, due to the particular structure and rules of the House, the Nedzi-Whalen amendment had to be attached to the defense procurement authorization bill, and it would prohibit merely the expenditure of new funds, and then only after Jan. 1, 1972, for certain kinds of military equipment for war in Indochina; the President could spend old funds and deliver materiel in the pipeline as he pleased.

The Congress, then, even if it had the votes, could not snuff out the war like a candle. Hanoi and the Vietcong, to say nothing of Saigon, must go along. The President must go along. For all that their sponsors may hope to the contrary, McGovern-Hatfield and Nedzi-Whalen simply do not offer a way to end our participation in the war—let alone "end the war." Inevitably they must be exercises in political symbolism. They express the national torment over the war and the country's profound skepticism that the President, *any* President, can be trusted to wind it down. This distrust can only have been accentuated by the disclosure of the McNamara papers in The New York Times.

We are not without some respect for Mr. Nixon's intent to facilitate the re-election of President Thieu in order to hand over to a stable, entrenched government a greater share of the load now carried by American fighting men, and we realize that Mr. Thieu might be somewhat shaken—and his opponents fortified—by a pre-election statement of an American intent to withdraw fully from the war. We nonetheless believe that far greater advantages could accrue to Mr. Nixon—both in terms of the domestic mood and in terms of negotiating at Paris—if he were to accept the offer implicit in the two amendments of Congressional support and a sharing of responsibility in liquidating American involvement in the war. 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. BADILLO. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment to the military procurement bill. I do so because it is long past time that Congress reestablished itself as a full partner in the formation and supervision of this Nation's foreign and military policy. While this amendment is not as strong as the McGovern-Hatfield amendment which was before the Senate, it clearly represents a meaningful effort to end our tragic and costly involvement in Indochina this year.

Figures released today show that 45,000 young Americans have died in Vietnam and 300,000 more have been injured and maimed. This unnecessary war has wreaked havoc throughout Indochina, disrupted our economy, and distorted our

national priorities. Our ability to provide decent housing, quality education, and adequate health care for our own citizens has been seriously impaired by our preoccupation with the war and by the more than $100 billion we have poured down this Asian rathole.

The current administration came into office with two basic pledges: to get us out of Vietnam and to square with the American people about what we are doing in Southeast Asia. It has reneged on both pledges.

The administration's so-called Vietnamization program is nothing more than a thinly veiled means of perpetuating our involvement in Southeast Asia and of supporting one of the most repressive regimes in the world today. And rather than squaring with the American people about the nature and extent of our involvement, the administration has repeatedly employed half-truths, distortions, and outright lies, not the least of which is the continued insistence that the Central Intelligence Agency is not engaged in running military operations in Laos.

I urge adoption of the Nedzi-Whalen amendment as just the first step in the resurgence of congressional responsibility for this Nation's foreign policy.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment to the defense authorization bill. This amendment would, subject to certain protections, prohibit the expenditure of new funds after January 1, 1972, to support U.S. military deployment or military operations in or over South Vietnam, North Vietnam, Cambodia, or Laos.

This House will have its first real opportunity today to let the American public know how we feel about the continuing expenditure of American lives and money in the war-torn peninsula of Southeast Asia.

The Nedzi-Whalen amendment is the most logical and sensible way for Congress to respond to the overwhelming demand of the American people that we end our military involvement in Southeast Asia at the earliest opportunity.

Every responsible poll that I have seen indicates that the great majority of Americans want our troops withdrawn this year. The mail from my constituents demonstrates the same feeling, and so does that of every member of this Congress with whom I have consulted.

Mr. Chairman, what conceivable argument can be made for asking one more American boy to sacrifice his life in Southeast Asia?

Nobody, from the President down, pretends any longer that we seek a military victory. It is the consensus of America that our policies in Southeast Asia have been a tragic mistake. The old cliches about "commitments" and "dominoes" and "Communist aggression" have long been discarded, along with the "Paper Tigers."

Why, then, are Americans still fighting and dying?

Opponents of the Nedzi-Whalen amendment, and its sister proposal, the Senate's McGovern-Hatfield amendment, have given two rather lame arguments: that American troops might be threatened by attack during a withdrawal, and that American prisoners held by the Communists should first be released. Neither argument carries logic.

The North Vietnamese have repeatedly stated that, once a withdrawal date is set, the withdrawing American forces would not be attacked. We do not have to rely only on the word of the Communists for this; common sense reinforces it. Why should they attack once we are on the way out? What would they gain? Why should they take any action that would only bring a counteraction and undoubtedly delay our withdrawal?

The other argument is equally weak. The North Vietnamese negotiators in Paris have stated that negotiations for release of American prisoners will begin as soon as a withdrawal date is set. Again, why should they not carry out this promise? What would they gain by continuing to hold our prisoners?

Adoption of the Nedzi-Whalen amendment will call the hand of the North Vietnamese on both of these issues. If they should renege on their promises, which is doubtful, we still have the upper hand. Under the Nedzi-Whalen plan, the President could extend the deadline until next June 30 should this be necessary to protect our prisoners of our withdrawing troops.

Mr. Chairman, I think that the prisoner-of-war argument is a phoney contrivance created by President Nixon to exploit the prisoner issue and use it in his efforts to thwart the expressed will of the American people. It is a semantic trap which has now ensnared its creator.

He stated unequivocally that American troops would not be withdrawn until the prisoners were released. This was an unwise and illogical statement, which is serving only to delay freedom for those unfortunate Americans in Communist prisons. No prisoners of war have ever been released during active hostilities. They are released after the end of hostilities, or at least when a definite end is in sight.

We know this, the President knows this, and the North Vietnamese know this. Let us not permit the President to enmesh us in this trap of his own making. We can free our prisoners by setting a date for the end of hostilities, and in no other way. It is time to stop asking American boys to lose their lives so that American politicians can save face.

Mr. Chairman, this undeclared war in Southeast Asia has dragged along for many years at the insistence of the executive branch. This Congress has been dragged along with it; the people of our Nation have been dragged along with it. It took the young people of the country, those we asked to risk their lives, to point out the tragedies of our policies. The banner was picked up by courageous journalists, businessmen, religious leaders, a few Members of Congress, and others who continued their fight despite immense pressure. They were called "nervous Nellies," "Communist sympathizers," and "neoisolationists." Their very patriotism was questioned. But they persevered, and the American public has responded. In voting for the Nedzi-Whalen amendment, I feel that I am voting for the wishes of the people of my district and the people of the Nation, as well as voting for a logical, workable plan to close the books on a sad chapter of American history.

Mr. EDWARDS of California. Mr. Chairman, I rise to speak in favor of the Nedzi-Whalen amendment to the Military Procurement Act. I do not believe that anyone needs to be convinced of the necessity to bring an end to the bloodshed in Vietnam at this point. But, the question remains, does the Congress have the integrity and resolve to assert its legislative powers to insure the war's conclusion, something nearly all of us now acknowledge as necessary?

I know that I have received hundreds of letters in the last week or so urging me to use whatever powers I might have as a Congressman to cut off funds—end the war by the end of the year. I have heard from young people, children, senior citizens, veterans, every conceivable group. They are all asking for the same thing. Not all of these people understand the mechanics of what is needed to end this conflict, but they are putting their trust in me to do what I can, as their elected representative. I am sure that I am not the only person here today who has heard the anguished cry from the people of America to stop the war.

I know, too, we are all aware of the growing frustration of the citizens of this country—their fear that they are powerless to influence their Government. Citizens ask me frequently what they can do to help end the war. I always answer that they should write to their elected representatives, that we seek to fulfill their will.

The question remains, will we, indeed, act on this legislation according to the will of the people? I am not so naive to think that we are in danger of our jobs if we, at every instance, on every issue, fail to act according to the wishes of our most vocal constituents. But this is an issue almost unique in America today. I believe the people are watching and they will remember.

I urge all of my colleagues to search their consciences and to vote, in good conscience, for the Nedzi-Whalen amendment. This legislation allows whatever time is necessary for an orderly planned withdrawal of our troops. It is not an extreme measure. It is something that every responsible critic of the war can support with the full knowledge that he is safeguarding our troops, our prisoners of war, and most importantly, the American people against a brutal continuance of the Vietnam tragedy.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment offered by the distinguished gentleman from Michigan (Mr. NEDZI) and the distinguished gentleman from Ohio (Mr. WHALEN). The amendment would prohibit the use of any funds contained in H.R. 8687, the defense procurement bill for fiscal 1972, for any U.S. military operations or deployment in or over North or South Vietnam, Laos, or Cambodia, after December 31, 1971.

It seems incredible, but it is true that, despite the fact that our involvement in

the war in Indochina has entered its second decade, the House has never before had the opportunity to cast a clear-cut vote on ending the war.

That opportunity has finally presented itself and Members of this House, Mr. Chairman, are in effect being given a chance to catch up with the American people. Five months ago, 73 percent—almost three in four of those surveyed—told pollsters they favored congressional initiatives to end the Indochina war by December 31, 1971. That is precisely what is at issue when we vote on the Nedzi-Whalen amendment.

This is the longest war in our Nation's history. Without question, it is the most tragic.

The human costs alone are almost beyond comprehension. We have heard the shameful statistics before, but we cannot allow their repetition to dull our sensitivities. More than 50,000 American lives have been lost; total American casualties number more than a quarter million. About 1,600 American soldiers are either captured by the enemy or missing in action. South Vietnam counts 130,000 lives lost in combat, and more than a million combined military and civilian casualties. Our Defense Department sets North Vietnamese combat deaths at 742,000, or a total almose equal to the entire population of my home State of Hawaii.

Costs in money are also enormous. In this country alone, over $100 billion has been diverted from urgent domestic needs to conduct the war that everybody wants ended.

And the highest cost may, in the end, be the tearing apart of the fabric of American society. From 12,000 miles away, this conflict in a remote area of the world is setting parent against child, old against young, frustrated citizens against established institutions.

The time has come to say, "Enough." A date must be set for total U.S. withdrawal. And if, for whatever reason, the President chooses not to set a date, then Congress must do it.

The passage of the pending amendment will not, by itself, force the end of our participation in the Indochina war on December 31, 1971. Presumably, enough materiel exists in the procurement pipeline to supply U.S. troops for some substantial time after the end of this year. But an "aye" vote on this amendment is vitally important, Mr. Chairman, because by it we can make it clear to the administration that because of its refusal to act, the Congress will take the necessary steps to end the war in Southeast Asia at the earliest possible date.

Mr. Chairman, the vote on the Nedzi-Whalen amendment will no doubt turn out to be one of the most important votes, if not the most important in the 92d Congress. It is imperative, therefore, that we vote right, and the right vote is "aye."

Mr. MONAGAN. Mr. Chairman, I support the Nedzi-Whelan amendment because it states in effective language the desire of the people of the United States that the U.S. military involvement in Indochina be terminated with the utmost dispatch.

I supported in the Democratic caucus the resolution which stated our determination as Members of Congress to work toward a termination of military involvement by the end of the current Congress.

The present amendment expresses the intent of Congress that funds should not be expended for military operations in that area after the close of the current calendar year.

Even though the argument is made that there might be some effect upon negotiations by the specification of a date, it does seem to me that the Congress should not pass this occasion to let the people of the country know that their desire to put an end to this conflict is not being ignored or disregarded here in Washington.

While the expression of a desirable date is set forth in this amendment, nevertheless, the President is given the discretion to set a further date in case of danger and there is a specific provision that the amendment should not affect the constitutional powers of the President as Commander in Chief. There are also further provisions which specifically preserve the President's power to provide asylum and to give assistance to Cambodia, Laos, and Vietnam.

Finally, there is a specific provision that the amendment should not in any way limit the use of funds for any purpose necessary to insure the return of the U.S. prisoners of war.

The rate at which U.S. troops are being withdrawn from Vietnam does present the possibility that the date in question may be an academic one provided the withdrawals continue. It may even be as former Secretary of State Dean Acheson has said, that the retention of U.S. prisoners by North Vietnam will be pointless in due time since their further imprisonment will no longer have any effect in bringing about the withdrawal of U.S. troops. I feel, however, that it is desirable that our objective be expressed and in view of the fact that the President's existing powers are not affected, it seems to me that there are compelling reasons to warrant the House in supporting this amendment.

Mr. REID of New York. Mr. Chairman, I rise in support of the Nedzi-Whalen amendment.

First of all, I believe that an end to the war could have been negotiated a long time ago if either administration had been willing to change some of its premises and taken some truly meaningful "risks for peace." As an example, I remember when Pierre Mendes-France, on June 17, 1954—exactly 17 years ago to the day—took a risk for peace when he announced that he would resign from office in 30 days if he had not negotiated a settlement to the French involvement in Indochina. To quote just a short portion of his speech, he said:

> The war has placed an unbearable burden on our country. . . . I advocated peace at an earlier date when we still held more trump cards than we do today. But even now there are certain conditions which would be unacceptable. . . . France has not accepted and will not accept any conditions for a settlement that would be incompatible with her vital interests. . . . If it has not been possible to achieve a satisfactory solution (within four weeks,) . . . my Government will offer its resignation to the President of the Republic.

Mendes-France promised a responsible solution to that war. I believe it is possible for the United States to work out a responsible settlement in the same sense, guaranteeing the safe return of our prisoners of war, providing amnesty for any who wish it, guarding against any bloodbath, and providing for a responsible transfer of power to free government.

I think we have missed a number of chances for peace in the past. But what troubles me even more are indications that even now, with 50,000 casualties and billions of dollars behind us, we may still be missing chances for peace.

I regret indications that this administration is not putting maximum and timely priorities on negotiations. Just yesterday Secretary Rogers strongly implied that one of our major objectives in the war was to insure that South Vietnam would be kept independent and non-Communist through "preventing the North Vietnamese from overrunning South Vietnam militarily." Are we going to wait until the South Vietnamese are totally self-sufficient until we will begin to negotiate seriously for an end to our involvement in this war? If so, we had better not hold our breath.

Furthermore, it is becoming increasingly possible that this administration is more concerned about timing than it is about serious negotiations now. Vietnamization seems to be becoming the policy of gradual troop withdrawals related to a residual force concept and not unrelated to the presidential campaign in Saigon in October.

Many of us are not anxious or happy to force the President to do certain things in the area of foreign policy; obviously this is an area where any President should exercise leadership, and where his test must be accomplishment, not good efforts or good intentions.

The sad fact is, however, that sufficient leadership is not being exercised, that negotiations are not being pressed, and that the House—a body which is coequal with the Senate—must exercise its constitutional responsibilities. Congress has no choice, therefore, but to support this amendment, not only as an expression of grave concern over this lack of leadership and priority in the negotiations, but also as a vital and clear message that many of us can no longer accept continued casualties as a trade for vague political or strategic timing.

The more we delay in these negotiations, the weaker our position gets, the fuller the heroin hospitals become, and the longer our casualty lists grow. Unless our leaders choose to act with courage, similar to the French in 1954, our men will be coming home from Vietnam not in troop transports, but in boxes, while our cities decay and while people throughout the country, young and old, become so disenchanted as to give up hope of a peaceful and just society.

Mr. Chairman, I urge support of the amendment.

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to this amendment. As has been made clear, it is at best a symbolic gesture which accomplishes nothing toward the withdrawal of American forces from Southeast Asia or toward ending the conflict there. This body can,

however, do something truly meaningful in demonstrating our support for the President of the United States in his effort to lead us toward a lasting and honorable peace by voting down the Nedzi-Whalen and all like amendments.

In all fairness it should be pointed out to those who would attempt to turn the present conflict in Southeast Asia into Mr. Nixon's war that when this President came into office all the decisions which resulted in our deep involvement there had already been made. He found more than 550,000 American soldiers heavily involved in a war in Southeast Asia, with great restrictions having been placed on their conduct of that war, with many billions of dollars and many thousands of precious lives already lost, and with no plan in progress either to win the conflict or to extract our forces from it.

He did not have the option of deciding whether or not there would be a war. It had long existed when he came to the White House. He did not get to decide whether there would be American involvement or whether combat forces would be sent there, or whether their conduct of the military operations should be severely restricted, for all these decisions had long since been made.

The war in Vietnam, therefore, is not, has not been, and cannot be Mr. Nixon's war.

When peace is achieved, however, it will be the President's leadership which has been decisive toward obtaining that cherished goal.

Mr. Nixon, shortly after coming into office, initiated what is now called the Nixon doctrine, in which he made clear to Asian leaders, to the American people, and to the world that in the future we will seek to substitute economic and military assistance to those nations to which we have commitments or which we deem vital to our security for the kind of American combat force involvement which has been the case in Korea and Vietnam. While providing a nuclear umbrella and such economic and military assistance, we would seek a partnership arrangement in both defense and development, and would look to those threatened and their own neighbors to provide the combat forces for the defense of their own area.

In Vietnam itself, he devised a plan for peace. He initiated a program of Vietnamization and phased withdrawal which is to date proceeding ahead of schedule and is succeeding. He indicated his continued willingness to negotiate with the Communist representatives toward the achievement of peace in Vietnam and Southeast Asia and has made a continuing effort toward meaningful negotiations. He has made clear the one condition upon which he will insist is self-determination for the people of the Republic of Vietnam.

There has to this point been little progress on this front, but it is well to understand that the negotiation table is to the Communists simply a battlefront, a battleground on which they seek to win that which they could not militarily achieve.

It may be that a display of unity behind the President will strengthen his hand until those Communist leaders who have been encouraged by well-publicized demonstrations of disunity and dissent on the part of some over the war in Southeast Asia will come to terms.

Certainly we cannot serve the interest of meaningful negotiations by such actions as the passage of this amendment or by actions which imply in any way our abandonment of the President's single goal of self-determination for the people of South Vietnam as a sine qua non of peace.

Whether or not we make progress at the negotiation table, it is clear the success of the Vietnamization program will continue to make possible the phased withdrawal of our forces while leaving the people of that troubled country with a real and, in my judgment, excellent chance for self-determination. Such self-determination will, I am certain, be expressed through the continuation of a representative non-Communist government elected through the regular free elections provided in the present constitution of the Republic of Vietnam.

It is manifestly clear to me that the present President, coming into office and finding our Nation in what seemed a hopeless involvement in a no-win war, has set us firmly on the road to peace and has given the leadership which history demanded in our time. He does not deserve a reprimand of any kind from this body such as the passage of this amendment might imply, or even the symbolic instruction which it might give. He needs our support and confidence as he continues to lead us toward what he has described hopefully as a generation of peace.

Mr. Chairman, as has been pointed out, the symbolic gesture of the passage of this amendment can serve to further confuse the situation and disillusion the American people in that it actually accomplishes nothing toward withdrawal and nothing toward peace. Support for our President, however, can provide the means to a complete withdrawal and an honorable peace, and the only means which is safe to our combat forces and which provides any hope for self-determination for the people of the Republic of Vietnam.

Our President has given leadership that is worthy to be followed. I urge the Members of this body to unite behind that leadership in defeating the Nedzi-Whalen amendment. In delivering the message to Hanoi which this action will clearly speak we shall indeed be striking a blow for peace.

Mr. HORTON. Mr. Chairman, I think that the nationwide discussions of the Nedzi-Whalen amendment to H.R. 8687, the Military Procurement Authorization Act of 1971, have suffered more than debates on any other issue in my memory, from the severe polarization America has suffered in the past 5 years. It has been the strength of our democracy that realism, rationality, logic, and compromise has carried the day toward progress, and toward the continued strength of the democratic process.

Today, however, the order of the day is emotion, symbolism, guilt, and blame, balanced poorly if at all by pride, trust, and even more symbolism on the other side.

Points being most strongly debated on this amendment are whether or not a date for final troop withdrawal from Southeast Asia should be set by Congress—a goal which this amendment does not accomplish—whether or not we have been deceived by this Chief Executive or the last, whether or not supporting the President is reason enough, of itself, to vote one way or the other way. Allegations have been made that we, not the North Vietnamese should shoulder the bulk of moral guilt for Vietnam, while others allege that we should shoulder none, and they all of it. Some are saying that regardless of what we, as a Congress do, or do not do, the Executive cannot be trusted to carry it out. Others say he should be trusted so completely that there is no necessity to even involve ourselves in the question of Vietnam.

I would begin, Mr. Chairman, by submitting that none of these questions are key points, or even side issues in the worthiness or unworthiness of this amendment. Perhaps it will not be popular to focus discussion of my view of Nedzi-Whalen on the legislative and constitutional aspects of this amendment, but I feel these are the only considerations relevant to our action here today.

I have heard it said that to vote for this amendment would be to turn one's back on all of the progress President Nixon has made so far in ending our involvement in this war. On the other side, a respected citizens group, Common Cause, proclaimed in a nationwide newspaper ad last week that this amendment would assure the return of our prisoners of war. Both of these statements are as false as they are foolish. Both are results of a polarizing process which has brought us to the point where it is nearly impossible to hold a discussion on Vietnam without invoking words of blame, guilt, prejudice, or generalities which cannot be substantiated. The Vietnam issue automatically evokes thoughts of death, communism, credibility, morality, national priorities. The whole tragic experience makes one immediately think of what he or she would like the world to be like, and about that which is distasteful and horrible in our real world. All of these feelings and symbols are issues in Vietnam. All of them are proper subjects for extended national and congressional soul searching and discussion. But unfortunately, it is too easy, and too irresponsible for anyone to believe that these wrongs can be righted, or these ideals reached by our action on an amendment to the Military Procurement Act of 1971.

To fully explain my own thinking on the whole issue of Vietnam, on the pace of our withdrawal and the President's policies, I would like to read a public statement I made early last week on Vietnam withdrawal:

VIETNAM WITHDRAWAL

(By Hon. FRANK HORTON, of New York, June 8, 1971)

In January, 1969, when this Administration took office, there were 550,000 U.S. troops in Vietnam. As of June 3, 1971, there were

250,900, about half the earlier figure. By December 1, 1971, the President has pledged to reduce our troop commitment to 180,000. President Nixon deserves full credit for this progress, and for the fact that despite massive U.S. troop withdrawals, the level of hostilities and casualties, throughout Indochina, and particularly within the borders of South Vietnam, have been substantially reduced. There has been a substantial increase in the proportion of the South Vietnamese people who are able to live and work in "secure" or pacified areas, compared with two and three years ago.

This progress, however, should not be allowed to overshadow the fact that there is still a shooting war in progress in Indochina, killing 45 or more Americans per week, in addition to many more Asians, both military and civilian. Nor can we allow this substantial progress to overshadow the continuing adverse effects of the Vietnam war on American society. These effects include the alienation of large segments of American young people, for whom the war is pointless, brutal and immoral, and for whom it threatens continued conscription and possible assignment to the jungles of Indochina. The war is also distorting our national priorities and diverting our attention from serious problems of poverty, hunger, antiquated health care delivery, teeming urban areas, serious neglect of our educational systems, our environment and the quality of life in our society—all of these problems can trace some major roots to the Vietnam war. Seven years of 54,500 dead, of whom 45,000 were killed in hostile action, hundreds of thousands wounded, of more than $100 billion spent, and all for a goal which becomes vaguer and more remote to the American people as each day passes.

These factors, to me, must be very, very heavily weighed in determining the pace of our withdrawal from Indochina and in beginning in earnest, the implementation of the Nixon Doctrine, which calls for helping those nations which can and will help themselves, *without* committing American troops to brush fire wars.

It is for these reasons that I publicly expressed my disappointment with the President's recent announcement that the withdrawal rate of 12,500 troops per month through May 1st would be increased only to 14,300 men per month after May 1st. At this rate, the last American would leave Vietnam in January of 1973.

I believe this schedule is too prolonged, even compared with the seven years we have already spent in Vietnam with large numbers of U.S. troops. What was apparent to me in the President's April 7th message on troop withdrawals was a seeming uncertainty in his own analysis of the situation. In that speech, he pronounced Vietnamization a success—and surely there is ample evidence that this policy *has* enabled us to withdraw thousands of troops without sacrificing either security or military effectiveness on the part of the allies. But on the other hand, he suggested that a withdrawal plan faster than what he was outlining would present the danger of a communist takeover of the South Vietnamese government. This, to me, is a contradiction in terms. Perhaps it is evidence of a sincere question in the President's own mind as to exactly what level of strength and preparation the South Vietnamese must reach before they are ready for total withdrawal.

Having come this war, the American people are less and less interested in providing American military security for the South Vietnamese and are more and more interested in the return of American prisoners of war and of U.S. troops. Our people sincerely feel that we have more than lived up to our commitment to the Vietnamese, that we have bled enough. They are ready to judge that the South Vietnamese are as ready as they will ever be to defend themselves.

I do not believe that these decisions should be made by public opinion polls, or by street demonstrations. On the other hand, I don't think the American people will be satisfied any longer to take their cues on the Vietnam war over the TV screen in the form of Presidential messages to the people on the progress of our policies. America has endured countless televised appeals to patience and understanding from the past two Presidents. While their messages are meaningful, and while President Nixon has been able to report real progress in ending our involvement, these messages have lost their impact on our people. They seem, despite concrete progress, to paint a vaguer and vaguer picture of where we stand, and when it will all end.

This is why I believe that the people must be able to feel that they will have some definitive voice, through the Congress, in the course of this war and of our withdrawal. Despite the sincerity and success of President Nixon, I feel a stronger Congressional role is needed in the form of participation in decisions affecting the rate of our troop withdrawals.

I do not believe that Congressional action should take the form of pre-emptive shut off of the President's power to make decisions affecting Vietnam. This would be the same as seizing from the President his Constitutional powers as Commander-in-Chief, and would presume unnecessarily that his actions were not based either upon fact or upon necessity. The alternative I would choose, however, does follow the Constitutional division of power between Congress and the President.

Whenever Congress authorizes a domestic program, the School Lunch Program for example, it sets a date after which the President will have to request Congress to extend his authority to conduct this program. Together with his request, he must show reasons why he feels or does not feel that the particular program should be extended.

Despite indirect and passive action on military appropriations, Congress has made no direct authorization of military activity in Indochina since the passage of the Tonkin resolution in 1964. With the repeal of that resolution last year, there is really no direct authority for the continuation of U.S. military activities in that area, although Congress has knowingly authorized funds and set limitations on our actions there, implying approval of them.

I would support legislation to end all authority for U.S. military activity in Indochina as of a certain date. This would mean that unless the President requested and received authority to continue military involvement in Vietnam beyond that date, he would have to withdraw our forces consistent with certain conditions guaranteeing release of our prisoners of war and safe withdrawal of our men.

In order for the President to conduct military activities in Indochina beyond that date, he would have to come to Congress prepared to justify his request for extended authority, indicate for how long he was requesting an extension and for what level of troops and dollars. His request could be cut or expanded, accepted or rejected by Congress—but the authority could only be extended by a majority vote of both the House and the Senate—like the extension of any other program. Presumably, if Congress granted one extension, it could grant another, but it would have to do so by affirmative vote.

This would be the first time in seven years that individual Congressmen and Senators would face a direct decision on the cessation or continuation of U.S. involvement in Vietnam. Whatever their decision, it would indicate much greater participation by the American people, through their representatives, in the determination of our Vietnam policy and in the setting of our withdrawal rate.

Congress, of course, would no longer be confined to sideline criticism of Presidential policies. Its Members and Senators would themselves share a major responsibility for the consequences of their decision, just as the President now has full responsibility for his decisions. Despite the considerable progress that has been made in Vietnam, I do not feel the American people want Congress to be silent as to our further course there. And this kind of silence must be measured by the presence or absence of responsible action, not of political speechmaking.

I fully expect that my constituents and my colleagues will measure my vote today, and my future votes on questions related to Vietnam by the yardstick described in this statement of June 8. The key portion of this statement, the portion by which Nedzi-Whalen must be measured, says again:

> I would support legislation to end *all* authority for U.S. military activity in Indochina as of a certain date. This would mean that unless the President requested and received authority to continue military involvement in Vietnam beyond that date, he would have to withdraw our forces *consistent with certain conditions guaranteeing release of our prisoners of war and safe withdrawal of our men.* (emphasis added)

If I may, Mr. Chairman, let me attempt to sort away the emotionally charged arguments that have been raised in this Chamber today and focus directly on just what the Nedzi-Whalen amendment to the Military Procurement Authorization Act would and would not do:

First, the Nedzi-Whalen amendment prohibits the expenditure of any funds under the Military Procurement Authorization Act, 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, Cambodia, or Laos.

The amendment does not end all, or even a significant part of the authority for the President to conduct warfare or deploy troops in Indochina, but prohibits only the shipment and usage of heavy military equipment that is to be newly procured in fiscal 1972, in Indochina after the end of this calendar year. Legally, the President could conduct a vigorous war in Vietnam indefinitely, and could even deploy additional troops and send additional existing aircraft, armor, missiles, ships, and other items not purchased with funds authorized by this bill.

Second, the Nedzi-Whalen amendment, although it contains language in subsidiary sections about safe withdrawal and prisoners of war, would not and could not insure the return of prisoners or safe withdrawal as many of its proponents have claimed.

The amendment does not make the termination of procurement authority contingent on the safe return of prisoners or on safe withdrawal of our remaining forces. In fact, it removes these bargaining tools from the President's negotiating arsenal—to the extent only of funds for the procurement of equipment—after December 31. I feel it is very important at this time for the President to retain these bargaining tools.

Under the language of Nedzi-Whalen, if the same amendment were attached to a stronger bill, for instance the Defense appropriations bill, the President would be forced to withdraw all troops by December 31 with or without the return of our prisoners, and with or without assurances that the withdrawal would be under safe and protected conditions, unless he were able to convince Congress that an extension of time were needed to accomplish these two vital goals.

This is a point that should not be lightly overlooked, and yet, it is one that is difficult to explain to persons who feel that Nedzi-Whalen is the be-all and end-all of congressional action to end the war. The amendment places no conditions on the cutoff of Presidential authority to deploy troops and conduct military actions in Indochina. If this amendment were to be added to the appropriations bill, covering all military expenditures and not merely equipment development and purchases, it would require December 31 as an absolute deadline.

The language does, however, place conditions on the factors that can justify the President in coming back to the Congress to recommend legislation recommending another date within the fiscal year for the cutoff of authority. It states that he shall recommend another date only if he determines that the December 31 cutoff will not permit the safe and orderly withdrawal of U.S. troops or the return of prisoners of war. It sets conditions on the terms of any extension of the date, not on the authority cutoff itself.

As outlined in my statement of June 8, I would do just the opposite. I believe that consistent with the constitutional role of Congress in matters of war, it would be appropriate in this situation to cut off Presidential authority as of a certain date if, and only if, by that date, safe withdrawal and return of U.S. prisoners is assured and permitted by the other side.

My approach would leave some bargaining room for the President on the issues of safe withdrawal and POW's, although not on the issue of the readiness of South Vietnam to defend itself. Under Nedzi-Whalen, however, the North Vietnamese would have every reason to stand pat on POW's and on assurances of safe withdrawal. It would be in their interest to wait and see whether Congress, once having passed Nedzi-Whalen, would in fact vote the President any extension of time beyond December 31 to bargain for POW's and even for assurances of safe and orderly withdrawal. For without a granting of the extension by Congress they would be free to hold our prisoners long after withdrawal and even free to attack our remaining forces in the process of withdrawal—at a cost of even more lives.

Disregarding the fact that this amendment is being sought for a bill which would render it almost powerless from a legislative standpoint—a flaw which I do not consider to be fatal to the purpose of the amendment—I feel that leaving open the question of whether or not Congress will insist on return of our POW's and safe withdrawal of our troops as the price for our complete and early withdrawal by a fixed date is a very serious, and perhaps irresponsible step.

That is why I will vote to support the McDade amendment, the text of which follows:

Amendment offered by Mr. McDade: An amendment to the Nedzi–Whalen amendment. Section 401 of the amendment is amended to read as follows:

"Section 401. (a) No funds authorized to be appropriated pursuant to this Act may be expended after December 31, 1971, to support the deployment of United States military personnel or the conduct of any United States military operations in or over South Vietnam, North Vietnam, Cambodia, or Laos: *Provided*, That all United States prisoners of war under control of the North Vietnamese, the Vietcong or their allies, be released not less than four months prior to the above date: *And provided further*, That the Government of North Vietnam, the Vietcong and their allies shall do nothing to interfere with the safe withdrawal of United States troops."

Frankly, Mr. Chairman, the McDade amendment is an imperfect one also. Under the Military Procurement Authorization Act, it, too, is really powerless to actually cut off Presidential authority, even after our POW's are returned and our safe and orderly withdrawal is assured by the other side.

It also could be improved by a provision which would contemplate and permit the President to come back to Congress and seek an extension of time if he thought circumstances warranted an extension. Of course, no extension could be granted in any case without a majority vote of both the House and Senate.

But despite these deficiencies, the McDade amendment does put the conditions relating to POW's and safe withdrawal in the proper place—limiting the terms of the cutoff of authority, thus leaving the President with the ability to bargain and negotiate for the POW's and for safe withdrawal between now and December 31.

I believe the adoption of the McDade amendment would at least be a meaningful expression of congressional intent to speed up substantially the pace of our disengagement, and of congressional intent not to abandon the POW's or to leave to chance the safety of our withdrawing forces. The McDade amendment may only have symbolic value when attached to a procurement authorization, but it would have the full force of law if added to the defense appropriation.

In closing, I would share with my colleagues the observation that this horrible war, and the numbness and revulsion our Nation has developed to it, has produced some unfortunate effects and beliefs among a very large and very sincere segment of the American people. Faced daily with reports of deaths and misery caused by our own military actions, these Americans have come to have almost more faith in the intentions and in the humanity of the North Vietnamese than in our own Government. Despite the fact that the North Vietnamese have yielded nothing, I repeat, nothing, since the 3-year-long Paris negotiations began, many Americans sincerely believe that they will act promptly and honestly to return our POW's and permit safe U.S. withdrawal if only we would set a date for withdrawal.

While even the North Vietnamese themselves have not said this, and even though their past actions do not even suggest that it is safe to assume they would comply so easily with these conditions, these beliefs are widely and sincerely held.

A few of these same people have also come to believe that communism is merely a strawman for the radical right in this Nation to pursue in justification of militarism, and not an onerous political system which utilizes terror, thought control, and suppression of freedom to survive.

I must state that our actions in this Chamber today, or any day, must not be predicated on assumptions of what the North Vietnamese may or may not do, or what they will or will not agree to do. It is possible that they will release all of our POW's, that they will abide by firm guarantees of safe and orderly withdrawal, and that they will suddenly begin permitting inspection of their prison camps and acknowledge openly the presence of their own troops in South Vietnam, Cambodia, and Laos.

It is also possible, and perhaps probable, that they will not do these things.

Just as I feel it is vitally important for Congress to reassume its rightful and constitutional role in the military and war and peace policies of this Nation, I feel it is equally important that we not act in such a way as to encourage the North Vietnamese to continue their inhumanity, and their shield of indifference. Thus, I cannot support an amendment which would even symbolically leave open the question of whether or not we will demand our POW's and safe withdrawal as the price for setting an early date for total withdrawal from Indochina. For leaving open this vital question in the Halls of Congress is tantamount to closing the question at the Paris peace table.

Consistent with these thoughts and with the terms of the statement I made on June 8, I must, therefore, vote for the McDade amendment to Nedzi-Whalen and, should that fail, I must cast my vote against the original Nedzi-Whalen language.

The CHAIRMAN. The Chair recognizes the minority leader, the gentleman from Michigan (Mr. Gerald R. Ford) to close debate.

Mr. GERALD R. FORD. Mr. Chairman, we have before us the Nedzi-Whalen amendment. Also we have the Robison amendment. In addition we have the Mink substitute. And we have the McDade amendment to the Mink substitute.

These amendments approach the problem in a variety of ways. We have different dates of withdrawal to consider. There are some that emphasize a cease-fire, some that emphasize the problem of the prisoners of war and those missing in action, and some that give carte blanche authority to the President to exercise his constitutional authority as Commander in Chief. Others have a variety of exceptions, loopholes, and escape hatches.

What this proves to me, Mr. Chairman, is that in utmost good faith individuals or groups of individuals have sought to express their individual views without the benefit of the traditional committee hearing where the proponent of an amendment or of a bill has the opportunity to explain and justify his proposal.

We in this instance have not had the experience of a committee or a subcommittee interrogating the proponents as to what was their intent, what the words mean, and what the proposal really envisages if it becomes law.

For those reasons, among others, I believe all of the proposals currently before us should be defeated.

I have been promised and the House has been guaranteed that next week the gentleman from New Jersey (Mr. GALLAGHER), the chairman of a subcommittee of the House Committee on Foreign Affairs, will invite all proponents of all suggestions to testify before his subcommittee, so that that group, Democrats and Republicans, will have the benefit of the wording and of the intent. If that subcommittee and if the full Committee on Foreign Affairs decides that something ought to be done by Congress to help the President solve the war in Vietnam, that committee will make a recommendation, and we can pass judgment on it in this body here in a far more responsible way.

As I said earlier, I believe the Nedzi-Whalen amendment is defective because it is symbolic. It is meaningless. It has no real substance. It will be better known for its loopholes and its escape hatches than for what it seeks to accomplish.

The gentleman from New York (Mr. ROBISON), I believe is well intentioned, but he attaches his proposal to an amendment which is fundamentally weak. As the gentleman from New York (Mr. DOW), said, it is feeble; it is as wide open as a barn door. I do not believe the Robison amendment materially helps the Nedzi-Whalen amendment.

Then of course we have the Mink substitute amendment, which does seek to do something in a categorical way. That is by far a more frank approach than the Nedzi-Whalen amendment. But then the gentleman from Pennsylvania (Mr. MCDADE), seeks to water down what the Mink substitute seeks to do, by the attachment of language which puts us right back in the same ball park as the Nedzi-Whalen amendment, which I believe is fundamentally unsound and which I believe unfortunately misleads the American people.

I pass no condemnation on the authors of the amendment in any way. It is just the net effect of that amendment.

For these reasons, Mr. Chairman, I hope that all amendments are defeated when we vote.

The CHAIRMAN. All time has expired.

The Chair will now put the question on the first amendment, which is the Robison amendment to the Nedzi-Whalen amendment.

Mr. FOLEY. Mr. Chairman, I ask unanimous consent that immediately prior to the vote on the amendment and the amendment to the amendment, on the substitute and the amendment to the substitute, that the Clerk be directed to read the text of the various amendments and substitutes, and so forth.

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

There was no objection.

The CHAIRMAN. The Clerk will read the Robison amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBISON of New York to the amendment offered by Mr. Nedzi: SEC. 402(a) of the amendment is amended to read as follows:

"SEC. 402(a). No funds authorized to be appropriated pursuant to this Act may be expended after April 30, 1972, to support the deployment of United States military personnel or the conduct of any United States military operations in or over South Vietnam, North Vietnam, Cambodia or Laos if by such date a cease-fire has been arranged either by the parties involved or by the United Nations or by any group of neutral nations, and if by such date an agreement has also been consummated by the parties involved for the identification and exchange of prisoners of war and all Americans held as prisoners of war anywhere in former Indochina have been released."

Strike subsection 402(b), and then redesignate subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e) respectively.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ROBISON), to the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. ROBISON of New York. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment to the amendment was rejected.

AMENDMENT OFFERED BY MR. M'KINNEY TO THE AMENDMENT BY MR. NEDZI

Mr. MCKINNEY. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. MCKINNEY to the amendment offered by Mr. NEDZI: Strike out Subsection B and insert the following in lieu of: "This section shall not take effect unless an agreement has been reached prior to December 1, 1971, between the Governments of the United States and the Peoples Republic of North Vietnam for the setting of a definite date of a ceasefire and a mutual return of prisoners of war."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut to the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The amendment to the amendment was rejected.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from Pennsylvania (Mr. MCDADE), to the substitute amendment offered by the gentlewoman from Hawaii (Mrs. MINK).

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MCDADE. Amendment to the substitute offered by Mrs. MINK; in the last line, strike the word Laos and the period and insert the following: Laos, *Provided*, That all U.S. prisoners of war under control of the North Vietnamese, the Viet Cong or their allies, be released not less than four months prior to the above date; and *Provided Further*, That the government of North Vietnam, the Viet Cong and their allies shall do nothing to interfere with the safe withdrawal of U.S. troops."

Strike subsection 401 (b).

Redesignate subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e) respectively.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MCDADE), to the substitute amendment offered by the gentlewoman from Hawaii (Mrs. MINK).

The question was taken; and on a division (demanded by Mr. MCDADE) there were ayes 37, noes 146.

Mr. MCDADE. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the substitute amendment offered by the gentlewoman from Hawaii.

The Clerk read as follows:

Amendment offered by Mrs. MINK as a substitute for the amendment offered by Mr. NEDZI: Title V, General Provisions, of H.R. 8687—Fiscal Year 1972 Defense Authorization bill—is amended by adding the following new section:

"SEC. 502. (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."

The CHAIRMAN. The question is on the substitute amendment offered by the gentlewoman from Hawaii (Mrs. MINK), for the amendment offered by the gentleman from Michigan (Mr. NEDZI).

TELLER VOTE WITH CLERKS

Mr. HOWARD. Mr. Chairman, I demand tellers.

Tellers were ordered.

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

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. HÉBERT, Mrs. MINK, Mr. PRICE of Illinois, and Mr. NEDZI.

The Committee divided, and the tellers reported that there were—ayes 82, noes 327, not voting 25, as follows:

[Roll No. 143]

[Recorded Teller Vote]

AYES—82

Abourezk	Eilberg	Nix
Abzug	Evans, Colo.	O'Neill
Anderson, Tenn.	Fascell	Pepper
Aspin	Ford, William D.	Podell
Badillo	Fraser	Preyer, N.C.
Barrett	Fulton, Pa.	Pucinski
Begich	Gaydos	Rangel
Bingham	Gibbons	Rees
Blatnik	Green, Pa.	Reid, N.Y.
Brasco	Halpern	Reuss
Burke, Mass.	Harrington	Riegle
Burton	Hathaway	Roncalio
Byrne, Pa.	Hawkins	Rosenthal
Celler	Hechler, W. Va.	Roush
Chisholm	Howard	Roybal
Clay	Karth	Ryan
Collins, Ill.	Kastenmeier	Scheuer
Conyers	Koch	Stanton, James V.
Corman	Leggett	Stokes
Culver	Link	Symington
Daniels, N.J.	McCloskey	Thompson, N.J.
Dellums	Macdonald, Mass.	Udall
Denholm	Mikva	Ullman
Dingell	Mink	Vanik
Dow	Mitchell	Waldie
Drinan	Morse	Yates
Eckhardt	Mosher	Yatron
Edwards, Calif.		

NOES—327

Abbitt	Foley	Miller, Ohio
Abernethy	Ford, Gerald R.	Mills, Ark.
Adams	Forsythe	Mills, Md.
Addabbo	Fountain	Minish
Albert	Frelinghuysen	Minshall
Alexander	Frenzel	Mizell
Anderson, Calif.	Frey	Mollohan
	Fulton, Tenn.	Monagan
Anderson, Ill.	Galifianakis	Montgomery
Andrews, Ala.	Gallagher	Moorhead
Andrews, N. Dak.	Garmatz	Morgan
	Gettys	Murphy, Ill.
Annunzio	Giaimo	Murphy, N.Y.
Archer	Goldwater	Myers
Arends	Gonzalez	Natcher
Ashbrook	Goodling	Nedzi
Ashley	Gray	Nelsen
Aspinall	Griffin	Nichols
Baker	Griffiths	Obey
Baring	Gross	O'Hara
Belcher	Grover	O'Konski
Bell	Gubser	Passman
Bennett	Gude	Patman
Bergland	Hagan	Patten
Betts	Haley	Perkins
Bevill	Hall	Pettis
Biaggi	Hamilton	Peyser
Biester	Hammer-schmidt	Pickle
Blackburn		Pike
Blanton	Hanley	Pirnie
Boggs	Hanna	Poage
Boland	Hansen, Idaho	Poff
Bolling	Hansen, Wash.	Powell
Bow	Harsha	Price, Ill.
Brademas	Harvey	Price, Tex.
Bray	Hastings	Pryor, Ark.
Brinkley	Hays	Quie
Brooks	Hébert	Quillen
Broomfield	Heckler, Mass.	Railsback
Brotzman	Henderson	Randall
Brown, Mich.	Hicks, Mass.	Rarick
Brown, Ohio	Hicks, Wash.	Reid, Ill.
Broyhill, N.C.	Hillis	Rhodes
Broyhill, Va.	Hogan	Roberts
Buchanan	Holifield	Robinson, Va.
Burke, Fla.	Horton	Robison, N.Y.
Burleson, Tex.	Hosmer	Rodino
Burlison, Mo.	Hull	Roe
Byrnes, Wis.	Hungate	Rogers
Byron	Hunt	Rooney, Pa.
Cabell	Hutchinson	Rostenkowski
Caffery	Ichord	Rousselot
Camp	Jacobs	Roy
Carey, N.Y.	Jarman	Ruth
Carney	Johnson, Calif.	St Germain
Carter	Johnson, Pa.	Sandman
Casey, Tex.	Jonas	Sarbanes
Cederberg	Jones, Ala.	Satterfield
Chamberlain	Jones, N.C.	Saylor
Chappell	Jones, Tenn.	Scherle
Clancy	Kazen	Schmitz
Clausen, Don H.	Keating	Schneebeli
	Kee	Schwengel
Clawson, Del	Keith	Scott
Cleveland	Kemp	Sebelius
Collier	King	Selberling
Collins, Tex.	Kluczynski	Shipley
Colmer	Kuykendall	Shoup
Conable	Kyl	Shriver
Conte	Kyros	Sikes
Cotter	Landgrebe	Sisk
Coughlin	Landrum	Skubitz
Crane	Latta	Slack
Daniel, Va.	Lennon	Smith, Calif.
Danielson	Lent	Smith, Iowa
Davis, Ga.	Lloyd	Smith, N.Y.
Davis, S.C.	Long, Md.	Snyder
de la Garza	Lujan	Spence
Delaney	McClory	Springer
Dellenback	McClure	Stafford
Dennis	McCollister	Staggers
Derwinski	McCormack	Stanton, J. William
Devine	McDade	
Dickinson	McDonald, Mich.	Steed
Dorn		Steele
Dowdy	McEwen	Steiger, Ariz.
Downing	McFall	Steiger, Wis.
Dulski	McKay	Stephens
Duncan	McKevitt	Stratton
du Pont	McKinney	Stubblefield
Dwyer	McMillan	Stuckey
Edmondson	Madden	Sullivan
Edwards, Ala.	Mahon	Talcott
Erlenborn	Mailliard	Taylor
Esch	Mann	Teague, Calif.
Eshleman	Martin	Teague, Tex.
Evins, Tenn.	Mathis, Ga.	Terry
Findley	Mayne	Thompson, Ga.
Fish	Mazzoli	Thomson, Wis.
Fisher	Meeds	Thone
Flood	Melcher	Tiernan
Flowers	Michel	Van Deerlin
Flynt	Miller, Calif.	Vigorito
Waggonner	Whitten	Wydler
Wampler	Widnall	Wylie
Ware	Wiggins	Wyman
Watts	Williams	Young, Fla.
Whalen	Wilson, Bob	Young, Tex.
Whalley	Winn	Zablocki
White	Wright	Zion
Whitehurst	Wyatt	Zwach

NOT VOTING—25

Clark	Helstoski	Rooney, N.Y.
Davis, Wis.	Long, La.	Runnels
Dent	McCulloch	Ruppe
Diggs	Mathias, Calif.	Vander Jagt
Donohue	Matsunaga	Veysey
Edwards, La.	Metcalfe	Wilson, Charles H.
Fuqua	Moss	
Grasso	Pelly	Wolff
Green, Oreg.	Purcell	

So the substitute amendment was rejected.

Mr. MACDONALD of Massachusetts. Mr. Chairman, through inadvertence I went through the wrong line and voted no. I ask unanimous consent that I be recorded as voting aye.

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan, which the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. NEDZI: 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. ARENDS (during the reading). Mr. Chairman, I think every Member is familiar with the amendment. 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 Illinois?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. NEDZI).

TELLER VOTE WITH CLERKS

Mr. NEDZI. Mr. Chairman, I demand tellers.

Tellers were ordered.

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

Tellers with clerks were ordered, and the Chairman appointed as tellers Mr. HÉBERT, Mr. NEDZI, Mr. PRICE of Illinois, and Mr. WHALEN.

The Committee divided, and the tellers reported that there were—ayes 158, noes 255, not voting—21, as follows:

[Roll No. 144]

[Recorded Teller Vote]

AYES—158

Abourezk	Ford, William D.	Nix
Abzug		Obey
Adams	Fraser	O'Hara
Addabbo	Frenzel	O'Neill
Anderson, Calif.	Fulton, Pa.	Patten
	Fulton, Tenn.	Pepper
Anderson, Tenn.	Galifianakis	Perkins
	Garmatz	Podell
Aspin	Gaydos	Preyer, N.C.
Badillo	Giaimo	Pryor, Ark.
Barrett	Gibbons	Pucinski
Begich	Gray	Rangel
Bennett	Green, Pa.	Rees
Bergland	Griffiths	Reid, N.Y.
Biaggi	Gude	Reuss
Biester	Halpern	Riegle
Bingham	Hamilton	Rodino
Blatnik	Hanna	Roe
Boland	Harrington	Roncalio
Brademas	Hathaway	Rooney, Pa.
Brasco	Hawkins	Rosenthal
Burke, Mass.	Hechler, W. Va.	Rostenkowski
Burlison, Mo.	Heckler, Mass.	Roush
Burton	Howard	Roy
Byrne, Pa.	Jacobs	Roybal
Carey, N.Y.	Karth	Ryan
Carney	Kastenmeier	St Germain
Celler	Koch	Sarbanes
Chisholm	Kyros	Scheuer
Clay	Landrum	Schwengel
Collins, Ill.	Leggett	Selberling
Collins, Tex.	Link	Shipley
Conte	Long, Md.	Smith, Iowa
Conyers	McCloskey	Snyder
Cotter	McDonald, Mich.	Stanton, James V.
Coughlin		
Culver	McKinney	Steele
Daniels, N.J.	Macdonald, Mass.	Stokes
Danielson		Stuckey
Davis, Ga.	Madden	Sullivan
Dellums	Matsunaga	Symington
Denholm	Mazzoli	Thompson, N.J.
Dingell	Meeds	Tiernan
Dow	Melcher	Udall
Downing	Mikva	Ullman
Drinan	Minish	Van Deerlin
Dulski	Mink	Vanik
Dwyer	Mitchell	Vigorito
Eckhardt	Monagan	Waldie
Edwards, Calif.	Moorhead	Whalen
Eilberg	Morse	Widnall
Esch	Mosher	Wolff
Evans, Colo.	Murphy, Ill.	Yates
Fascell	Natcher	Yatron
Flynt	Nedzi	

NOES—255

Abbitt	Broyhill, N.C.	Devine
Abernethy	Broyhill, Va.	Dickinson
Albert	Buchanan	Dorn
Alexander	Burke, Fla.	Dowdy
Anderson, Ill.	Burleson, Tex.	Duncan
Andrews, Ala.	Byrnes, Wis.	du Pont
Andrews, N. Dak.	Byron	Edmondson
	Cabell	Edwards, Ala.
Annunzio	Caffery	Erlenborn
Archer	Camp	Eshleman
Arends	Carter	Evins, Tenn.
Ashbrook	Casey, Tex.	Findley
Ashley	Cederberg	Fish
Aspinall	Chamberlain	Fisher
Baker	Chappell	Flood
Baring	Clancy	Flowers
Belcher	Clark	Foley
Bell	Clausen, Don H.	Ford, Gerald R.
Betts		Forsythe
Bevill	Clawson, Del	Fountain
Blackburn	Cleveland	Frelinghuysen
Blanton	Collier	Frey
Boggs	Colmer	Gallagher
Bolling	Conable	Gettys
Bow	Crane	Goldwater
Bray	Daniel, Va.	Gonzalez
Brinkley	Davis, S.C.	Goodling
Brooks	de la Garza	Griffin
Broomfield	Delaney	Gross
Brotzman	Dellenback	Grover
Brown, Mich.	Dennis	Gubser
Brown, Ohio	Derwinski	Hagan

Haley	McKevitt	Schneebeli
Hall	McMillan	Scott
Hammer-schmidt	Mahon	Sebelius
	Mailliard	Shoup
Hanley	Mann	Shriver
Hansen, Idaho	Martin	Sikes
Hansen, Wash.	Mathis, Ga.	Sisk
Harsha	Mayne	Skubitz
Harvey	Michel	Slack
Hastings	Miller, Calif.	Smith, Calif.
Hays	Miller, Ohio	Smith, N.Y.
Hébert	Mills, Ark.	Spence
Henderson	Mills, Md.	Springer
Hicks, Mass.	Minshall	Stafford
Hicks, Wash.	Mizell	Staggers
Hillis	Mollohan	Stanton,
Hogan	Montgomery	J. William
Holifield	Morgan	Steed
Horton	Murphy, N.Y.	Steiger, Ariz.
Hosmer	Myers	Steiger, Wis.
Hull	Nelsen	Stephens
Hungate	Nichols	Stratton
Hunt	O'Konski	Stubblefield
Hutchinson	Passman	Talcott
Ichord	Patman	Taylor
Jarman	Pettis	Teague, Calif.
Johnson, Calif.	Peyser	Teague, Tex.
Johnson, Pa.	Pickle	Terry
Jonas	Pike	Thompson, Ga.
Jones, Ala.	Pirnie	Thomson, Wis.
Jones, N.C.	Poage	Thone
Jones, Tenn.	Poff	Waggonner
Kazen	Powell	Wampler
Keating	Price, Ill.	Ware
Kee	Price, Tex.	Watts
Keith	Purcell	Whalley
Kemp	Quie	White
King	Quillen	Whitehurst
Kluczynski	Railsback	Whitten
Kuykendall	Randall	Wiggins
Kyl	Rarick	Williams
Landgrebe	Reid, Ill.	Wilson, Bob
Latta	Rhodes	Winn
Lennon	Roberts	Wright
Lent	Robinson, Va.	Wyatt
Lloyd	Robison, N.Y.	Wydler
Lujan	Rogers	Wylie
McClory	Rooney, N.Y.	Wyman
McClure	Rousselot	Young, Fla.
McCollister	Ruth	Young, Tex.
McCormack	Sandman	Zablocki
McDade	Satterfield	Zion
McEwen	Saylor	Zwach
McFall	Scherle	
McKay	Schmitz	

NOT VOTING—21

Corman	Green, Oreg.	Runnels
Davis, Wis.	Helstoski	Ruppe
Dent	Long, La.	Vander Jagt
Diggs	McCulloch	Veysey
Donohue	Mathias, Calif.	Wilson,
Edwards, La.	Metcalfe	Charles H.
Fuqua	Moss	
Grasso	Pelly	

So the amendment was rejected.

(Mr. STAFFORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STAFFORD. Mr. Chairman, the December 31 cutoff of fund for U.S. operations in Vietnam has now become simply a political issue which ignores present withdrawal plans, negotiations on the prisoner-of-war issue and a realistic period for concluding U.S. operations in Vietnam.

I regret these facts since I strongly favor specific action by the Congress to reassert its share of responsibility for ending our involvement in the Vietnam war. Such action at this time, however, should be taken in concert with the Commander in Chief of our Armed Forces, President Nixon, if it is to be most effective and meaningful.

The substitute amendment which was offered by the distinguished Member from New York (Mr. ROBISON) providing an April 30, 1972, cutoff date, conditioned upon a cease-fire and agreement on exchange of prisoners, would have allowed the President room and time for negotiating a settlement. It is unfortunate that more consideration was not given to this proposal, which I was happy to support.

It is my personal belief after intensive and agonizing analysis that we can end U.S. involvement in the Vietnam war on a total basis by a date no later than June 30, 1972. It is my personal hope that President Nixon will by the end of this October make clear to the American public and the Congress his intentions to do this.

I shall urge him to do so with every power at my command. I shall also urge him to order a cease-fire in all United States military operations, both on the ground and in the air, by a date of his choosing no later than December 31, 1971.

Such decisions on the part of the United States Government would end our combat involvement, would provide a setting for realistic and meaningful negotiations for the release of American prisoners of war, and would provide the practical time element to complete an orderly troop withdrawal as well as finishing construction projects which are vital to the future well being of the people of South Vietnam.

If by next November 1 the way does not seem clear and apparent for ending our involvement and recovering our prisoners of war by the outside date of June 30, 1972, then I believe it would be appropriate and necessary for the Congress to take action on its own to accomplish these ends.

President Nixon is committed to withdrawal of American troops from Vietnam. The pace is not fast enough for some of us, but I believe the President will take new initiatives in the next 4 months to step up our disengagement from Vietnam, and I am hopeful that these initiatives will lead toward a total U.S. military withdrawal from Vietnam.

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. Chairman, the pending amendment is a very simple amendment. It is a committee amendment, approved by the Committee on Armed Services by a vote of 28 to 4.

All it does is to put back into the bill for the next year the same provisions that were in the bill last year. It is similar to the provision that was written into the NASA bill, and is now in the law. It would deny funds appropriated pursuant to this act to institutions of higher learning if the Secretary of Defense or his designee determines that at the time of expenditure of funds for 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 that institution.

Mr. Chairman, this matter has been debated before. It is written into the law now. It is in the NASA Act, and it serves a very good purpose, and that has been demonstrated. I would ask for the adoption of the amendment.

Mr. KYL. Mr. Chairman, would the gentleman yield?

Mr. FISHER. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I would like to direct a question to the author of the amendment.

Suppose an institution of higher learning has an office building off campus in the town, which is adjacent, and the recruiter is permitted to see college students from that institution in that building off campus.

Would that institution then be in compliance with the law for funding?

I speak here of an actual case.

Mr. FISHER. The answer is "Yes," the funds would not be disapproved, although it is the wish of our committee that the military recruitment would be permitted on the campus itself.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. FISHER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 7, line 4, after the period insert:

"SEC. 402. None of the resources authorized by this Act shall be used to support action by United States combat forces in Vietnam except as required to effect the safe withdrawal of all such forces by the earliest practicable date.

"This section shall not be construed as limiting the authority of the President to take necessary measures to secure the safe return of United States servicemen held prisoner-of-war and provide asylum for people who may be endangered by the withdrawal of United States forces."

Mr. FINDLEY. Mr. Chairman, the defeat of the Nedzi-Whalen amendment, I feel, can be attributed mainly to the fact that it included a deadline date or appeared to include a deadline date for our participation in Vietnam and most of us, obviously do not want to write such a provision in the law.

The amendment that went down to defeat also had language in it which gave support to the concept of total withdrawal of our combat forces from Vietnam—a concept that I am sure most of us, and perhaps all of us, would support.

Now the slate is wiped clean. The Tonkin resolution was repealed. We have

defeated the Nedzi-Whalen amendment. I think it is notable that this body, which is sometimes called a very loquacious one, has yet to say a legislative word either of approval or disapproval of the concept of withdrawal of our forces from Vietnam.

I can see the merit of defeating a deadline date, but I also can see great merit to the President as well as to us in Congress under our responsibility under the Constitution for voicing our support for the concept of total withdrawal of our combat forces in Vietnam at the earliest practicable date.

It may be that some of us do not know what we want the military mission of our forces in Vietnam to be. I suspect that there is some doubt in some minds. I had doubts for awhile but today I had no doubt. I want the military mission of our Armed Forces in Vietnam to be the safe withdrawal of those very same forces. I think that is the totality of such mission.

My amendment says just that. It does have language which, of course, gives the President flexibility to deal with the POW's and the asylum question should this arise.

Let me read once more the language of this amendment, and I do so because I hope enough Members will stand to permit a recorded vote by tellers. I am sure you would want to know the language on which you will be voting.

I might add, too, that I have a stack of papers here in which the language of the amendment is spelled out and if anyone wants a copy of it, I hope he will come over.

In my view the amendment I will read to you in a moment gives very clear and precise support to the withdrawal program that the President has already so far advanced and encourages him down this correct road. It does not specify a precise calendar date, but it says the job should be done at the earliest practicable date, which, I think, is what we all want. It does not say December 31 or July 1. It says "the earliest practicable date" which, I hope, can be even earlier than December 31.

The amendment also protects, as I said, the flexibility of the President in dealing with the POW's. I think most important of all it fulfills the responsibility of this Chamber, which up to now, I think, we have greatly neglected, and that is to give guidance and support and direction to the President in this most difficult situation that we have ever encountered in our history.

Mr. Chairman, my amendment reads as follows:

SEC. 402. None of the resources authorized by this Act shall be used to support action by United States combat forces in Vietnam except as required to effect the safe withdrawal of all such forces by the earliest practicable date.

This section shall not be construed as limiting the authority of the President to take necessary measures to secure the safe return of United States servicemen held prisoner-of-war and provide asylum for people who may be endangered by the withdrawal of United States forces.

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

Mr. FINDLEY. I yield to the gentleman.

Mr. WALDIE. I would ask the gentleman if his amendment can be construed as an affirmation of the support of this body of the President's present program in Vietnam?

Mr. FINDLEY. The amendment can not be construed beyond the language of the amendment itself, which is support for total withdrawal of combat forces at the earliest practicable date.

Mr. WALDIE. Will this amendment in any way direct the President to engage in a policy different than that which he is already following?

Mr. FINDLEY. I think it leaves the Commander in Chief with a certain flexibility which he naturally would have to have in order to effect the safe withdrawal of our forces. I am sure everybody wants that.

Mr. Chairman, the language before us is hardly new. In October, 1969, similar language was embodied in a resolution sponsored by 128 Members, well over one-quarter of the House. The resolution stated:

Resolved, That it is the sense of the House of Representatives that the substantial reductions in United States ground combat forces in Vietnam already directed are in the national interest and that the President be supported in his expressed determination to withdraw our remaining such forces at the earliest practicable date.

President Nixon personally expressed his support for the resolution. On October 30, he wrote to me:

I would like to express my thanks to you for your role in the introduction of the House Resolution concerning my scheduling of troop withdrawals from Vietnam. This legislative action is greatly appreciated.

The Congress refused to signify its own approval for his withdrawal policy, but nevertheless, President Nixon wisely decided to press on. Six months later, on April 20, 1970, he told the Nation:

We can now say with confidence that the South Vietnamese can develop the capability for their own defense, and we can say with confidence that all American combat forces can and will be withdrawn.

Although the President continued to announced larger and larger troop withdrawals, the Congress remained silent. Today, the President has withdrawn more than half of the men he found in Vietnam when he assumed office 2½ years ago. He has increased the rate of withdrawal. He has cut our casualties to the lowest point in 5 years. And on April 19 of this year he reaffirmed his pledge that—

Our goal, however, is a total withdrawal. We do not have as a goal a permanent residual force such as we have in Korea at the present time.

All of this he has done without one word of guidance or approval from the Congress. By our default he has assumed the entire and enormous burden of the Vietnam war and he has embarked upon a policy which has met with widespread approval among the American people, if not among their Representatives in Congress.

Mr. Chairman, exactly 113 years ago today, Abraham Lincoln paraphrasing the Book of Mark, uttered the oft quoted words: "A house divided against itself cannot stand."

Apparently, we are a House utterly and irreconcilably divided. If we stand for anything but confusion, I for one cannot determine what it may be.

The Constitution of the United States commits the warmaking power to the Congress, yet for almost a decade we have steadfastly resisted every opportunity to exercise that responsibility. With the notable exception of the Gulf of Tonkin resolution, we resisted it throughout the buildup in Vietnam, and we continue to resist it throughout the withdrawal. Now, even our 1964 expression has been repealed.

Although elected by the people of this country to represent them in the halls of government—smugly calling oursevles the body closest to the people—we studiously avoid representing the people who elected us on the most important issue facing us, and the Nation, today. Of course, it is always difficult to grasp the nettle of basic decision. It is always easier to shrink from judgments and decisions which seem difficult because of their complexity and the uncertainty of their outcome.

Nevertheless, this neglect does not absolve use from our responsibility. Nor does it mean that decisions will go unmade. Rather, it shifts the entire burden onto the shoulders of the President—a President who deserves the guidance and support which only we can give him.

It is absolutely appalling to me that the House of Representatives, after 10 long years, is still unable to devise suitable language to express itself on Vietnam policy.

Of the millions upon millions of words which have been uttered on the subject of Vietnam withdrawal, it defies credulity that the U.S. Congress has uttered not a one. Worse, that very fact more than any other rises up to challenge the integrity of the very system which you and I hold so dear and which many young people now question.

How much longer will we stand in mute silence before we ourselves will begin to raise their same questions?

To our constituents, we must seem like the cowardly lion in the "Wizard of Oz," afraid even of the shadow of committing ourselves on Vietnam policy.

It cannot be said that the Congress has not had sufficient leadership to permit it to form its own opinion. Anyone who doubts that should ask Lyndon Johnson, HUBERT HUMPHREY, or Richard Nixon. President Nixon has stated that he expects the American people to hold him accountable in 1972 for his stewardship of U.S. foreign policy, and surely they will. What a shock it would be to us all if the American people similarly decided to hold the Congress accountable.

It is not difficult to understand why the President is not anxious to see a "Johnny-come-lately" Congress deal with Vietnam policy. Having carried us beyond the point of no return with respect to troop withdrawals, it would hardly be appropriate for the Congress

to suddenly jump out front to accept the credit.

But our responsibility is broader than that. Although the President may prefer no Vietnam policy amendments at all to the pending bill, the House of Representatives is not merely a king's court selected to honor his every wish.

The Constitution clearly commits to us the responsibility to decide upon basic war policy and to participate in the formulation of foreign policy. We can hardly do so if we stand mute when the Constitution and the American people cry out for us to speak.

The amendment I am offering today simply sets as our sole military goal in Vietnam the safe withdrawal of all our combat forces at the earliest practicable date. It has a saving clause which provides for the safety of American prisoners of war and for the protection of those endangered by our withdrawal.

This is a simple, limited goal. Perhaps it is more limited than many would like to see, but surely it is preferable to alternatives which might call for a reversal of the withdrawal rate.

Others may believe that this language says too much. Perhaps some may actually prefer a reversal of policy. Some might wish to see the United States stay in Vietnam until military victory occurs.

Any Member feeling that this resolution is too limited, or that it goes too far, may offer amendments.

The crucial thing, however, is that we are charged by the Constitution and elected by the people to say something on this important question. The amendment which I am offering puts the House of Representatives clearly on the record in favor of withdrawal from Vietnam, and does so in a responsible manner.

Mr. PIKE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to ask a couple of questions of the author of the amendment.

Is a pilot a combat force?

Mr. FINDLEY. Yes; I would interpret the words "combat force" to include any U.S. military combat personnel and combat equipment that is in the custody of U.S. personnel in the Vietnam area.

Mr. PIKE. Then the word "combat" really does not mean anything in the context of this matter?

Mr. FINDLEY. It means combat strike forces, forces that have the ability to undertake military action.

Mr. PIKE. I thank the gentleman.

Mr. HÉBERT. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. HÉBERT. This ground has been plowed over and over and over again this afternoon. While a few new seeds and new words have been sown, it is the same body dressed up a little more with a little more lipstick and eyebrow pencil. It all means the same thing. We have rejected it three times already, and I suggest we reject it a fourth time and finally.

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

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

Mr. GROSS. These final words of the amendment concern me greatly:

> The President may provide asylum for people who may be endangered by the withdrawal of United States forces.

How many billion dollars would it take to provide asylum for the several million people who might be endangered?

Mr. HÉBERT. This is not my language.

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

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

Mr. FINDLEY. I appreciate the gentleman yielding to me. The language would not authorize. It merely states that it shall not be construed as prohibiting the President from taking such action.

Mr. HÉBERT. It would not authorize and it would not prohibit.

Mr. RANDALL. Mr. Chairman, I support the amendment of the gentleman from Illinois (Mr. FINDLEY). I wish to associate myself with his remarks. It is more meaningful and will accomplish more than the Nedzi-Whalen amendment in my judgment because it does not carry all the legerdemain of what has developed in this debate as a game of dates.

We should recall the Nedzi-Whalen amendment first calls for withdrawal by December 31, 1971 and then contains an escape clause which allows the President to extend the time to July 1, 1972 or into the end of the fiscal year 1972. There have been a lot of other dates mentioned in the debate today; then there have been other dates considered by other forums than the House itself.

Most of the members of the Democratic caucus are already on record as voting for the end of the war by the end of the 92d Congress, or December 1, 1972. The President has said in various press conferences, or at least has implied by strong implication that all combat troops will be out of Vietnam by November 1, 1972. It is my own conclusion he will withdraw all our troops much earlier. On the other hand, the Findley amendment before us now is a no-date amendment. That is why it is so meaningful. It provides for withdrawal of our troops at the "earliest practicable date." How could you find better language than that? There is nothing magic about any date. Without the presence of a date we are expressing support of a safe and orderly withdrawal not by December 31, 1971, but just as soon as possible, meaning just as fast as there can be a safe withdrawal.

Let me emphasize the Findley amendment has all of the symbolism and significance of the Nedzi-Whalen amendment but is much more realistic. It creates no illusions. It is not misleading or deceiving. It says straightforwardly that we do not have to wait on any particular date but instead provides we begin now upon enactment of this procurement bill, to use the 6 months between now and December 31, which the other amendment does not consider. With this amendment there is no waiting period.

The amendment offered by the gentleman from Illinois which I support enthusiastically provides for accelerated withdrawal. It says we want our men home as soon as practicable. That means that this amendment is a kind of sense of the Congress resolution. If we support this amendment we go on record for a safe and orderly withdrawal. I hope you agree that the provisions of this amendment constitute a reasonable and meaningful expression of the sense of the House concerning withdrawal.

It is my considered judgment we should not adjourn here tonight without taking some initiative concerning withdrawal. Now that the Nedzi-Whalen amendment has been defeated and all of it's substitutes and amendments to the substitutes, we now stand without having taken any positive action in this body today.

Let us never forget the Gulf of Tonkin resolution was our only positive expression. That resolution has been repealed. The best way to describe the situation now is that the slate is clean and the page is barren of any collective expression by either body of the Congress. Oh, all of us have individually spoken up to say the time has come to end the war. But this kind of thing is not an expression of the collective membership in the nature of or in lieu of a resolution. Here and now we have the opportunity for a clear-cut vote, support or reject such a resolution.

Some of our Members stated here this evening that the membership of this House should not further divide itself but rather unite itself. If there is any consequence to these suggestions then here is an opportunity for all to unite behind the amendment of the gentleman from Illinois to express our intent to support the withdrawal of all of our forces in Vietnam at the earliest practicable date.

Those who support this amendment need entertain no fear that they will be tying the President's hands. The reason is that this amendment clearly preserves and so states that the prerogatives of the President will not be impaired. It does not limit the authority of the President to take the necessary measures to secure the return of our prisoners of war.

This amendment is one which could and should be supported by those who were for the Nedzi-Whalen amendment and also all of those who entertain the fears that that amendment was too inflexible and would impede the President's efforts to achieve complete withdrawal. Certainly this amendment is consistent with the President's policy.

We ought and should support this withdrawal amendment because we as a House should not adjourn tonight without agreeing to an expression of policy on withdrawal. The adoption of this amendment is an expression of positive action that the House of Representatives is in favor of withdrawing our troops from Vietnam at the earliest practicable date.

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

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FINDLEY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BADILLO

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

The Clerk read as follows:

Amendment offered by Mr. BADILLO: Page 7, line 4, before the quotation marks insert the following new sentence: "Nothing in clause (A) or (B) of the first sentence of this paragraph or in the immediately preceding sentence shall be construed to authorize the use of any of such funds by the Central Intelligence Agency (or by any agency or person operating on behalf of the Central Intelligence Agency) to engage, in any manner or to any extent, in the organization, supervision, or conduct of any military or paramilitary operation of any kind in Vietnam, Cambodia, Laos, or Thailand (including any operation of the kind commonly called 'guerrilla warfare' operation) which will be executed by forces composed in whole or in part of (i) mercenaries, (ii) regular or irregular personnel of any armed force of any foreign nation or area, or (iii) personnel other than those listed in clause (i) or (ii) who are under arms and are indigenous to any foreign country or area."

Mr. BADILLO. Mr. Chairman, this is a very specific amendment limiting the activities of the Central Intelligence Agency to the gathering of intelligence, and specifically prohibiting the Central Intelligence Agency from conducting guerrilla operations in Southeast Asia. The necessity for the amendment arises because the enabling act which created the Central Intelligence Agency provides that the CIA may perform "such other functions and duties related to intelligence and affecting national security as the National Security Council may from time to time direct."

There has been clear evidence from news accounts over the years, which I am sure all of you have read, that the Central Intelligence Agency is conducting guerrilla operations in Laos and Cambodia. This last week, as you know, the Senate had a secret session involving our activities in Laos and Senator SYMINGTON in the CONGRESSIONAL RECORD indicated as follows:

In the case of Laos one is unable to cite a figure for the total cost of this war to the United States. First, because what the United States is doing, and the cost of what we are doing, continues to be cloaked with official secrecy by the executive branch. Second, one cannot cite a figure for the total cost to us of the war in Laos because, it must be said in all frankness, neither you, nor I, nor any other Member of Congress is in position to know what those costs actually are.

Yesterday, my colleague the gentleman from California (Mr. WALDIE), questioned the chairman of the committee as to whether this bill specifically included funds for the Central Intelligence Agency, and the chairman answered that it does. The chairman also refused to say what the amounts were and said that only he and the ranking minority member of the committee knew.

The gentleman from California Mr. WALDIE) also asked the chairman as follows:

What is the purpose of the CIA activity in Laos?

The chairman answered as follows:

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.

If that is the understanding of the activities of the CIA by the chairman, then he should be in support of this amendment, because all I am saying is that that should be precisely the activity of the Central Intelligence Agency, to gather information, and not to engage in guerrilla activities. But because we do not know exactly what funds are avaliable either in this body or in the Senate, and we do not know exactly to what purpose they are being put, this amendment is prepared so that we can be sure that the activities are limited.

I seek only to insure that the activities of the Central Intelligence Agency be limited to those specified in the law, and that is to the gathering of intelligence. Certainly after the recent disclosures it becomes all the more important that we insure that the agencies of the executive department comply with the mandates of the Congress.

Even before the New York Times published parts of the Pentagon study of our involvement in the Vietnam war, it had become apparent that the CIA had literally been running the entire military operation in Laos, including the hiring, training, and leading of a mercenary army of Thais and Meo tribesmen and the tactical control of an air war which has made the Laotian people refugees in their own land.

As early as 1964, the CIA recruited Thai pilots to fly planes with markings of the Royal Laotian Government against Communist forces in Laos and there is evidence these Thai pilots are still flying missions in Laos, under CIA control and supervision. Reliable estimates given recently to the Senate indicate that the CIA currently is paying about 5,000 Thais to fight in Laos.

Enactment of this amendment is necessary if Congress is to regain some measure of meaningful control and oversight in the field of foreign affairs. Regardless of how individual Members might feel about the recent articles in the New York Times, it is clear that the nature and extent of our involvement in Southeast Asia has repeatedly been hidden from and misrepresented to the American people and their elected Representatives. I strongly suspect that the pattern of subterfuge and outright misrepresentation continues. This amendment represents a step toward squaring with the American people. I urge its adoption.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield for a question?

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

Mr. LEGGETT. Would the amendment preclude the CIA from supporting such things as have been reported in national magazines, such as the pay for personnel in the Saigon Police Force, which police force is being used, of course, for campaign purposes to support the Thieu government in Southeast Asia?

Mr. BADILLO. Yes it would, because it would seek to limit the Central Intelligence Agency to the gathering of intelligence and to its functions as approved by the Congress. Specifically it excludes the support of activities commonly called guerrilla warfare, support of mercenaries, support of regular or irregular personnel of any armed forces of any foreign nation or area within Southeast Asia.

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

Mr. BADILLO. I yield to the gentleman from Michigan.

Mr. CONYERS. I want to commend the precision with which the gentleman has formulated this amendment. I believe it is an exceedingly important one. I applaud his courage and support him.

Mr. BADILLO. I thank the gentleman very much.

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

The gentleman's amendment seeks to place a restriction upon the use of any funds authorized in this proposed act for military or paramilitary operations in Southeast Asia organized or supervised by the Central Intelligence Agency.

The Central Intelligence Agency was established by the National Security Act. It functions under the National Security Council under the President of the United States. It initiates no activities of its own without direction from the President and/or the National Security Council.

I do not propose to debate on the floor of the House the activities or functions of the Central Intelligence Agency. I will state categorically that the intelligence activities conducted by our Government are essential to the security of this Nation.

The amendment offered by the gentleman from New York, as I read it, seeks to prohibit the Central Intelligence Agency from organizing, supervising, or conducting any so-called military or paramilitary operation of any kind in Southeast Asia which would be executed by mercenaries, regular or irregular personnel of any armed force of any foreign nation or area, or any other personnel of a foreign nation. I will not go into the ramifications of such a restriction should it be enacted. I will merely tell the House that in my opinion, as well meaning as this amendment may be, it is very dangerous to the security of our country. Secrecy is one of the prices we must pay for survival. Today, there seems to be a penchant for exposing Government secrets which wittingly or unwittingly give aid and comfort to the enemy.

The amendment offered by the gentleman from New York would seriously restrict our intelligence activities in Southeast Asia and would certainly most seriously affect, and perhaps even prevent, the further withdrawal of U.S. troops from Vietnam.

I am not going to expand upon my statement any further.

I urge the House to overwhelmingly defeat this amendment.

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

Mr. Chairman, and particularly the distinguished and personally deeply respected chairman of the Committee on Armed Services, I have no belief that this amendment will be adopted. The very existence of the amendment, though, I think tells you something about the troublesome nature of the CIA activities and the attitude of many Members of the Congress of the United States toward those activities.

I have been told all sorts of stories about the activities of the Central Intelligence Agency. I doubt that very many of those stories are credible or true. The fact remains, though, that nobody can rebut those stories, because everybody is confronted, when a rebuttal is sought, with the statement that the chairman just made; namely, that he is not at liberty to go into the activities of the CIA.

As a Member of this Congress, I have already begun to lose great faith, which I previously had, in Presidents of the United States and their ability to always act in the best interests of this country in all instances in which they have power. I really believe that the only check upon Presidents is the constitutional powers that are provided with oversight on the part of the Congress.

I have attempted to find over the past month what oversight of the activities—operational activities, but not the intelligence gathering activities of the Central Intelligence Agency, is, in fact, implemented in the House of Representatives.

Yesterday was the first indication I had of two people that apparently exercise some oversight, the distinguished chairman of the Committee on Armed Services, and the ranking minority member of the Armed Services Committee.

I have heard of other Members who are involved in oversight. Those people are privy to information that every Member of Congress ought to have.

Mr. Chairman, I do not want this country to be confronted with another CIA-conducted "Bay of Pigs" invasion again. That decision was made as an Executive decision based upon information that was so classified it was not even recorded in any record, and then classified. There is no possibility of this Congress determining whether an Executive decision which would involve this country in a major war is a correct decision. Congress ought to have some oversight upon and resulting responsibility for those sensitive, enormous questions of national policy.

The CIA acts under the strictest, most absolute secrecy, a policy which subjects it and its activities to all kinds of rumors that are very exaggerated, I hope, beyond that which, in fact, is truth.

Your assurances, Mr. Chairman, that this amendment is very critical to our country impressed me. They would impress me far more if you could tell me why that has to be the case.

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

Mr. WALDIE. I yield to the gentleman from Michigan.

Mr. CONYERS. I commend the gentleman for his statement. However, there is a question that remains unanswered by the chairman of this committee with reference to the proposal of this amendment, and that is the gentleman from New York quoted the chairman and said that he described the activities of the CIA as intelligence gathering exclusively.

Now, I understand from the implications of the chairman's remarks that the CIA functions go far beyond that.

If I am not correct, I would like to stand corrected at this point. There is this vital difference and I think this body is entitled to have that difference resolved.

Mr. WALDIE. I yield to the gentleman from Louisiana for his response to the question. I know the response is affirmative, because the gentleman said yesterday they were solely engaged in such activities.

Mr. HÉBERT. Mr. Chairman, if the gentleman will yield, I would answer the gentleman from Michigan in this fashion: The moving finger writes, and having writ, moves on. The record stands for what I said yesterday and what I said today.

Mr. WALDIE. Now, Mr. Chairman, you are again emphasizing the points that I am attempting to make.

I intend to ask the chairman of the Appropriations Committee whom I also mysteriously understand has something to do with oversight of the CIA, certain questions when future appropriations bills are being considered. Every single appropriation bill brought up on this floor from now on, whether it be Agriculture, Armed Services, or Foregin Aid, I am going to ask him if there are CIA funds included in that appropriation bill.

I would also hope that the Speaker of the House would disclose to the Members of the House what Members in this body act as the Oversight Committee of the CIA, and permit me and my equally less favored colleagues to judge the Members acting in this capacity, and determine whether I want to entrust my responsibility as a Member of Congress to them in this sensitive area. I want to be convinced that the operational activities of the CIA, in fact, do not jeopardize this country. I am not fully convinced that that is so.

Mr. CONYERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this amendment, and I wish to state to the Members of this body that there is a simple question that has not been resolved. The Chairman has assured me that what the sponsor of the amendment said is correct as to the functions of the CIA. Yet we have disclosures that imply that they do far more than gather intelligence. It seems that is not a classified matter and that it would be extremely difficult for any Member of this body to vote for or against this amendment without getting a clarification.

Can the gentleman expand in any way on this point?

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

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

Mr. BADILLO. Mr. Chairman, I want to point out that I am not speaking in innuendos, I am forced to speak as I do, because in response yesterday to a question from the gentleman from California (Mr. WALDIE), the chairman stated—and first I shall read the question asked by the gentleman from California:

> Can the gentleman tell me in what portion of this 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.

So therefore even if we wanted to go to the committee and wanted to examine the classified documents to get the facts, we would find that we, as Members of the Congress, not the press, but Members of the Congress, would not have that information available.

So then we go down to the bottom of the page where the chairman is asked:

> What is the purpose of the CIA activity in Laos?

And the answer was:

> 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.

Now, if that statement is correct and that is the activity of the CIA, then that is the purpose of the amendment, and there is no conflict, but if that statement is correct then the one made today by the chairman cannot be correct also, and the two statements cannot be reconciled.

Mr. CONYERS. Then the intent of your amendment is to merely limit the Central Intelligence Agency to those activities described by the chairman?

Mr. BADILLO. Exactly, the activities of gathering intelligence described yesterday in the CONGRESSIONAL RECORD.

Mr. GUBSER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I think the House should be told that prior to the current session of the Congress there was a Central Intellience Agency Subcommittee of the House Committee on Armed Services. During the last Congress I was privileged to be a member of that subcommittee. We acted pretty much in an oversight capacity. However, this year when the gentleman from Louisiana assumed the chairmanship of the House Committee on Armed Services he adopted a new policy.

I should not speak for the gentleman, but I think I know his motivation in formulating that new policy. He felt that no member of the Committee on Armed Services should be privy to information more delicate than any other Member, even the newest freshman is entitled. So

he did not reconstitute the CIA Subcommittee. I admire the gentleman for that, I admire his motivation.

The pending amendment brings up this point: how many is enough to oversee the activities of the Central Intelligence Agency? Is it two, 10, like it was last year, 20, or 435 Members of the House?

I know that every person in this body is an honest and well-intentioned person, but we are all people who deal in words off the cuff.

We are constantly dealing with newspaper people who are doing their job of trying to get information. So I ask you in all sincerity, would it be safe to have too many people in this political arena privy to the sensitive activities of the CIA?

I have confidence in the gentleman from Louisiana, and I have confidence in the gentleman from Illinois. If I did not have, I would introduce a resolution expressing a lack of confidence. I think that is what we ought to do if we feel that way.

Insofar as the mission is being restricted to the gathering of intelligence, I only point out, probably parenthetically, that when you are gathering intelligence in a combat situation you cannot ask a man to be in a combat area and around a combat area unless he is able to adapt himself to the environment which his job places him in.

Mr. LEGGETT. Mr. Chairman, I move to strike the requisite number of words, and I do so just to make this statement:

I know that this amendment will be defeated, but I want to commend the gentleman from New York for his fresh ideas of reviewing some of the functions of the Central Intelligence Agency.

I frankly think that perhaps our committee can do more to really look at exactly what that agency is doing. I think by and large it is a great agency and it should be secret. But as long as it is making the foreign policy of the United States and as long as it is obviously fighting a war for us in Laos and Thailand then it should be under very, very close scrutiny. I would hope the gentleman's amendment at least brings a new awareness of the functions of this agency not only in the countries that I mentioned, but the agency does have a very, very formidable function in Vietnam.

I suppose that CIA function could be handled over a short period of time in total secrecy, but now their war has been going on for some 7, 10, and 15 years—it is all a secret how we got into this war apparently, as it would appear from the Times article the other day. It is all a secret how we are really fighting the war in these various countries. I suspect that we are going to finish it and we really will not know how many wars we have been in or really what has been done. I think we have formidable function to review this agency and I commend the gentleman again for his amendment.

Mrs. GRIFFITHS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to point out that this really is not a new or fresh idea. The gentlewoman from New York Edna Kelly, some 12 years ago introduced a resolution in this body asking for an oversight committee on the CIA. I heard her begging the leadership year after year to place such a committee in effect and she pointed out repeatedly that here was a large organization that was responsible to no one.

I regret that she no longer is a Member of this body. I assure you had her idea been put into effect then, it would have been extremely helpful now.

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

The question was taken; and on a division (demanded by Mr. BADILLO), there were—ayes 46, noes 172.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FRASER

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

The Clerk read as follows:

Amendment offered by Mr. FRASER: Title IV, General Provisions, of H.R. 8687—fiscal year 1972 Defense procurement authorization bill—is amended by adding the following new section:

"Sec. 402. The Secretary of the Treasury shall place in a special account established by him—

"(1) the amount of the funds which may be appropriated under the authority of this Act for the production or deployment, or both, of multiple independently-targetable re-entry vehicles (MIRV's), and

"(2) the amount of all appropriations made before the date of the enactment of this Act for such production or deployment, or both, which remain unexpended or unobligated on the date of the enactment of this Act.

to the extent that the sum of the amounts in clauses (1) and (2) exceed the sum of—

"(3) the cost required to complete the conversion of 16 nuclear-powered submarines to the POSEIDON missile system, and

"(4) the cost of the number of MIRV systems required to equip the launchers for the 16 nuclear-powered submarines referred to in clause (3), and

"(5) the cost of the number of MIRV systems for which appropriations were obligated on the date of the enactment of this Act for equipping Minuteman III missiles.

The funds and prior appropriations required to be placed in the special account under the preceding sentence shall be held in such account and not further obligated or expended until and unless the President reports to Congress that the Strategic Arms Limitations Talks (SALT) have not, and in his best judgment will not, provide an agreement which would enable the United States to cease further deployment of MIRV's and that continued testing and deployment by the Union of Soviet Socialist Republics of additional defensive or offensive strategic nuclear weapons systems require that such funds and prior appropriations be expended by the United States for the purposes for which they were appropriated."

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes in support of his amendment.

Mr. FRASER. Mr. Chairman, this amendment deals with the MIRV program. What is does is to take the money that has not been spent and put it into a special fund to be held until the President decides that we must move ahead with the completion of the MIRV'ing of our submarines and land-based missiles. In other words, Mr. Chairman, this amendment does not cut any funds and it does not reduce the authority of the President to proceed with his programs, provided that sometime hereafter the President decides it is imperative that the United States proceed with the multiple-warhead program.

Mr. Chairman, the MIRV program is a weapons system in search of a rationale. The MIRV program was started some 3 or 4 years ago for one major purpose only, and that was to enable the U.S. offensive forces to penetrate an ABM system to be built by the Soviet Union. The Soviet Union has never built the ABM system for which the MIRV's were designed. The most the Soviet Union ever built was about 64 launchers around Moscow, an inferior ABM system, and then they stopped building it. For 2 or 3 years they have not made any progress They have not gone any further with their ABM.

Yet we have been proceeding with billions of dollars in expenditures for the multiple-warhead program to overcome a defense which does not exist.

Mr. Chairman, the President announced just a few weeks ago that we are going to get an agreement with the Soviet Union to limit ABM systems. It was the expectation of the President that before the year is out we will not have any ABM systems of any size either in the Soviet Union or in the United States.

If the President's prediction proves to be true, then clearly we do not need the multiple-warhead program, and any money spent between now and then will be wasted money, wasted money that could be used for other purposes and needs here in the United States.

I am not proposing to cut out this money but simply to put it into a special account pending completion of the SALT talks, and if they fail, and if it turns out that the Soviets are going ahead with an ABM system or other offensive missiles that would compel us to resume the program, there is nothing that would prevent the President from moving ahead.

Mr. Chairman, I provide that the stoppage of the MIRV program for the submarines stops at the 50-percent level, the halfway mark. So we can put multiple warheads on 16 out of the 31 submarines which were intended to be MIRV'ed under the complete program. When the 16 submarines have the multiple warheads—and this is what my amendment would provide—we will have added 2,300 more separately targetable warheads to the submarine arsenal.

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

Mr. FRASER. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

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

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, I yield to the gentleman from Minnesota (Mr. FRASER).

Mr. FRASER. Mr. Chairman, with the 16 submarines which I provide will be equipped with multiple warheads, and 100 Minutemen having been converted to Minuteman III, we will have added

2,500 new warheads in the past 18 months, which is more warheads than the whole total Soviet arsenal. There is no need to go further. There is no need to add another 3,000 or 4,000 separate warheads at least until we find out what is happening with the SALT talks.

The Armed Services Committee never once in 10 years has halted or slowed down any of the nuclear strategic programs. The only action the Armed Services Committee has ever taken has been to push the strategic arms race ahead, principally by insisting on the development of the B–1 bomber over the opposition of the Secretary of Defense. Never once has the committee questioned a program, "Let us perhaps do it a little differently," or "Let us halt a program we do not need."

I believe the time has come when the Armed Services Committee and the House of Representatives ought to begin to look at what the facts are and to recognize that we are fueling an arms race which threatens to destroy the entire planet.

If we do not exercise some judgment who will? Who will exercise the judgment if we do not begin to look at these facts with some care?

Mr. Chairman, I urge the adoption of this amendment. It does not cut off the funds, but simply puts them in escrow pending determination by the President that in fact those expenditures will be required if the SALT talks fail.

I thank the gentleman for yielding.

Mr. RONCALIO. Mr. Chairman, I am not a strategist or a military man of any learning. The largest unit I can speak for is a rifle company, or possibly an infantry battalion in which I lived for some 4 years of my life.

I know that in our nuclear deterrent we are the strongest Nation in the world, and this the world respects. Our power the world will continue to respect.

Let us now give the world an example of leadership and morality which the world will also respect.

This amendment does not tie the President's hands. This amendment is in support of our spokesmen at the SALT talks. This amendment will give support to the development of the ICBM's we now have, our missile program, and help to make us a strong Nation and help to give us credibility in a world which we so dearly need.

Ladies and gentlemen of the House, I respectfully urge support of this amendment.

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

Mr. Chairman, I rise in opposition to this amendment. The gentleman from Minnesota says that this is to give the President time to decide whether we should go ahead with the MIRV, the multiple warhead missile. The President has already decided that. The Congress has already decided that.

It was not for anti-ABM use. That was not the purpose of the multiple warhead. It was to increase our offensive capability, to send in one missile head a number of explosive missiles which could be directed to different targets. That is what it was for.

The ABM was designed not because of the MIRV but to protect the United States against Soviet intercontinental ballistic missiles of all types, including multiple reentry missiles from one warhead.

The MIRV is designed to offset in the balance of power race, multiple reentry warheads from a single missile with or without multiple warheads. MIRV missiles have already been constructed by the Soviet Union in the past and they are now being constructed by them. That is what the MIRV is for.

I cannot understand this kind of logic where you tie our hands against a weapon which is designed to protect the United States while the adversary is continuing to make those weapons. It is incomprehensible to me.

Mr. FISHER. Will the gentleman yield?

Mr. HOLIFIELD. Yes. I yield to the gentleman from Texas.

Mr. FISHER. The President and the Congress have already decided it is in the national interest and in keeping with the best interests of the national security to proceed with the MIRV program. So, if this amendment were adopted, then the President would be faced with the question of whether to proceed with it or to withdraw from the SALT talks. That is the practical effect, is it not?

Mr. HOLIFIELD. Of course, the gentleman is right. We are talking in SALT, and I am for the SALT talks and I have supported the SALT talks, and we are placing different weapons on the negotiation table and offsetting them against other Soviet weapons. Take away our counters and the other fellow has all of the counters. Then how will you negotiate? I do not know how.

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

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

Mr. ARENDS. Mr. Chairman, I want to commend the gentleman for the fine statement he has just made.

There were many of us who were around in the past when new weapons systems were developed. This brings you back in mind to the time when you heard all of the arguments against the development of the Polaris missile and the Poseidon on the nuclear submarine. These weapons have proved to be over the years the greatest deterrents to war that we have ever had rather than being weapons which would provoke one.

Mr. HOLIFIELD. The gentleman is exactly right. The Poseidon and the nuclear submarines have been the frontline of our defense against any kind of Soviet encroachment and as a part of our security, because they have been hard to find and have been on the job at all times in the different oceans of the world ready to launch an attack on the enemy when the enemy launched an attack on us. That is what they are for. They have never been used in anger and will never be used in anger, but they stand there as the most forceful deterrent against a sneak attack on the United States of any kind of weapons system in the world.

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

Mr. Chairman, I do not suppose there is anything more in the American tradition than to allow a cause or a person to have its or his day in court. That means fair play; that means letting the other fellow have his say, and it means inconvenience and it means patience. I would like for the RECORD to show that one Member—and I am sure many other Members of this body feel the same way—who on frequent occasions in years past and even on this day has not always agreed with the recommendations of the Committee on Armed Services, feels that the RECORD should show admiration and commendation for the chairman of the Committee on Armed Services for the eminently and demonstrably fair fashion in which he has conducted his work in this debate.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. FRASER).

The question was taken; and on a division (demanded by Mr. FRASER) there were ayes 32, noes 146.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. LEGGETT

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

The Clerk read as follows:

Amendment offered by Mr. LEGGETT:

"SEC. 502. No funds authorized by this legislation may be used to procure aircraft missiles, naval vessels, tracked combat vehicles, torpedoes and other weapons to support after January 1, 1972, deployed forces in the European Theater of Operations in excess of 270,000 men: *Provided, however,* That the President shall have the power to except from this limitation on condition that he reports to the Congress fully on the reasons for such exception."

Mr. LEGGETT. Mr. Chairman, this is my last amendment. We have had a lot of very commendable debate here today. This, however, is an important amendment. The Senate debated the NATO force structure for something like 2 or 3 weeks and here we are when we will probably dispose of this amendment in 3 or 4 minutes.

Mr. Chairman, as the Members know, our nonclassified force structure in northern Europe today numbers about 200,000 men in Germany. The 6th Fleet comprises some 50,000 men and the balance of our force is split over perhaps 1,000 bases between Iran, Cairo, Turkey, Morocco, Iceland, and the NATO member countries.

While the United States is interested in reducing tensions around the world and reorienting priorities, it is this Nation that today has the troops in 3,000 locations around the world.

To my knowledge the Soviets, for all their noise and bravado, have not ventured out of Eastern Europe. They have no troops in Japan, the Pacific, and the American Hemisphere, save advisers in Cuba. They have no troops in Indonesia

or Indochina. No advisers have been noted in North Vietnam.

True, they have a few air squadrons in Egypt, and while they have ships in the Mediterranean, their ships are sea locked in the Black Sea and by the closed Suez. The Allies control Malta and Gibraltar and the United States and Britain also have virtual control of the entrances to the English Channel and the North Sea.

As far as the Chinese are concerned I have yet to receive knowledge that they have troops anyplace off the western portions of the Asian Continent.

It is in the American interest that our farflung military empire be contracted.

What I have offered is not a new Mansfield 50-percent amendment, but what I call a Willie Brandt "small step" amendment. The Secretary of State said over the weekend that we would probably negotiate a mutual 10- to 15-percent reduction in NATO-Warsaw forces in the near future. The effect of the pending amendment is to cut through the form of negotiation.

Do not worry about prearrangements with our Allies which appear to be very troublesome and nebulous but lets unilaterally program a 10-percent reduction for January 1 next.

If the Soviet reciprocate their notice of intention we let the cut go through. If not, the President has the authority under the amendment to report to the Congress that this cut is not in the national interest and the amendment is not binding.

The Soviets stated a few weeks ago as follows:

Moscow, March 30.—General Secretary of the Central Committee of the CPSU Leonid Brezhnev, speaking at the party congress in the Kremlin, noted the major tasks of the Party in the field of international relations:

"First:

"To eliminate the hotbeds of war in Southeast Asia and in the Middle East and to promote a political settlement in these areas on the basis of respect for the legitimate rights of states and peoples subjected to aggression.

"To rebuff, firmly, and immediately, all acts of aggression and international lawlessness. For this, full use must also be made of the possibilities of the United Nations.

"Repudiation of the threat or the use of force in settling differences must become a law of international life. For its part, the Soviet Union suggests that the countries which accept this approach conclude appropriate bilateral or regional treaties.

"Second:

"To proceed from the final recognition of the territorial changes that took place in Europe as a result of the Second World War. To bring about a radical turn towards a detente and peace on the continent. To ensure the convocation and success of an all-European conference.

"To do everything to ensure collective security in Europe. We reaffirm the readiness expressed jointly by the member countries of the defensive Warsaw Treaty to simultaneously annul this treaty and that of the North Atlantic Alliance or—as a first step—to dismantle their military organizations.

"Third:

"To conclude treaties banning nuclear, chemical and bacteriological weapons.

"To work for an end to the testing of nuclear weapons, including underground tests, by everyone and everywhere.

"To promote the creation of nuclear-free zones in various parts of the world.

"We stand for the nuclear disarmament of all states in possession of nuclear weapons, and for the convocation for that purpose of a conference of the five nuclear powers—the USSR, the United States, the People's Republic of China, France and Britain.

"Fourth:

"To invigorate the struggle to halt the race in all types of weapons, we favor the convocation of a world conference to consider all aspects of disarmament.

"We stand for the dismantling of foreign military bases. We stand for a reduction of armed forces and armaments in areas where military confrontation is especially dangerous, above all in Central Europe.

"We consider it advisable to work out measures that would reduce the likelihood of accidental or deliberately fabricated armed incidents that could lead to international crises and war.

"The Soviet Union is prepared to negotiate agreements to cut military expenditures, above all by the major powers.

"Fifth:

"The U.N. decisions to end the remnants of colonial rule must be carried out in full. Manifestations of racism and apartheid must be universally condemned and boycotted.

"Sixth:

"The Soviet Union is prepared for mutually advantageous cooperation in every sphere with other interested states. Our country is prepared to work with other states on such common problems as the preservation of the environment, the development of power and other natural resources, the development of transport and communications, the prevention and eradication of the most dangerous and widespread diseases, and the exploration and development of outer space and the world ocean."

Brezhnev emphasized that over the past five-year period the economic potential of the socialist states had grown substantially, the political foundations of socialism had been strengthened, the standard of living of the people had risen.

The report notes "important successes in coordinating the foreign-policy activity of the fraternal parties and states." In recent years the Warsaw Treaty military organization has been further improved. "The armed forces of the allied powers are at a high level of preparedness and are capable of guaranteeing the peaceful endeavors of the fraternal peoples."

Once this is reached, we feel that there could be a consideration of further steps for a military detente in the whole area, in particular, for converting the Mediterranean into a sea of peace and friendly cooperation," Brezhnev said.

The Soviet Union is working for positive results in its negotiations with the United States to limit strategic armaments. "Disarmament talks in general can be productive only," Brezhnev said, "If equal consideration is given to the security interests of all parties concerned, and if no one seeks for unilateral advantages."

In the recent period, the United States administration "has taken a more rigid stance on a number of international issues, including some which have a bearing on the interests of the Soviet Union."

We proceed from the assumption," the General Secretary of the CPSU Central Committee emphasized, "that it is possible to improve relations between the USSR and the United States."

Commenting on the situation in Europe, Leonid Brezhnev said that the convocation of an all-European conference could serve to improve the general situation. He noted that most states now backed this conference. "Preparations for it are moving into the area of practical politics."

The speaker noted that Soviet-French relations has had "important positive consequences for the whole course of European affairs."

"We stand for the further development and deepening of relations between the USSR and France, and regard this as an important element in international security."

"New prospects in Europe are opening up as a result of a substantial shift in our relations with the Federal Republic of Germany," Leonid Brezhnev stated. There is a sharp demarcation of political forces in West Germany over the ratification of the treaties the USSR and Poland have signed with the FRG.

"Delay in ratification would result in a fresh crisis of confidence in the whole of the FRG's policy and would worsen the political climate in Europe and the prospects for easing international tensions."

"As for the Soviet Union, it is prepared to meet the commitments it has undertaken under the Soviet-West German Treaty."

As for West Berlin, Brezhnev said that if the United States, France and Britain proceeded, from respect for the allied agreements on the special status of West Berlin, from respect for the sovereign rights of the German Democratic Republic, the current talks could be successfully concluded.

Alexei N. Kosygin stated as follows on April 6, 1971:

The Soviet Union and the fraternal socialist countries invariably worked for peaceful coexistence between states with different social systems, that we did not regard war as inevitable, and were therefore for economic competition between the two systems. We were against closed trade groupings such as the common market. We advocated comprehensive development of multi-lateral economic ties without any discrimination. That was our principled stand. We were ready for cooperation with every state which showed the desire for such cooperation and adhered to the principles of peaceful coexistence.

Andrei A. Gromyko stated on April 6, 1971:

We have no territorial claims to put to any states of the world and no intentions at all of impairing anyone's lawful rights and interests. But we also demand that our own country be treated in the same fashion.

Anyone really prepared to come to terms with us on matters that call for settlement will always find a serious and responsible partner in the person of the Soviet Union. But all desirous of encroaching upon our interests and security, upon the interests and security of our friends and allies, each time see for themselves that a policy of this order has no future.

I say, let the Soviets put their reductions where their mouth is. Let us take the troop reductions out of politics.

Mendel Rivers, my former chairman, said in this regard last year at Claremont College:

The military programs that we have voted for in the House are, in effect, responses to meet commitments created by the Senate and the Executive Branch.

Yet, I sometimes sit in wonder and listen to Senators refer to me as a field marshall or a kind of super militarist.

I think the Congress will right the order of procedure in the coming years and review our foreign policy commitments and quite possibly reduce them.

In line with this, I expect to see a real effort to reduce our troop strength in Europe. And I personally think it is time to study such reductions, or at least take a hard look at the service personnel needed to support our substantial number of dependents in that area.

I also expect our military manpower to be reduced considerably following the war in Vietnam, possibly even below the level that it was in 1964 before the great buildup for Vietnam began. If you study the Defense

budget, you will find that people are our most expensive product. You can save a lot more Defense money by reducing the number of people than by cutting out a few weapons systems.

It is a great fiction that all of our Defense money goes for big systems like the ABM, the F–15, the Polaris missile, etc. If you look at the Defense budget closely, you will find that we spend more money on people than all of the weapons systems combined. The cost of the Defense budget for personnel, military and civilian, is something over $40 billion a year.

I believe that personnel reductions can be considered in the years ahead, but I do not think we can consider a reduction in our technological capability.

I am not as concerned with the size of our armed forces as I am concerned with keeping our defenses as advanced as we can make them so as to not fall behind those powers which are working intensely to achieve technological superiority over us.

We may reduce our commitments in many areas. We may reduce our forces to meet those commitments. But we simply cannot slow down the forward thrust of our strategic capabilities because the threat they were designed to meet is not going away.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LEGGETT).

The amendment was rejected.

AMENDMENT OFFERED BY MR. HARRINGTON

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

The Clerk read as follows:

Amendment offered by Mr. HARRINGTON: On page 5 strike out line 18 and all that follows thereafter down through page 7, line 4.

Mr. HARRINGTON. Mr. Chairman, and Members of the House, let me in my pursuit of one more lost cause attempt to describe what this is all about.

This is the anomoly of the military procurement bill. It involves $2.5 billion of authorized funds for the support of local and so-called free world forces in southeastern Asia. My objection is not one for the purpose of obliterating the program, but to its being contained in a military procurement bill which in general has as its stress the development of weapons systems, hardware of various kinds, ships, and other materiel for this country's defense.

Frankly, what bothers me, and I hope it might bother those who are still paying attention to what is going on, is that the matter, like almost all other sections of this bill, was heard in secrecy. Let me recite the situation:

The hearing started with the chief witness, the Assistant Secretary of Defense, with six of the 41 members of the Committee on Armed Services present. The chairman and I fenced in efforts to get the hearing opened so that the public and the Members of the Congress who were interested might have a chance, so they will not repeat history in a New York Times version 5 or 10 years from now, to know what we were doing in Laos, Thailand, and Vietnam. The effort was unsuccessful.

And I might note, out of fairness, that by the time the hearing was over where we devoted 2 hours to this $2.5 billion amendment, we had 21 members of the Committee on Armed Services present.

I am not saying this to defend my attendance record. I am just saying it to give you some idea of the degree of the seriousness attached to the question of this kind of program.

Until 1966 all of these funds were in our military assistance program, heard and developed by the Committee on Foreign Affairs in the House. And this is really all I am asking. I am not asking that we strike this money with the expectation that it should stay out, I am asking this so that the Congress does not find itself in the situation that was developed this week, in a study of the Nixon era in the conduct of its southeastern Asian foreign policy, where we are in the position of not knowing what they were doing. What I am suggesting is that we tear aside the veil of secrecy surrounding this process and open it up to debate, turn it over to the Committee on Foreign Affairs where our military assistance for the rest of the world is developed, and in so doing devote more than 2 hours on one obviously "pro" witness to the discussion of this subject, which involves more than 10 percent of this entire appropriation.

At least allow knowledge on the part of the House, if they want that knowledge, to be a part of what they do in deciding whether they are going to allow these funds to be used for the purposes which may involve an expansion rather than a contraction of our presence in other parts of southeastern Asia.

That is really the essence of what I am suggesting.

I hope in making this record, and I realize this is all this is going to be, that we at least let the American people know the degree of attention accorded to the expenditure of $2.5 billion which could commit us in a continuing venture to other parts of southeastern Asia over the next few years.

So my purpose is not to say—do not award the money—do not use it for the purposes stated—but to open this process up and give it to the committee that historically has had it and let us at least have the House begin to participate in a remotely relevant way in the discussion of what our policy is going to be in this area.

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

Mr. Chairman, of course, we all recognize the gentleman's diligence and his great knowledge of the past and of history. But during the gentleman's short time in the Congress, he does not know the history of the switching of the funds to the Committee on Armed Services in 1966.

If the gentleman cares to study the history and illuminate himself on that subject matter, he will find that the late chairman of the committee, Mr. Rivers, insisted upon the Committee on Armed Services having jurisdiction over that money and he succeeded in having that transferred in that area alone to the Committee on Armed Services.

The gentleman from Massachusetts should also recognize the facts of life and the realities of life: That, if the military assistance program was not tied in with the foreign aid program, you would not have had a foreign aid program for the last 15 years. It would have been dead. So he should know this.

However, because there is little time to discuss the merits and demerits, but he is a very intelligent young man and one of the most intelligent young men that I have met since I have been a Member of the Congress, and I am delighted to have the gentleman sitting in front of me in the committee and observe how the committee is run. But the only thing I can say is to ask that this amendment be voted down and I would point out the expression of opinion in our committee, on this amendment, was 36 to 1, and his was the lone vote.

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

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

Mr. HARRINGTON. I appreciate the gentleman yielding—I mean the chairman. I am sorry. I stand corrected as I do often in the Committee on Armed Services.

Mr. HÉBERT. That is how the gentleman learns.

Mr. HARRINGTON. I appreciate the recognition the gentleman has accorded my presence on the committee. I only really wish to say that I am aware of the history which I think I tried fairly to allude to in the course of my discussion—at least that part of it which was heard.

My point really is only this. The historical reason for this change in committees was a full-scale involvement of this country to a greater degree than we presently are now.

We have a program that is questionable, I suppose—questionable as to the end results sought, called Vietnamization, which calls for our departure from Southeast Asia. My only feeling is this—that it may be well to provide some historical reason to restore to the Committee on Foreign Affairs its traditional jurisdiction.

I think it is something more than symbolic and logistical—this whole question of our policy in Southeast Asia. I do not want to be apprised how this all developed in the New York Times or a Louisiana paper or a west coast paper 5 years from now. I just want to make absolutely sure that the Members of this House know that at the time when the matter was determined in the Committee on Armed Services, the number of people present ranged from 6 to 21 and there were 2 hours of debate, and further that the vote to which the gentleman referred as being 36 to 1 was during the markup session when the bill in general was being dealt with. I think the basic distinction is that most of the membership who voted ultimately were not present to hear the discussion nor were opposition witnesses heard. I think the American public should certainly have a right to know and be able to be aware of the nature of this appropriation before we vote for something as substantial and as a far-reaching as this.

Mr. HÉBERT. I can say that there came into being years ago a foreign aid program growing out of the Marshall

plan. That is the time they tied up the military area, and I hope the day will come when that program is in such shape that I can vote against foreign aid.

Mr. SEIBERLING. Mr. Chairman, I rise in support of the amendment, and move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. SEIBERLING. I will not take a minute. I wish to commend the gentleman from Massachusetts (Mr. HARRINGTON) for his courage as well as his insight. I will support this amendment, just as I will oppose the entire authorization bill, because so long as we fail to put a cutoff date on this war, I will not vote for any legislation that will help to continue the war.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. HARRINGTON).

The question was taken; and on a division (demanded by Mr. HARRINGTON) there were—ayes 29, noes 128.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. PEPPER

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

The Clerk read as follows:

Amendment offered by Mr. PEPPER: On page 7, after line 4, insert the following:

"SEC. 402. (a) Subject to the provisions of subsection (c) of this section, no funds authorized under this act may be expended after June 1, 1972, to support the deployment or maintenance of United States Armed Forces in or the conduct of United States military operations in or over Indochina.

"(b) Nothing in this section shall be construed to affect the authority of the President to:

"(1) provide for the safety of American Armed Forces during their withdrawal from Indochina,

"(2) arrange asylum or other means of protection for South Vietnamese, Cambodians, and Laotians who might be physically endangered by the withdrawal of American Armed Forces, or

"(3) to provide assistance to the nations of Indochina, in the amounts approved by the Congress, consistent with the objectives of this section.

"(c) This section shall have no force or effect if North Vietnam and other adversary forces in Indochina holding American prisoners of war or Americans designated as missing in action but held as prisoners of war have not completed the release and repatriation of all such prisoners and missing in action by a date 60 days prior to the date in subsection (a)."

The CHAIRMAN. The gentleman from Florida is recognized in support of his amendment.

Mr. PEPPER. Mr. Chairman and Members of the Committee, I feel a sense of guilt to take the time of the committee so late in the day, but I have waited a long time to have the opportunity to offer my amendment, and I would appreciate your giving me the opportunity now to explain it.

The amendment is the same as the one introduced in the other body yesterday by my distinguished colleague from Florida, Senator CHILES, and received 44 votes as against 52 in opposition.

There are two essential differences between this amendment and the Nedzi-Whalen amendment.

This amendment would prohibit the expenditure of any funds authorized by this act in the Indochina war after June 1, 1972, about a year from now, and 6 months later than the time specified in the Nedzi-Whalen amendment.

In the second place, this amendment specifically provides that this cutoff date shall not be effective if, 60 days prior to June 1, 1972, if this amendment is adopted, the enemy that holds our prisoners has not released and repatriated all those prisoners. This amendment, then, does not contemplate our pulling out, stopping our operations, without the return of our prisoners.

Mr. Chairman, Members will remember that Winston Churchill said one time:

If we open a quarrel with the past and the present we shall find that we have lost the future.

I do not rise here today to recriminate, to condemn, to castigate any President or any party. The past is past. But I raise the question whether this House wishes to continue to be a joint partner in the enterprise of continuing to conduct this war at least beyond June 1, 1972, provided 60 days before that date our prisoners of war have been repatriated.

Mr. Chairman, there is just one thing I should like to emphasize here today, and that is the courts are holding that, by every act we do to provide material and personnel and money for the conduct of this war, we are acting in the constitutional equivalent of voting for a declaration of war.

My first authority for that is Berk against Laird in the U.S. District Court for New York. This is headnote No. 1:

Notwithstanding lack of explicit declaration of war, Congress has authorized hostilities in Vietnam in a manner sufficiently explicit to satisfy constitutional requirements.

Later in this opinion the court quotes the U.S. Supreme Court, which said that when Congress appropriates money in furtherance of an act of the Executive, whether authorized or not, we ratify that Executive action.

I wish to quote one other authority, the Second Circuit Court of Appeals in the case of Orlando against Laird, decided April 20, 1971. I quote from this opinion on page 2490:

As we see it, the test is whether there is any action by the Congress sufficient to authorize or ratify the military activity in question. The evidentiary materials produced at the hearings in the district court clearly disclose that this test is satisfied.

The Congress and the Executive have taken mutual and joint action in the prosecution and support of military operations in Southeast Asia from the beginning of those operations.

Mr. Chairman and Members of the Committee, would we vote this afternoon for a declaration of war to continue these activities of military character in Indochina after June 1, 1972? If we do not prohibit the employment of personnel and materiel—materiel in this case—made available by this bill for Indochina we are, in the eyes of the courts, declaring or voting for a declaration of war there.

Mr. Chairman, I do not believe the Congress wishes to continue the joint enterprise of this tragic war beyond that time. Today is the first day I have voted, as the able Chairman knows, to curtail our fighting this Indochina war. I do hope you will adopt this amendment to place a limit of June 1, 1972, on our participation in this repulsive war if 60 days before that date our prisoners have been returned home.

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

We are again plowing the same ground. This particular amendment was defeated in the other body after a debate of weeks and weeks and weeks, and today we repeatedly defeated amendments with practically the same objective as this one. There is no use discussing it any further. The House expressed its will on several occasions. I urge the defeat of the amendment and ask for a vote.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida.

Today we have heard, time after time, stories of the disillusionment and the torment of our people due to the lingering military presence of these United States in Indochina. It is my feeling that, while we owe the duty and obligation to support the President of the United States, we also owe the duty and obligation to our people to give them a date certain upon which they can fix their hopes and aspirations that we will some day in the near future disengage from that terrible war in Vietnam.

I like the approach taken by my colleague from Florida, because he addresses his amendment to two problems. First the problem of actually fixing a date and conditioning the termination of this war upon the settlement of the prisoners-of-war problem and the problem of our people who are missing in action.

Mr. Chairman, I urge my colleagues in the Congress to support this amendment and to give our people in this country some hope in the near future that this war will terminate.

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

Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Florida, and I would like the RECORD to show that I was a cosponsor of this amendment.

While it may be said that this is old ground, and it has been fought over and over again, and the votes have indicated the desires of this Chamber to the contrary, there are some important differences which my able colleague has pointed out.

I support the amendment and previous amendments to this intent because I believe that present policy as extended is based on an erroneous premise. I support the theory of withdrawal. I support the President in his action to terminate the war. I do not agree, however, that a residual force remaining in Vietnam will do anything to bring the North Vietnamese to negotiate about anything. I do not think the North Vietnamese will negotiate about anything with this country because we are doing everything that they want done at this

point. Therefore, it seems to me, when one examines the extension of the logic of what a residual force will do, that we cannot support the contention that additional lives ought to be lost for that purpose.

I think the time has come to state realistically what it is we are doing and to recognize the fact that the North Vietnamese are not going to give us the right time of day with respect to negotiation.

If that is true—and I believe it is—then I think we ought to vote to get out in terms of a total force and resolve the question of the present policy which is predicated upon the maintenance of a residual force in order to bring about a political settlement of the dispute, which I do not think will come about.

That is the reason why I am supporting this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PEPPER).

TELLER VOTE WITH CLERKS

Mr. PEPPER. Mr. Chairman, I demand tellers.

Tellers were ordered.

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

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. HÉBERT, Mr. PEPPER, Mr. ALEXANDER, and Mr. PRICE of Illinois.

The Committee divided, and the tellers reported that there were—ayes 147, noes 237, not voting 50, as follows:

[Roll No. 145]

[Recorded Teller Vote]

AYES—147

Abourezk	Galifianakis	Pryor, Ark.
Abzug	Gaydos	Pucinski
Adams	Gray	Rangel
Addabbo	Green, Pa.	Rees
Alexander	Gude	Reid, N.Y.
Anderson, Calif.	Hamilton	Reuss
	Harrington	Riegle
Anderson, Tenn.	Harvey	Robison, N.Y.
	Hathaway	Rodino
Aspin	Hechler, W. Va.	Roncalio
Badillo	Hicks, Wash.	Rooney, Pa.
Barrett	Howard	Rosenthal
Begich	Hungate	Rostenkowski
Bennett	Jacobs	Roush
Bergland	Karth	Rousselot
Biaggi	Kastenmeier	Roy
Biester	Koch	Roybal
Bingham	Kyros	Ryan
Blatnik	Landrum	St Germain
Boland	Leggett	Sarbanes
Brademas	Link	Scheuer
Brasco	Long, Md.	Schwengel
Broomfield	McCloskey	Seiberling
Burke, Mass.	McCormack	Smith, Iowa
Burlison, Mo.	McDade	Smith, N.Y.
Burton	McDonald, Mich.	Snyder
Byrne, Pa.		Stanton, J. William
Carney	McKinney	
Celler	Macdonald, Mass.	Stanton, James V.
Chisholm		
Collins, Ill.	Madden	Steele
Collins, Tex.	Matsunaga	Stokes
Conte	Mazzoli	Sullivan
Cotter	Meeds	Symington
Coughlin	Melcher	Taylor
Culver	Mikva	Thompson, N.J.
Daniels, N.J.	Minish	Tiernan
Danielson	Mink	Udall
Denholm	Mitchell	Van Deerlin
Dingell	Monagan	Vanik
Dow	Moorhead	Vigorito
Downing	Mosher	Waldie
Drinan	Murphy, Ill.	Watts
Eckhardt	Natcher	Whalen
Edwards, Calif.	Nedzi	Widnall
Eilberg	Nix	Wolff
Evans, Colo.	Obey	Yates
Fascell	O'Neill	Yatron
Flynt	Pepper	Zwach
Fraser	Perkins	
Fulton, Pa.	Podell	
Fulton, Tenn.	Preyer, N.C.	

NOES—237

Abbitt	Flowers	Myers
Abernethy	Foley	Nelsen
Albert	Ford, Gerald R.	Nichols
Anderson, Ill.	Ford, William D.	O'Konski
Andrews, Ala.		Passman
Andrews, N. Dak.	Forsythe	Patman
	Fountain	Patten
Annunzio	Frelinghuysen	Pettis
Archer	Gallagher	Peyser
Arends	Gettys	Pickle
Ashbrook	Giaimo	Pike
Aspinall	Gonzalez	Pirnie
Baker	Goodling	Poage
Baring	Griffin	Poff
Belcher	Gross	Powell
Bell	Grover	Price, Ill.
Betts	Gubser	Price, Tex.
Bevill	Hagan	Purcell
Blackburn	Haley	Quie
Blanton	Hall	Quillen
Boggs	Hammer-schmidt	Randall
Bolling		Rarick
Bow	Hanley	Reid, Ill.
Bray	Hansen, Idaho	Rhodes
Brinkley	Hansen, Wash.	Roberts
Brooks	Harsha	Robinson, Va.
Brotzman	Hastings	Roe
Brown, Mich.	Hays	Rogers
Brown, Ohio	Hébert	Rooney, N.Y.
Broyhill, N.C.	Henderson	Ruth
Broyhill, Va.	Hicks, Mass.	Sandman
Buchanan	Hillis	Satterfield
Burke, Fla.	Hogan	Saylor
Burleson, Tex.	Holifield	Scherle
Byrnes, Wis.	Horton	Schmitz
Byron	Hosmer	Schneebeli
Cabell	Hull	Scott
Caffery	Hunt	Sebelius
Camp	Hutchinson	Shipley
Carter	Jarman	Shriver
Casey, Tex.	Johnson, Calif.	Sisk
Cederberg	Johnson, Pa.	Skubitz
Chamberlain	Jonas	Slack
Chappell	Jones, Ala.	Smith, Calif.
Clancy	Jones, N.C.	Spence
Clark	Jones, Tenn.	Springer
Clausen, Don H.	Kazen	Stafford
	Keating	Staggers
Clawson, Del	Kee	Steed
Cleveland	Keith	Steiger, Ariz.
Collier	Kemp	Steiger, Wis.
Colmer	King	Stephens
Conable	Kluczynski	Stratton
Conyers	Kuykendall	Stubblefield
Crane	Kyl	Talcott
Daniel, Va.	Landgrebe	Teague, Calif.
Davis, Ga.	Latta	Thompson, Ga.
Davis, S.C.	Lennon	Thomson, Wis.
Davis, Wis.	Lent	Thone
de la Garza	Lloyd	Ullman
Delaney	Lujan	Waggonner
Dellenback	McClory	Wampler
Dellums	McClure	Ware
Dennis	McCollister	Whalley
Derwinski	McFall	White
Devine	McKay	Whitehurst
Dickinson	McKevitt	Whitten
Dorn	Mahon	Wiggins
Dulski	Mailliard	Williams
Duncan	Mann	Wilson, Bob
du Pont	Martin	Winn
Dwyer	Mathis, Ga.	Wright
Edmondson	Mayne	Wydler
Edwards, Ala.	Miller, Calif.	Wylie
Erlenborn	Miller, Ohio	Wyman
Eshleman	Mills, Md.	Young, Fla.
Evins, Tenn.	Minshall	Young, Tex.
Findley	Mizell	Zablocki
Fish	Mollohan	Zion
Fisher	Montgomery	
Flood	Morgan	

NOT VOTING—50

Ashley	Green, Oreg.	Moss
Carey, N.Y.	Griffiths	Murphy, N.Y.
Clay	Halpern	O'Hara
Corman	Hanna	Pelly
Dent	Hawkins	Railsback
Diggs	Heckler, Mass.	Runnels
Donohue	Helstoski	Ruppe
Dowdy	Ichord	Shoup
Edwards, La.	Long, La.	Sikes
Esch	McCulloch	Stuckey
Frenzel	McEwen	Teague, Tex.
Frey	McMillan	Terry
Fuqua	Mathias, Calif.	Vander Jagt
Garmatz	Metcalfe	Veysey
Gibbons	Michel	Wilson, Charles H.
Goldwater	Mills, Ark.	
Grasso	Morse	Wyatt

So the amendment was rejected.

Mr. DOWNING. Mr. Chairman, I ask unanimous consent to change my vote from "no" to "aye."

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

There was no objection.

AMENDMENT OFFERED BY MR. RANGEL

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

The Clerk read as follows:

Amendment offered by Mr. RANGEL: Page 7, line 4, strike out the period and insert the following: ": *Provided further*, That none of the funds authorized to be made available under the first sentence of this paragraph to support the purposes stated in clause (A) or (B) of such first sentence may be so used in any manner or to any extent with respect to Vietnamese, Laotian, or Thai forces, as the case may be, if the President determines that the government of South Vietnam, Laos, or Thailand, respectively, has failed to take appropriate steps to prevent narcotic drugs (as defined in section 101(16) of the Controlled Substances Act) produced or processed, in whole or in part, in such country from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken appropriate steps to carry out the purpose of this proviso. In implementing the provisions of this proviso, the President is authorized to utilize such agencies and facilities of the Federal Government as he may deem appropriate to assist foreign countries in their efforts to prevent the unlawful entry of narcotic drugs into the United States. The President shall keep the Congress fully and currently informed with respect to any action taken by him under this proviso. Nothing contained in this paragraph or any other provision of law shall be construed to authorize the President to waive the provisions of this proviso."

Mr. HÉBERT. Mr. Chairman, I make a point of order against the proposed language as not germane to the bill. It refers to a subject not included in the bill, the matter of narcotic drugs, which is under the jurisdiction of another committee.

The CHAIRMAN. Does the gentleman from New York wish to be heard?

Mr. RANGEL. Mr. Chairman, may I ask the distinguished chairman of the committee to allow me to explain the amendment and to reserve his point of order?

Mr. HÉBERT. I will reserve the point of order.

Mr. RANGEL. That is certainly appreciated. I thank the gentleman.

The CHAIRMAN. The gentleman from Louisiana reserves the point of order.

The gentleman from New York is recognized for 5 minutes.

Mr. RANGEL. Mr. Chairman, I am certain that all of you are just as concerned as I am about the massive narcotics epidemic which has swept our country, eaten up the inner cities, and is now rolling into the suburban areas.

As Americans, we find ourselves not only being concerned about the danger narcotics poses to our children, but now also about the danger it poses to our fighting men who are putting their lives on the line in Vietnam.

The Bureau of Narcotics and Dangerous Drugs has reported that huge amounts of opium are grown and processed in the Far East and that much of it is beginning to be smuggled into the United States.

We have been fortunate enough in our august body to have Congressman MURPHY and Congressman STEELE visit

the very nations that we are asked today to continue to give military and political support. They have been able to confirm that not only are several high officials of those countries involved in the trafficking of drugs but also that these governments and their high officials are using the very same equipment that we give them to preserve democracy to transport these drugs from area to area. Americans all over are demanding a response from the Congress of the United States, and the President himself today in a message to Congress called for an all-out offensive.

I believe that this amendment is germane because while most of the military aid bills that come before the House originate from the Committee on Foreign Affairs—which has jurisdiction over our State Department MAP program—nevertheless as the distinguished chairman pointed out earlier, all of the military assistance that goes to the countries that are listed in today's bill comes from the Armed Services Committee. We are asked today to vote on a bill, a section of which places a ceiling of $2.5 billion for military aid to the very nations that are cutting out the vitals of our youth in the United States and our fighting men abroad.

I say that if my amendment to this section of the bill is not germane, then this section itself is not germane.

All I ask in my amendment today is that we give the President the power to review whether these foreign governments are cooperating in curbing the production and trafficking of opium in their countries, and also that we give the President leverage to act against these nations if he believes they are not cooperating with us.

I cannot see how this is not germane, but I certainly will yield to the distinguished chairman of the Armed Services Committee.

Mr. MURPHY of Illinois. Mr. Chairman, I rise in support of the amendment of my colleague from New York (Mr. RANGEL).

As my colleagues in the House know, the President has stated that present efforts and procedures to control drug abuse are not sufficient in themselves. The problem has assumed the dimensions of a national and world emergency and that he intends to take every step necessary to deal with this emergency; including asking the Congress for a budget amendment requesting an additional $155 million to carry out these steps. The President has also called for a coordinated Federal response. I can think of no other more effective weapon or special leverage than the Rangel amendment to give the President of these United States; especially in Southeast Asia. It would allow the President to see that the Vietnamese, Laos, and Thai forces begin clearing up the narcotics corruption among officials; therefore, I urge my colleagues to support the Rangel amendment.

Mr. HÉBERT. Mr. Chairman, I insist on my point of order that the legislation is not germane, that it refers to a subject matter not in the bill, and that it comes under the jurisdiction of another committee.

The CHAIRMAN. Does the gentleman from New York care to speak to the point of order?

Mr. RANGEL. I am here, Mr. Chairman, to learn.

It seems to me section 401 provides a ceiling on the amounts of money we can provide to the nations named in this bill. Mr. Chairman, is that correct?

Mr. HÉBERT. I believe the gentleman should address himself to the Chair.

Mr. RANGEL. I was only asking for an interpretation of the bill which came out of your committee.

Mr. HÉBERT. My interpretation of the bill which came out of the committee is that this type of language is not germane to the bill. It refers to drugs, which were not included in the committee bill. This is not under the jurisdiction of the committee. It is under the jurisdiction of another committee.

Mr. RANGEL. On the question of whether or not this is germane, I suspect I will have to learn a lot in terms of becoming a parliamentarian and a good Congressman. If I correctly heard earlier one of the questions raised in connection with an amendment to the bill, the chairman responded and indicated that in 1966 these countries—Laos, Thailand, and Vietnam—were transferred from the Department of State to the Department of Defense, and the jurisdiction remains in this committee.

It just seems to me, Mr. Chairman, if we are prepared under the jurisdiction of your committee to give $2.5 billion to nations we know are trafficking in drugs, we may never have an opportunity, notwithstanding that this information has been gathered by the CIA, which has informed the Federal Bureau of Narcotics and Dangerous Drugs, and our two colleagues say they are offending us.

We are now asked to vote to give them $2.5 billion.

Mr. HÉBERT. I support the gentleman's objective, before the proper committee, but this is not the time or the place.

The CHAIRMAN. The Chair is ready to rule on the point of order made by the gentleman from Louisiana.

Mr. RANGEL. A point of information, Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule on the point of order raised by the gentleman from Louisiana.

Mr. RANGEL. I was just asking, before what committee would it be germane?

The CHAIRMAN (Mr. ROSTENKOWSKI). The amendment offered by the gentleman from New York provides that none of the military assistance funds authorized to be made available by this act for South Vietnamese, Laotian, or Thailand forces shall be used if the President determines that the respective governments have failed to take appropriate steps to prevent narcotic drugs produced or processed in such countries from entering the United States unlawfully.

The President is authorized to utilize other agencies and facilities of the U.S. Government to assist foreign governments in their efforts to accomplish this end.

The subject of narcotic drugs is not elsewhere introduced in the pending bill, and the Chair notes that the amendment would bring into contemplation agencies and departments of the Government other than those involved in the normal administration of the funds authorized by this bill. It would give the President authority and responsibilities which he does not have under existing law.

The Chair has examined a precedent of the 90th Congress, rendered when an amendment was offered to the foreign assistance authorization bill for fiscal 1967. That amendment provided that assistance to certain nations should be curtailed until the President determined and reported to the Congress that those countries have established tax reform measures.

The Chairman of the Committee of the Whole on that occasion, Mr. PRICE of Illinois, ruled that the amendment was not germane. CONGRESSIONAL RECORD, volume 113, part 18, page 23977.

The Chair holds that the amendment introduces agencies and concepts not appearing otherwise in the pending bill, rendering the amendment not germane. The Chair, therefore, sustains the point of order raised by the gentleman from Louisiana.

Mr. VANIK. Mr. Chairman, today, during the debate on H.R. 8687, the fiscal year 1972 Military Procurement and Research and Development Authorization Act, we will be called to pass on a number of important amendments to this $21.8 billion bill.

This is always a difficult bill for Members who are not on the Armed Services Committee to vote on. Our goal is to provide America with the strength, with the defense hardware necessary so as to provide a deterrent which will prevent the Armageddon of a third world war. It is also our goal, as representatives of of the American taxpayer, to provide this defense with a minimum of waste, a minimum of padding and budget fat.

In the past, there has been a tendency to accept the word of the committee on faith. Forunately, we are now beginning to see some real debate on the multi-billion dollar issues involved in these defense bills. A number of members of the committee have developed a great deal of expertise in military affairs and have been able to accurately question some of the assumptions in the bill and to offer sound alternatives and amendments for the consideration of the whole House. Witnesses are appearing before the committee, who are not connected with the Department of Defense which we are supposed to be overseeing. These witnesses, such as Dr. Jeremy J. Stone, director of the Federation of American Scientists, have been able to provide expert independent testimony on some of the items in this authorization bill.

At a time when the world's two superpowers have a destructive capability equal to approximately 15 tons of TNT for every man, woman, and child on this planet, at a time when the United States is estimated to have the capacity to de-

stroy the Soviet Union 10 times over, it is time that the Congress begin to assert some controls over what has been in the past an uncontrolled military expenditure.

As Secretary of Defense Laird has said:

Since studies within the NSC (National Security Council) and the Department of Defense focus on requirements, there is a built-in tendency to request more resources than are available. . . . We cannot and should not expect the Department of Defense or the NSC to decide on the final allocation of resources between Defense and non-Defense activities. The President and ultimately the Congress must make these decisions.

Therefore, in general, I intend to support a series of amendments to this bill by members of the Armed Services Committee, which will have the effect of tightening up the defense budget and ending our involvement in the longest war of our history.

I will support the amendment by the gentlemen from Michigan (Mr. NEDZI) and Ohio (Mr. WHALEN) which would prohibit the expenditure of new funds, after January 1, 1972, to support U.S. military deployment or military operations in or over South Vietnam, North Vietnam, Cambodia, or Laos. For years, while 50,000 Americans died in Indochina, we have been preparing the South Vietnamese to defend themselves. This amendment will force that Government to make the necessary reforms and effort to stand on its own two feet. Our complete withdrawal, while ending the dislocation of our domestic economy and the dissent which has torn the very fiber of our country, will not appreciably affect the fighting strength of the South Vietnamese, since the administration has already indicated the end of our active field operations by this fall. The amendment will not weaken our negotiating position in Paris. Indeed, it should provide a breakthrough in those talks by placing the burden of reciprocal action on the North Vietnamese. The end of our involvement in that war is the only possible way that our prisoners of war will be returned to us. Only after the French withdrew from Vietnam were their prisoners released.

The amendment is worded so that if the President determines that the limitation will not permit a safe withdrawal of our men and the return of our POW's by the end of this year, he may delay the date of termination. This amendment does not prohibit the continuation of military and economic assistance to Vietnam, Laos, or Cambodia. These nations will still be able to receive material necessary to maintain operations for their self-determination.

I supported the amendment offered by the gentleman from California (Mr. LEGGETT) to provide a modest 10 percent reduction in our troop strength in Europe—unless the President reports to Congress on reasons why this cannot be done. A 10 percent reduction in our 300,000 men in Europe—with their quarter of a million dependents—will not appreciably effect our fighting strength, while it will provide an American diplomatic initiative for achieving a general reduction in troop strength in Europe by both the Warsaw Pact and NATO. The Soviet Union has recently indicated its willingness to discuss troop reductions throughout Europe. We must welcome this development and take action to move it from the realm of discussion to the field of action. A minor troop reduction will place the burden on the Soviets to reciprocate.

I might add the Armed Services Committee's concern over the inordinate burden of NATO defense upon the United States is a welcome concern. As the committee pointed out in its report, the defense of Europe is costing us some $14 billion anually. I would like to enter into the RECORD a table prepared by the committee which shows the percentage of each NATO member's GNP devoted to defense.

DEFENSE EXPENDITURES—NATO COUNTRIES

Country	Military budget	Percent of gross national product
Belgium	$721,538,000	3.0
Canada	1,676,000,000	2.0
Denmark	365,187,000	2.5
France	4,899,000,000	3.6
Western Germany	5,990,928,000	3.2
Greece	471,000,000	5.5
Iceland	(1)	
Italy	2,650,841,600	3.0
Luxembourg	8,592,000	1.0
Netherlands	1,113,304,000	3.6
Norway	369,400,000	3.7
Portugal	367,117,000	6.5
Turkey	429,992,363	3.8
United Kingdom	5,471,959,200	5.0

[1] None.

At the present time our GNP devoted to defense is estimated at between 7.4 percent to 6.8 percent. In no case do any of the other NATO members spend as much on national security as we do. In most cases it is less than half our level of effort. At a time when the dollar is under heavy pressure throughout the world, particularly in Europe, we should ask our NATO partners to assume a large burden of the defense of Europe.

I also supported the amendment which sought to limit the authorization in the bill for procurement, research and development to the total authorized for these programs last fiscal year. Within this spending ceiling the Department of Defense would have been free to allocate funds to the projects it considered most important.

This amendment would have permitted an increase in these areas over last year's actual expenditures. This is true, because, while we authorized $19.9 billion last year, we appropriated only $18.6 billion. The amendment would have allowed a full appropriation within the authorization ceiling, which would more than make up for the decrease in purchasing power due to inflation.

This amendment was important for several reasons. For some time we expected that there would be a "peace dividend" once our involvement in Vietnam was wound down and terminated. Yet that peace dividend, so important for meeting the pressing domestic needs of the country, is being absorbed by new military hardware. And much of that hardware is of a very questionable strategic and technical worth.

It is my hope that a spending ceiling can eliminate some of the more questionable programs. But I will also support specific efforts to eliminate funding for the more questionable weapons systems.

As an example of the type of weapons system which is totally dispensible, I would like to discuss some of the features of the B–1 manned bomber program. This weapon system, designed to replace or supplement the F–111 and B–52 fleets, is conservatively estimated to cost $25 billion. It is probable that this figure is very low. Some estimates on the cost of developing a new manned bomber in this age of missiles place the figure at between $50 and $75 billion.

Do we need a new manned power? Is it a good weapons system? The bipartisan group, Members of Congress for Peace Through Law, have issued a report on the B–1 which concludes that the bomber is a virtually useless weapons system that will cost an enormous amount of money to develop. The report points out that—

The advanced capabilities of ballistics missiles, both land and sea based, raise real doubts about whether a manned bomber force will be either necessary or useful in the 1980's and beyond. Each of the several nuclear mission profiles assigned to the B–1 is open to serious question in light of one simple fact—that while the aircraft is taking four hours to fly 6,000 miles, there could be eight successive nuclear missile salvos, four on each side and each answering the one before.

In addition to the question of obsolescence, in an age of missiles, there is the question of whether we need this system in addition to our hardened land-missile system, and a mobile and nearly indestructible Polaris and Poseidon system. Further, the manned aircraft is one of the easier systems to defend against. There is a real question as to whether the planes would be able to get through to their targets. As the report of members of Congress for Peace Through Law notes—

[The B–70 aircraft was developed because we saw that the Soviet Union could deploy defenses for which the B–52 was considered to be too slow. After we initiated work on the B–70, however, they deployed large numbers of high altitude SA–2 bomber interceptor missiles with nuclear warheads. Since detection of high flying aircraft is no longer a serious problem, it appeared that the B–70 would be performing in a hostile environment indeed. As it turned out, in fact, our 225 B–52 G's and H's have been superior to the B–70, because they have been built to penetrate at low altitudes, thereby avoiding detection and interception.

But the SA–2 is far from the last word in air defenses. If such work has not already been initiated, the Soviet Union can take their cue from bomber defenses which are already in the advanced planning stages in the United States, centered around AWACS, or the airborne warning and control system, designed to detect low-flying aircraft like the B–1].

It is entirely reasonable to expect that when the B–1 enters the force in the late 1970's, a new defense capable of nullifying it will arrive at about the same time.

Since it now seems clear that the life of the B–52 can be extended through modification and that that plane can be made more effective through the instal-

lation of "standoff" missiles, there is simply no reason to invest billions in a plane which has a questionable mission and a questionable ability to perform.

The bill before us contains a number of weapons systems whose usefulness is at least as questionable as the B–1. For this reason, I have supported amendments to cut the authorization level in the hope that a number of these projects can be deferred or canceled. I believe that we can get a better defense through a sounder use of the taxpayer's money.

Mr. BRINKLEY. Mr. Chairman, if the question were asked of the American people, "What is the work horse of the Army?" the overwhelming response would almost certainly be, "the helicopter." Because today Vietnam has made that fact plain. Equally clear is the fact that our Army without superior air mobility would lose its technical advantage to any major adversary.

This is why the Cheyenne helicopter is so important to the modern day Army and the role it must be equipped to play at home and abroad. The Cheyenne incorporates the power of a fullback with the quickness of a scatback; the punch of a heavyweight with the mobility of a lightweight; the dexterity of a purple martin with the sting of a red wasp. Ask anyone who has flown it. He will tell you. The Cheyenne is a truly amazing machine.

I flew the rigid rotor predecessor to the Cheyenne in 1967 at Baileys Crossroads. My exhilaration in its performance on that day matches my present enthusiasm and absolute advocacy for the procurement of the Cheyenne.

Along Shirley Highway we swooped upon an imaginary tank and pulled out with breathtaking dispatch. Its effortless ease of mobility, of ascending and descending, its acceleration and deceleration gave it unsurpassed maneuverability.

How valuable is this tool? Is its prices tag justified? My answer to the latter question is yes. To the former question, the essentiality of this weapon is vouched for by the Army's chief aviators and planners. I have full confidence in their judgment as well as utmost confidence in this splendid vehicle.

I trust that in the final version of this bill there will be authorization for $13.2 million for the Cheyenne.

Mr. ANDERSON of California. Mr. Chairman, I have read your Subcommittee on Sea Power's report on the "Status of Shipyards," and I want to commend you and other members of the committee for conducting hearings in this area, and for focusing attention on the conditions in our Nation's shipyards.

The Military Procurement bill, before us now, authorizes $3.3 billion for the construction and conversion of naval vessels.

It is my hope, Mr. Chairman, that the Department of Defense will follow the recommendations of your subcommittee, that—

The procurement should be spread among yards after a thorough examination of all problems related to the construction of the particular type ship.

Mr. ZWACH. Mr. Chairman, we have been debating this Military Procurement authorization bill for 3 days, and many of us have unsuccessfully tried to bring the funding level down. Now we are about to vote on the requested authorization which is $3.3 billion more than last year's appropriation. With the large reductions in our military force and with the closing of bases throughout the world, we should be in the position to make substantial cuts this year. Instead, we have large increases which I cannot support.

I am also very dismayed that all of our NATO Allies spend a much smaller share of their gross national product for defense than does our country. This is a gross injustice to the already harassed American taxpayer.

Our country is asked to spend 7.4 percent of its gross production for defense. Compare that to 3 percent for Belgium; 2 percent for our neighbor, Canada; 2.5 percent for Denmark; 3.6 for France; 3.2 percent for West Germany; 3 percent for Italy; 3.6 percent for the Netherlands; and 5 percent for Great Britain. I cannot agree to putting the additional costs of defending our NATO partners on the backs of our people.

Mr. Chairman, for these reasons. I am compelled to vote against this legislation.

Mr. RANDALL. Mr. Chairman, I support H.R. 8687 on final passage as amended in Committee of the Whole.

Before commenting on its provision, I wish to compliment our new chairman of the House Armed Services Committee who managed the bill on the floor. It was most refreshing and encouraging to Members that in no single instance did he move to limit or restrict debate at any point during the discussion of the bill. He made such a promise when we commenced the bill and he kept his promise. Moreover, during all committee consideration of the bill, all Members will agree he conducted the hearings fairly. Members were not recognized on the basis of their seniority but rather in the order of their arrival in the committee room. Regardless of seniority, everyone on the committee had an opportunity to be heard. The record will show that nearly every member of the committee made some contribution to this procurement bill. Members were diligent in their attendance, probing in their questions, and exercised independence in their judgment.

I support H.R. 8687, not because I am a member of the committee but because it is necessary to our basic defense needs. The fundamental purpose of this bill is to provide for the future security of the United States. It is not for financing involvement in Vietnam. We must never lose sight of the fact in this bill we are talking about deterrents against aggression of the United States itself. And, moreover, we are talking about deterrence against aggression in the future, meaning in the late 1970's and 1980's.

Repeating, what this bill is all about is future preparedness of our country and America's ability to defend itself as much as a decade from now. The assistance provided for in this bill will start us on the path for an adequate national defense many years from now. I refer to such weapons as the Safeguard system, the B–1, SAM–D, the ULMS, AWACS, the F–15 and others.

Your committee has worked diligently to make significant reductions under the budget request. We cut $60 million from the Army's main battle tank. We eliminated $24.4 million from the Navy's request for transport aircraft for fleet logistic support—$13 million was deleted from the Cheyenne helicopter program, $12 million from the Navy's torpedo authorization. The largest single item of deletion was $860,000,000 for procurement of F–14 aircraft for the Navy. This was made without prejudice against the ultimate decision to go ahead with the aircraft. The authorization may be restored if the Navy can produce a strong justification for the aircraft.

Of course, there were some additions, particularly for the F–111 which is our only interim bomber and our only present capability until the B–1 comes into inventory. Repeating, the F–111 is all we have between the expiration of our aging B–52's and our new B–1 which is many years down the road.

We all realize that defense is expensive. But we should all recognize that a desirable defensive system if it is of any value must be ready by the time a threat becomes a reality. There is quite a substantial difference between a potential but nonexistent threat, and a visibly developing threat. That is why it is so very important to keep in mind the factor of long leadtime in any complicated weapons system. You can stop the development of a weapon system any time. But if you find you need it and do not have it, there is no way to buy the time that is lost.

Because of the unpopularity of the Vietnam involvement there is a tendency of many today toward becoming antimilitary. That is due to our involvement in the most uncertain war in our history which has been a terrible experience for all of us. This has led to confusion in the minds of our people, between our involvement in this particular war and our basic defense needs.

It would be easy to vote against defense programs. It would be the popular thing to do because public opinion is running high against all things having any relationship to the military. One could score some points with his constituents by voting against this bill. A vote for this bill will not only take hard judgment but also some courage when the time comes to have to explain the exercise of that judgment to the people. In other words, it may take guts to vote for this bill while an unpopular war is fresh in the minds of our people. But it is my conviction that providing for our national security rather than yielding to current changes of public opinion is the right decision.

Overall, H.R. 8687 deserves the support of every Member of the House. As we come to the end of debate, I clearly recall the thoughts of our late chairman of the Committee on Armed Services, who expressed about the same thought on

defense posture and national security as our former Speaker, John McCormack. Both said in different words that, if ever a Member errs in his judgment, let us hope it will always be in favor of a strong defense posture. Put differently, what both of these distinguished gentlemen who are no longer with us meant is that it is much wiser to maintain a strong defense posture with weapon systems that are ready when we need them than to find we need them and not have them.

Mr. LINK. Mr. Chairman, I am voting nay on H.R. 8687, the Military Procurement bill. I do so after the failure of amendments by which Congress would have taken a positive position in directing withdrawal from the Indochina war.

I vote nay, because it is time for Congress to assert its voice in the conduct of the foreign and military policy of the United States. Since the Constitution authorizes Congress to declare war and to raise funds to carry out foreign and military policy, I believe this authority should be exercised in considering the military procurement bill. My thinking in this regard was fortified by the recent revelations about how the executive branch made decisions that led us into the Vietnam conflict.

We who supported a time certain to withdraw from Vietnam were told that doing so constituted a vote of no confidence in the President. I submit that positive congressional action toward this end undergirds the President's stated policy of withdrawal. I will continue to support the President's every effort to achieve this objective.

My concern about the President's position is his intention to maintain a residual U.S. force in Indochina, I think it is time for a clean break, and I believe the vast majority of the American people agree. Since all amendments expressing this point of view failed, I cannot, in good conscience, support H.R. 8687, which helps fund the Indochina war. We can no longer allow inconsistency and compromise to cloud our effort to end our involvement in that war.

I vote this way for the additional reason that I am persuaded by evidence presented during debate that the funds requested are in excess of adequate needs. Moreover, some of the money requested is for military equipment of questionable performance.

As we wind down the Indochina war, it seems implausible that the 1972 fund request should be $1.9 billion more than last year. With the welcome news from the White House that progress is being made at the Strategic Arms Control Treaty talks, the least we can do to underwrite our good intentions is not to increase military authorizations.

Even with an arms limitation treaty, we must maintain a strong, credible national defense. We cannot have that kind of defense by dissipating our efforts over the greater part of the globe and neglecting urgent domestic problems.

Congress must assert its rightful role in applying more reasonable criteria to our national defense requirements in full realization that a strong domestic economic and social structure is an integral part of national security.

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

Mr. Chairman, I shall not detain the House any longer—it is quite late—but I certainly would consider myself remiss if I did not take a few moments at this time to extend to you personally and on behalf of the Committee on Armed Services appreciation for the splendid manner, judgment, and patience which you have used in the chair during the last three trying days.

Mr. Chairman, I have not finished. I certainly want to express my very deep personal appreciation to LES ARENDS, the ranking minority member of the committee, and all members on the minority side as well as those on the majority side.

Ladies and gentlemen, I have been in this Congress for 31 years, and I do not think I have ever seen a bill conducted with such harmony and good spirits and good grace as we have this bill. It has been a pleasure, and certainly the committee and the staff are appreciative. The staff, consisting of Mr. Blandford, Mr. Slatinshek, Mr. Shumate, Mr. Ford, Mr. Cook, Mr. Morgan, Mr. Norris, Mr. Reddan, and every one of them right on down the line, have made it possible for us to come to the floor with the intelligence which we demonstrated and which you think we might have but which we certainly would not have without their arrangement of the music.

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

Mr. HÉBERT. I am glad to yield to my friend.

Mr. ARENDS. As my good friend, Dewey Short, used to say, "Mr. Chairman, it is a pleasure to do business with you."

Mr. HÉBERT. I thank the gentleman and congratulate all of the gentlemen on your patience for waiting so long. I tried my best to get you out of here as soon as possible.

The CHAIRMAN. Under the rule, the Committee rises.

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, pursuant to House Resolution 470, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. O'KONSKI

Mr. O'KONSKI. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. O'KONSKI. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. O'KONSKI moves to recommit the bill H.R. 8687 to the Committee on Armed Services.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. HÉBERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 332, nays 58, answered "present" 1, not voting 42, as follows:

[Roll No. 146]

YEAS—332

Abbitt	Cederberg	Gettys
Abernethy	Celler	Giaimo
Adams	Chamberlain	Goldwater
Addabbo	Chappell	Gonzalez
Alexander	Clancy	Goodling
Anderson, Calif.	Clark	Gray
	Clausen, Don H.	Griffin
Anderson, Ill.	Clawson, Del	Gross
Anderson, Tenn.	Cleveland	Grover
Andrews, Ala.	Collier	Gubser
Andrews, N. Dak.	Collins, Tex.	Hagan
Annunzio	Colmer	Haley
Archer	Conable	Hall
Arends	Conte	Hamilton
Ashbrook	Cotter	Hammer-schmidt
Ashley	Coughlin	Hanley
Aspin	Crane	Hansen, Idaho
Aspinall	Culver	Hansen, Wash.
Baker	Daniel, Va.	Harsha
Baring	Daniels, N.J.	Harvey
Begich	Danielson	Hastings
Belcher	Davis, Ga.	Hathaway
Bell	Davis, S.C.	Hays
Bennett	Davis, Wis.	Hébert
Bergland	de la Garza	Henderson
Betts	Delaney	Hicks, Mass.
Bevill	Dennis	Hicks, Wash.
Biaggi	Derwinski	Hillis
Biester	Devine	Hogan
Blackburn	Dickinson	Holifield
Blanton	Dingell	Horton
Blatnik	Dorn	Hosmer
Boggs	Downing	Howard
Boland	Dulski	Hull
Bow	Duncan	Hungate
Brademas	du Pont	Hunt
Bray	Dwyer	Hutchinson
Brinkley	Edmondson	Ichord
Brooks	Edwards, Ala.	Jacobs
Broomfield	Eshleman	Jarman
Brotzman	Evans, Colo.	Johnson, Calif.
Brown, Mich.	Evins, Tenn.	Johnson, Pa.
Brown, Ohio	Fascell	Jonas
Broyhill, N.C.	Findley	Jones, Ala.
Buchanan	Fish	Jones, N.C.
Burke, Fla.	Fisher	Jones, Tenn.
Burke, Mass.	Flood	Karth
Burleson, Tex.	Flowers	Kazen
Burlison, Mo.	Flynt	Keating
Byrne, Pa.	Foley	Kee
Byrnes, Wis.	Ford, Gerald R.	Keith
Byron	Fountain	Kemp
Cabell	Frelinghuysen	King
Caffery	Fulton, Pa.	Kluczynski
Camp	Fulton, Tenn.	Kuykendall
Carney	Galifianakis	Kyl
Carter	Gallagher	Kyros
Casey, Tex.	Garmatz	Landgrebe
	Gaydos	Landrum

Latta	Patten	Snyder
Leggett	Pepper	Spence
Lennon	Perkins	Springer
Lent	Pettis	Stafford
Lloyd	Peyser	Staggers
Long, Md.	Pickle	Stanton,
Lujan	Pirnie	J. William
McClory	Poage	Stanton,
McCloskey	Poff	James V.
McClure	Powell	Steed
McCollister	Preyer, N.C.	Steele
McCormack	Price, Ill.	Steiger, Ariz.
McDade	Price, Tex.	Steiger, Wis.
McDonald,	Pryor, Ark.	Stephens
Mich.	Pucinski	Stratton
McFall	Purcell	Stubblefield
McKay	Quie	Sullivan
McKevitt	Quillen	Symington
McKinney	Randall	Talcott
McMillan	Rarick	Taylor
Macdonald,	Reid, Ill.	Teague, Calif.
Mass.	Rhodes	Teague, Tex.
Madden	Roberts	Thompson, Ga.
Mahon	Robinson, Va.	Thomson, Wis.
Mailliard	Robison, N.Y.	Thone
Mann	Rodino	Tiernan
Martin	Roe	Udall
Mathis, Ga.	Rogers	Ullman
Matsunaga	Rooney, N.Y.	Van Deerlin
Mayne	Rooney, Pa.	Vigorito
Mazzoli	Rostenkowski	Waggonner
Meeds	Roush	Wampler
Melcher	Rousselot	Ware
Miller, Calif.	Roy	Watts
Miller, Ohio	Ruth	Whalley
Mills, Ark.	St Germain	White
Mills, Md.	Sandman	Whitehurst
Minish	Satterfield	Whitten
Mink	Saylor	Widnall
Minshall	Scherle	Wiggins
Mizell	Schmitz	Williams
Mollohan	Schneebeli	Wilson, Bob
Monagan	Schwengel	Winn
Montgomery	Scott	Wright
Moorhead	Sebelius	Wydler
Morgan	Shipley	Wylie
Murphy, Ill.	Shriver	Wyman
Myers	Sikes	Yatron
Natcher	Sisk	Young, Fla.
Nelsen	Skubitz	Young, Tex.
Nichols	Slack	Zablocki
O'Neill	Smith, Calif.	Zion
Passman	Smith, Iowa	
Patman	Smith, N.Y.	

NAYS—58

Abourezk	Forsythe	Reid, N.Y.
Abzug	Fraser	Reuss
Badillo	Green, Pa.	Roncalio
Barrett	Gude	Rosenthal
Bingham	Halpern	Roybal
Bolling	Harrington	Ryan
Brasco	Hechler, W. Va.	Sarbanes
Burton	Kastenmeier	Scheuer
Chisholm	Koch	Seiberling
Collins, Ill.	Link	Stokes
Conyers	Mikva	Thompson, N.J.
Dellenback	Mitchell	Vanik
Dellums	Mosher	Waldie
Denholm	Nedzi	Whalen
Dow	Nix	Wolff
Drinan	Obey	Yates
Eckhardt	O'Konski	Zwach
Edwards, Calif.	Pike	
Eilberg	Podell	
Ford,	Rangel	
William D.	Rees	

ANSWERED "PRESENT"—1

Riegle

NOT VOTING—42

Broyhill, Va.	Grasso	Murphy, N.Y.
Carey, N.Y.	Green, Oreg.	O'Hara
Clay	Griffiths	Pelly
Corman	Hanna	Railsback
Dent	Hawkins	Runnels
Diggs	Heckler, Mass.	Ruppe
Donohue	Helstoski	Shoup
Dowdy	Long, La.	Stuckey
Edwards, La.	McCulloch	Terry
Erlenborn	McEwen	Vander Jagt
Esch	Mathias, Calif.	Veysey
Frenzel	Metcalfe	Wilson,
Frey	Michel	Charles H.
Fuqua	Morse	Wyatt
Gibbons	Moss	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Dent for, with Mr. Carey of New York against.

Mr. Fuqua for, with Mr. O'Hara against.

Mr. Charles H. Wilson for, with Mr. Helstoski against.

Mrs. Green of Oregon for, with Mr. Clay against.

Mrs. Grasso for, with Mr. Metcalfe against.

Mr. Donohue for, with Mr. Hawkins against.

Mr. Shoup for, with Mr. Diggs against.

Mr. Stuckey for, with Mr. Morse against.

Until further notice:

Mr. Hanna with Mr. Pelly.

Mr. Corman with Mr. Erlenborn.

Mr. Moss with Mr. Wyatt.

Mr. Murphy of New York with Mrs. Heckler of Massachusetts.

Mrs. Griffiths with Mr. Vander Jagt.

Mr. Runnels with Mr. Ruppe.

Mr. Long of Louisiana with Mr. Broyhill of Virginia.

Mr. Michael with Mr. Mathias of California.

Mr. Edwards of Louisiana, with Mr. Veysey.

Mr. Gibbons with Mr. Frey.

Mr. McEwen with Mr. Railsback.

Mr. Frenzel with Mr. Terry.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days in which to revise and extend their remarks on the bill just passed and include extraneous matter.

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

There was no objection.

PERSONAL STATEMENT

Mr. FOLEY. Mr. Speaker, on Tuesday, June 15, on rollcall No. 134, I was absent. Had I been present, I would have voted "yea."

Mr. Speaker, on Wednesday, June 16, on rollcall No. 137 I was absent. Had I been present, I would have voted "nay."

Mr. Speaker, today, on rollcall No. 141, I was absent. Had I been present, I would have voted "nay."

ELECTION TO COMMITTEE

Mr. ULLMAN. Mr. Speaker, I offer a privileged resolution (House Resolution 484) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 484

Resolved, That Edith Green, of Oregon, be, and she is hereby, elected to the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NARCOTICS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–131)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

In New York City more people between the ages of fifteen and thirty-five years die as a result of narcotics than from any other single cause.

In 1960, less than 200 narcotics deaths were recorded in New York City. In 1970, the figure had risen to over 1,000. These statistics do not reflect a problem indigenous to New York City. Although New York is the one major city in the Nation which has kept good statistics on drug addiction, the problem is national and international. We are moving to deal with it on both levels.

As part of this administration's ongoing efforts to stem the tide of drug abuse which has swept America in the last decade, we submitted legislation in July of 1969 for a comprehensive reform of Federal drug enforcement laws. Fifteen months later, in October, 1970, the Congress passed this vitally-needed legislation, and it is now producing excellent results. Nevertheless, in the fifteen months between the submission of that legislation and its passage, much valuable time was lost.

We must now candidly recognize that the deliberate procedures embodied in present efforts to control drug abuse are not sufficient in themselves. The problem has assumed the dimensions of a national emergency. I intend to take every step necessary to deal with this emergency, including asking the Congress for an amendment to my 1972 budget to provide an additional $155 million to carry out these steps. This will provide a total of $371 million for programs to control drug abuse in America.

A NEW APPROACH TO REHABILITATION

While experience thus far indicates that the enforcement provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970 are effective, they are not sufficient in themselves to eliminate drug abuse. Enforcement must be coupled with a rational approach to the reclamation of the drug user himself. The laws of supply and demand function in the illegal drug business as in any other. We are taking steps under the Comprehensive Drug Act to deal with the supply side of the equation and I am recommending additional steps to be taken now. But we must also deal with demand. We must rehabilitate the drug user if we are to eliminate drug abuse and all the anti-social activities that flow from drug abuse

Narcotic addiction is a major contributor to crime. The cost of supplying a narcotic habit can run from $30 a day to $100 a day. This is $210 to $700 a week, or $10,000 a year to over $36,000 a year. Untreated narcotic addicts do not ordinarily hold jobs. Instead, they often turn to shoplifting, mugging, burglary, armed robbery, and so on. They also support themselves by starting other people—young people—on drugs. The financial costs of addiction are more than $2 bil-

lion every year, but these costs can at least be measured. The human costs cannot. American society should not be required to bear either cost.

Despite the fact that drug addiction destroys lives, destroys families, and destroys communities, we are still not moving fast enough to meet the problem in an effective way. Our efforts are strained through the Federal bureaucracy. Of those we can reach at all under the present Federal system—and the number is relatively small—of those we try to help and who want help, we can cure only a tragically small percentage.

Despite the magnitude of the problem, despite our very limited success in meeting it, and despite the common recognition of both circumstances, we nevertheless have thus far failed to develop a concerted effort to find a better solution to this increasingly grave threat. At present, there are nine Federal agencies involved in one fashion or another with the problem of drug addiction. There are anti-drug abuse efforts in Federal programs ranging from vocational rehabilitation to highway safety. In this manner our efforts have been fragmented through competing priorities, lack of communication, multiple authority, and limited and dispersed resources. The magnitude and the severity of the present threat will no longer permit this piecemeal and bureaucratically-dispersed effort at drug control. If we cannot destroy the drug menace in America, then it will surely in time destroy us. I am not prepared to accept this alternative.

Therefore, I am transmitting legislation to the Congress to consolidate at the highest level a full-scale attack on the problem of drug abuse in America. I am proposing the appropriation of additional funds to meet the cost of rehabilitating drug users, and I will ask for additional funds to increase our enforcement efforts to further tighten the noose around the necks of drug peddlers, and thereby loosen the noose around the necks of drug users.

At the same time I am proposing additional steps to strike at the "supply" side of the drug equation—to halt the drug traffic by striking at the illegal producers of drugs, the growing of those plants from which drugs are derived, and trafficking in these drugs beyond our borders.

America has the largest number of heroin addicts of any nation in the world. And yet, America does not grow opium—of which heroin is a derivative—nor does it manufacture heroin, which is a laboratory process carried out abroad. This deadly poison in the American lifestream is, in other words, a foreign import. In the last year, heroin seizures by Federal agencies surpassed the total seized in the previous ten years. Nevertheless, it is estimated that we are stopping less than 20 percent of the drugs aimed at this Nation. No serious attack on our national drug problem can ignore the international implications of such an effort, nor can the domestic effort succeed without attacking the problem on an international plane. I intend to do that.

A COORDINATED FEDERAL RESPONSE

Not very long ago, it was possible for Americans to persuade themselves, with some justification, that narcotic addiction was a class problem. Whether or not this was an accurate picture is irrelevant today, because now the problem is universal. But despite the increasing dimensions of the problem, and despite increasing consciousness of the problem, we have made little headway in understanding what is involved in drug abuse or how to deal with it.

The very nature of the drug abuse problem has meant that its extent and seriousness have been shrouded in secrecy, not only by the criminal elements who profit from drug use, but by the drug users themselves—the people whom society is attempting to reach and help. This fact has added immeasurably to the difficulties of medical assistance, rehabilitation, and government action to counter drug abuse, and to find basic and permanent methods to stop it. Even now, there are no precise national statistics as to the number of drug-dependent citizens in the United States, the rate at which drug abuse is increasing, or where and how this increase is taking place. Most of what we think we know is extrapolated from those few States and cities where the dimensions of the problem have forced closer attention, including the maintenance of statistics.

A large number of Federal Government agencies are involved in efforts to fight the drug problem either with new programs or by expanding existing programs. Many of these programs are still experimental in nature. This is appropriate. The problems of drug abuse must be faced on many fronts at the same time, and we do not yet know which efforts will be most successful. But we must recognize that piecemeal efforts, even where individually successful, cannot have a major impact on the drug abuse problem unless and until they are forged together into a broader and more integrated program involving all levels of government and private effort. We need a coordinated effort if we are to move effectively against drug abuse.

The magnitude of the problem, the national and international implications of the problem, and the limited capacities of States and cities to deal with the problem all reinforce the conclusion that coordination of this effort must take place at the highest levels of the Federal Government.

Therefore, I propose the establishment of a central authority with overall responsibility for all major Federal drug abuse prevention, education, treatment, rehabilitation, training, and research programs in all Federal agencies. This authority would be known as the Special Action Office of Drug Abuse Prevention. It would be located within the Executive Office of the President and would be headed by a Director accountable to the President. Because this is an emergency response to a national problem which we intend to bring under control, the Office would be established to operate only for a period of three years from its date of enactment, and the President would have the option of extending its life for an additional two years if desirable.

This Office would provide strengthened Federal leadership in finding solutions to drug abuse problems. It would establish priorities and instill a sense of urgency in Federal and federally-supported drug abuse programs, and it would increase coordination between Federal, State, and local rehabilitation efforts.

More specifically, the Special Action Office would develop overall Federal strategy for drug abuse prevention programs, set program goals, objectives, and priorities, carry out programs though other Federal agencies, develop guidance and standards for operating agencies, and evaluate performance of all programs to determine where success is being achieved. It would extend its efforts into research, prevention, training, education, treatment, rehabilitation, and the development of necessary reports, statistics, and social indicators for use by all public and private groups. It would not be directly concerned with the problems of reducing drug supply, or with the law enforcement aspects of drug abuse control.

It would concentrate on the "demand" side of the drug equation—the use and the user of drugs.

The program authority of the Director would be exercised through working agreements with other Federal agencies. In this fashion, full advantage would be taken of the skills and resources these agencies can bring to bear on solving drug abuse problems by linking them with a highly goal-oriented authority capable of functioning across departmental lines. By eliminating bureaucratic redtape, and jurisdictional disputes between agencies, the Special Action Office would do what cannot be done presently: it would mount a wholly coordinated national attack on a national problem. It would use all available resources of the Federal Government to identify the problems precisely, and it would allocate resources to attack those problems. In practice, implementing departments and agencies would be bound to meet specific terms and standards for performance. These terms and standards would be set forth under interagency agreement through a Program Plan defining objectives, costs, schedule, performance requirements, technical limits, and other factors essential to program success.

With the authority of the Program Plan, the Director of the Special Action Office could demand performance instead of hoping for it. Agencies would receive money based on performance and their retention of funding and program authority would depend upon periodic appraisal of their performance.

In order to meet the need for realistic central program appraisal, the Office would develop special program monitoring and evaluation capabilities so that it could realistically determine which activities and techniques were producing results. This evaluation would be tied to the planning process so that knowledge

about success/failure results could guide the selection of future plans and priorities.

In addition to the inter-agency agreement and Program Plan approach described above, the Office would have direct authority to let grants or make contracts with industrial, commercial, or non-profit organizations. This authority would be used in specific instances where there is no appropriate Federal agency prepared to undertake a program, or where for some other reason it would be faster, cheaper, or more effective to grant or contract directly.

Within the broad mission of the Special Action Office, the Director would set specific objectives for accomplishment during the first three years of Office activity. These objectives would target such areas as reduction in the overall national rate of drug addiction, reduction in drug-related deaths, reduction of drug use in schools, impact on the number of men rejected for military duty because of drug abuse, and so forth. A primary objective of the Office would be the development of a reliable set of social indicators which accurately show the nature, extent, and trends in the drug abuse problem.

These specific targets for accomplishment would act to focus the efforts of the drug abuse prevention program, not on intermediate achievements such as numbers of treatments given or educational programs conducted, but rather on ultimate "payoff" accomplishments in the reduction of the human and social costs of drug abuse. Our programs cannot be judged on the fulfillment of quotas and other bureaucratic indexes of accomplishment. They must be judged by the number of human beings who are brought out of the hell of addiction, and by the number of human beings who are dissuaded from entering that hell.

I urge the Congress to give this proposal the highest priority, and I trust it will do so. Nevertheless, due to the need for immediate action, I am issuing today, June 17, an Executive Order establishing within the Executive Office of the President a Special Action Office for Drug Abuse Prevention. Until the Congress passes the legislation giving full authority to this Office, a Special Consultant to the President for Narcotics and Dangerous Drugs will institute to the extent legally possible the functions of the Special Action Office.

REHABILITATION: A NEW PRIORITY

When traffic in narcotics is no longer profitable, then that traffic will cease. Increased enforcement and vigorous application of the fullest penalties provided by law are two of the steps in rendering narcotics trade unprofitable. But as long as there is a demand, there will be those willing to take the risks of meeting the demand. So we must also act to destroy the market for drugs, and this means the prevention of new addicts, and the rehabilitation of those who are addicted.

To do this, I am asking the Congress for a total of $105 million in addition to funds already contained in my 1972 budget to be used solely for the treatment and rehabilitation of drug-addicted individuals.

I will also ask the Congress to provide an additional $10 million in funds to increase and improve education and training in the field of dangerous drugs. This will increase the money available for education and training to more than $24 million. It has become fashionable to suppose that no drugs are as dangerous as they are commonly thought to be, and that the use of some drugs entails no risk at all. These are misconceptions, and every day we reap the tragic results of these misconceptions when young people are "turned on" to drugs believing that narcotics addiction is something that happens to other people. We need an expanded effort to show that addiction is all too often a one-way street beginning with "innocent" experimentation and ending in death. Between these extremes is the degradation that addiction inflicts on those who believed that it could not happen to them.

While by no means a major part of the American narcotics problem, an especially disheartening aspect of that problem involves those of our men in Vietnam who have used drugs. Peer pressures combine with easy availability to foster drug use. We are taking steps to end the availability of drugs in South Vietnam but, in addition, the nature of drug addiction, and the peculiar aspects of the present problem as it involves veterans, make it imperative that rehabilitation procedures be undertaken immediately. In Vietnam, for example, heroin is cheap and 95 percent pure, and its effects are commonly achieved through smoking or "snorting" the drug. In the United States, the drug is impure, consisting of only about 5 percent heroin, and it must be "mainlined" or injected into the bloodstream to achieve an effect comparable to that which may have been experienced in Vietnam. Further, a habit which costs $5 a day to maintain in Vietnam can cost $100 a day to maintain in the United States, and those who continue to use heroin slip into the twilight world of crime, bad drugs, and all too often a premature death.

In order to expedite the rehabilitation process of Vietnam veterans, I have ordered the immediate establishment of testing procedures and initial rehabilitation efforts to be taken in Vietnam. This procedure is under way and testing will commence in a matter of days. The Department of Defense will provide rehabilitation programs to all servicemen being returned for discharge who want this help, and we will be requesting legislation to permit the military services to retain for treatment any individual due for discharge who is a narcotic addict. All of our servicemen must be accorded the right to rehabilitation.

Rehabilitation procedures, which are required subsequent to discharge, will be effected under the aegis of the Director of the Special Action Office who will have the authority to refer patients to private hospitals as well as VA hospitals as circumstances require.

The Veterans Administration medical facilities are a great national resource which can be of immeasurable assistance in the effort against this grave national problem. Restrictive and exclusionary use of these facilities under present statutes means that we are wasting a critically needed national resource. We are commonly closing the doors to those who need help the most. This is a luxury we cannot afford. Authority will be sought by the new Office to make the facilities of the Veterans Administration available to all former servicemen in need of drug rehabilitation, regardless of the nature of their discharge from the service.

I am asking the Congress to increase the present budget of the Veterans Administration by $14 million to permit the immediate initiation of this program. This money would be used to assist in the immediate development and emplacement of VA rehabilitation centers which will permit both inpatient and outpatient care of addicts in a community setting.

I am also asking that the Congress amend the Narcotic Addict Rehabilitation Act of 1966 to broaden the authority under this act for the use of methadone maintenance programs. These programs would be carried out under the most rigid standards and would be subjected to constant and painstaking reevaluation of their effectiveness. At this time, the evidence indicates that methadone is a useful tool in the work of rehabilitating heroin addicts, and that tool ought to be available to those who must do this work.

Finally, I will instruct the Special Consultant for Narcotics and Dangerous Drugs to review immediately all Federal laws pertaining to rehabilitation and I will submit any legislation needed to expedite the Federal rehabilitative role, and to correct overlapping authorities and other shortcomings.

ADDITIONAL ENFORCEMENT NEEDS

The Comprehensive Drug Abuse Prevention and Control Act of 1970 provides a sound base for the attack on the problem of the availability of narcotics in America. In addition to tighter and more enforceable regulatory controls, the measure provides law enforcement with stronger and better tools. Equally important, the Act contains credible and proper penalties against violators of the drug law. Severe punishments are invoked against the drug pushers and peddlers while more lenient and flexible sanctions are provided for the users. A seller can receive fifteen years for a first offense involving hard narcotics, thirty years if the sale is to a minor, and up to life in prison if the transaction is part of a continuing criminal enterprise.

These new penalties allow judges more discretion, which we feel will restore credibility to the drug control laws and eliminate some of the difficulties prosecutors and judges have had in the past arising out of minimum mandatory penalties for all violators.

The penalty structure in the 1970 Drug Act became effective on May 1 of this year. While it is too soon to assess its effect, I expect it to help enable us to deter or remove from our midst those who traffic in narcotics and other dangerous drugs.

To complement the new Federal drug law, a uniform State drug control law has been drafted and recommended to

the States. Nineteen States have already adopted it and others have it under active consideration. Adoption of this uniform law will facilitate joint and effective action by all levels of government.

Although I do not presently anticipate a necessity for alteration of the purposes or principles of existing enforcement statutes, there is a clear need for some additional enforcement legislation.

To help expedite the prosecution of narcotic trafficking cases, we are asking the Congress to provide legislation which would permit the United States Government to utilize information obtained by foreign police, provided that such information was obtained in compliance with the laws of that country.

We are also asking that the Congress provide legislation which would permit a chemist to submit written findings of his analysis in drug cases. This would speed the process of criminal justice.

The problems of addict identification are equalled and surpassed by the problem of drug identification. To expedite work in this area of narcotics enforcement, I am asking the Congress to provide $2 million to be allotted to the research and development of equipment and techniques for the detection of illegal drugs and drug traffic.

I am asking the Congress to provide $2 million to the Department of Agriculture for research and development of herbicides which can be used to destroy growths of narcotics-producing plants without adverse ecological effects.

I am asking the Congress to authorize and fund 325 additional positions within the Bureau of Narcotics and Dangerous Drugs to increase their capacity for apprehending those engaged in narcotics trafficking here and abroad and to investigate domestic industrial producers of drugs.

Finally, I am asking the Congress to provide a supplemental appropriation of $25.6 million for the Treasury Department. This will increase funds available to this Department for drug abuse control to nearly $45 million. Of this sum, $18.1 million would be used to enable the Bureau of Customs to develop the technical capacity to deal with smuggling by air and sea, to increase the investigative staff charged with pursuit and apprehension of smugglers, and to increase inspection personnel who search persons, baggage, and cargo entering the country. The remaining $7.5 million would permit the Internal Revenue Service to intensify investigation of persons involved in large-scale narcotics trafficking.

These steps would strengthen our efforts to root out the cancerous growth of narcotics addiction in America. It is impossible to say that the enforcement legislation I have asked for here will be conclusive—that we will not need further legislation. We cannot fully know at this time what further steps will be necessary. As those steps define themselves, we will be prepared to seek further legislation to take any action and every action necessary to wipe out the menace of drug addiction in America. But domestic enforcement alone cannot do the job. If we are to stop the flow of narcotics into the lifeblood of this country, I believe we must stop it at the source.

INTERNATIONAL

There are several broad categories of drugs: those of the cannabis family—such as marihuana and hashish; those which are used as sedatives, such as the barbiturates and certain tranquilizers; those which elevate mood and suppress appetite, such as the amphetamines; and, drugs such as LSD and mescaline, which are commonly called hallucinogens. Finally, there are the narcotic analgesics, including opium and its derivatives—morphine and codeine. Heroin is made from morphine.

Heroin addiction is the most difficult to control and the most socially destructive form of addiction in America today. Heroin is a fact of life and a cause of death among an increasing number of citizens in America, and it is heroin addiction that must command priority in the struggle against drugs.

To wage an effective war against heroin addiction, we must have international cooperation. In order to secure such cooperation, I am initiating a worldwide escalation in our existing programs for the control of narcotics traffic, and I am proposing a number of new steps for this purpose.

First, on Monday, June 14, I recalled the United States Ambassadors to Turkey, France, Mexico, Luxembourg, Thailand, the Republic of Vietnam, and the United Nations for consultations on how we can better cooperate with other nations in the effort to regulate the present substantial world opium output and narcotics trafficking. I sought to make it equally clear that I consider the heroin addiction of American citizens an international problem of grave concern to this Nation, and I instructed our Ambassadors to make this clear to their host governments. We want good relations with other countries, but we cannot buy good relations at the expense of temporizing on this problem.

Second, United States Ambassadors to all East Asian governments will meet in Bangkok, Thailand, tomorrow, June 18, to review the increasing problem in that area, with particular concern for the effects of this problem on American servicemen in Southeast Asia.

Third, it is clear that the only really effective way to end heroin production is to end opium production and the growing of poppies. I will propose that as an international goal. It is essential to recognize that opium is, at present, a legitimate source of income to many of those nations which produce it. Morphine and codeine both have legitimate medical applications.

It is the production of morphine and codeine for medical purposes which justifies the maintenance of opium production, and it is this production which in turn contributes to the world's heroin supply. The development of effective substitutes for these derivatives would eliminate any valid reason for opium production. While modern medicine has developed effective and broadly-used substitutes for morphine, it has yet to provide a fully acceptable substitute for codeine. Therefore, I am directing that Federal research efforts in the United States be intensified with the aim of developing at the earliest possible date synthetic substitutes for all opium derivatives. At the same time I am requesting the Director General of the World Health Organization to appoint a study panel of experts to make periodic technical assessments of any synthetics which might replace opiates with the aim of effecting substitutions as soon as possible.

Fourth, I am requesting $1 million to be used by the Bureau of Narcotics and Dangerous Drugs for training of foreign narcotics enforcement officers. Additional personnel within the Bureau of Narcotics and Dangerous Drugs would permit the strengthening of the investigative capacities of BNDD offices in the U.S., as well as their ability to assist host governments in the hiring, training, and deployment of personnel and the procurement of necessary equipment for drug abuse control.

Fifth, I am asking the Congress to amend and approve the International Security Assistance Act of 1971 and the International Development and Humanitarian Assistance Act of 1971 to permit assistance to presently proscribed nations in their efforts to end drug trafficking. The drug problem crosses ideological boundaries and surmounts national differences. If we are barred in any way in our effort to deal with this matter, our efforts will be crippled, and our will subject to question. I intend to leave no room for other nations to question our commitment to this matter.

Sixth, we must recognize that cooperation in control of dangerous drugs works both ways. While the sources of our chief narcotics problem are foreign, the United States is a source of illegal psychotropic drugs which afflict other nations. If we expect other governments to help stop the flow of heroin to our shores, we must act with equal vigor to prevent equally dangerous substances from going into their nations from our own. Accordingly, I am submitting to the Senate for its advice and consent the Convention on Psychotropic Substances which was recently signed by the United States and 22 other nations. In addition, I will submit to the Congress any legislation made necessary by the Convention including the complete licensing, inspection, and control of the manufacture, distribution, and trade in dangerous synthetic drugs.

Seventh, the United States has already pledged $2 million to a Special Fund created on April 1 of this year by the Secretary General of the United Nations and aimed at planning and executing a concerted UN effort against the world drug problem. We will continue our strong backing of UN drug-control efforts by encouraging other countries to contribute and by requesting the Congress to make additional contributions to this fund as their need is demonstrated.

Finally, we have proposed, and we are

strongly urging multilateral support for, amendments to the Single Convention on Narcotics which would enable the International Narcotics Control Board to:

—require from signatories details about opium poppy cultivation and opium production—thus permitting the Board access to essential information about narcotics raw materials from which illicit diversion occurs;

—base its decisions about the various nations' activities with narcotic drugs not only as at present on information officially submitted by the governments, but also on information which the Board obtains through public or private sources—thus enhancing data available to the Board in regard to illicit traffic;

—carry out, with the consent of the nation concerned, on-the-spot inquiries on drug related activities;

—modify signatories' annual estimates of intended poppy acreage and opium production with a view to reducing acreage or production; and

—in extreme cases, require signatories to embargo the export and/or import of drugs to or from a particular country that has failed to meet its obligations under the Convention.

I believe the foregoing proposals establish a new and needed dimension in the international effort to halt drug production, drug traffic, and drug abuse. These proposals put the problems and the search for solutions in proper perspective, and will give this Nation its best opportunity to end the flow of drugs, and most particularly heroin, into America, by literally cutting it off root and branch at the source.

CONCLUSION

Narcotics addiction is a problem which afflicts both the body and the soul of America. It is a problem which baffles many Americans. In our history we have faced great difficulties again and again, wars and depressions and divisions among our people have tested our will as a people—and we have prevailed.

We have fought together in war, we have worked together in hard times, and we have reached out to each other in division—to close the gaps between our people and keep America whole.

The threat of narcotics among our people is one which properly frightens many Americans. It comes quietly into homes and destroys children, it moves into neighborhoods and breaks the fiber of community which makes neighbors. It is a problem which demands compassion, and not simply condemnation, for those who become the victims of narcotics and dangerous drugs. We must try to better understand the confusion and disillusion and despair that bring people, particularly young people, to the use of narcotics and dangerous drugs.

We are not without some understanding in this matter, however. And we are not without the will to deal with this matter. We have the moral resources to do the job. Now we need the authority and the funds to match our moral resources. I am confident that we will prevail in this struggle as we have in many others. But time is critical. Every day we lose compounds the tragedy which drugs inflict on individual Americans. The final issue is not whether we will conquer drug abuse, but how soon. Part of this answer lies with the Congress now and the speed with which it moves to support the struggle against drug abuse.

RICHARD NIXON.

THE WHITE HOUSE, *June 17, 1971.*

REINTRODUCTION OF A BILL TO PROVIDE MEDICAL DISCHARGES AND TREATMENT FOR DRUG DEPENDENT SERVICEMEN

(Mr. MURPHY of New York asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MURPHY of New York. Mr. Speaker, I introduce, for appropriate reference, a bill to authorize members of the Armed Forces to be discharged from active military service by reason of physical disability when such members are suffering from drug dependency, to authorize the civil commitment of such members after their discharge, and for other purposes.

As the author of the original House legislation on military drug addiction—which I am reintroducing today with 24 cosponsors—I thank those Congressmen who have taken my side on the major difference in current concepts of treating GI addicts. I am extremely pleased to see the number of my colleagues in the House who agree that it is impossible to have the armed services take the total responsibility for treating addicted service personnel. The mission of the Armed Forces is the protection of our country. It is not designed to have part of it splintered off to become a gigantic halfway house for drug abusers.

But the military and our Federal Government do have a responsibility to take care of its drug-dependent personnel. That is why, in my plan, the military addict would be physically separated from the armed services and bound over to the already existing Federal program for narcotic addicts under the authority of the Surgeon General. They in turn would provide treatment in our public health service hospitals, veterans hospitals, and any other appropriate public or private hospitals, clinics, and other facilities available to the Secretary of Health, Education, and Welfare for the care and treatment of drug-dependent persons.

The approach which I took in the bill I introduced on March 16, 1971, has been endorsed by our peer in narcotics legislation, Congressman CELLER of the House Judiciary Committee and by other Congressmen who have cosponsored my bill and who have doubts that GI addicts can be treated totally within the military services.

Both the Senate and the House are finally becoming aware of a problem that has been going on for years—not only in Vietnam, but in Korea, in Europe, and even in the continental United States—the use of all types of drugs by our servicemen. It has taken years of committee hearings, trips to Vietnam, reports and conferences to convince the Congress and the Pentagon to face this problem and provide an answer to it.

Based on my extensive studies and interviews with combat commanders, military doctors and psychiatrists—and the GI's themselves—I feel that my solution to this problem is the more realistic one and I urge the House Armed Services Committee to consider my proposal and the other proposals in hearings as soon as possible. I feel that feasible legislation should be reported immediately and sent to the floor for action.

This is too serious a problem to play with. We are dealing with the lives and deaths of tens of thousands of our sons and it is not a time to pass a bill hastily thrown together in reaction to a problem that most Members of Congress have become aware of only recently. I feel that we should act—and fast—but the House Armed Services Committee should hold legislative hearings on the proposals before it so that we are not forced into the position of accepting the hastily considered Senate amendment passed on Wednesday of last week which would put into law an eclectic approach that has already been tried and proven to be a dismal failure by the military.

I ask the many Members of the House who have concerned themselves with the military drug problem to join me in calling on the House Armed Services Committee for hearings. Many Members have introduced their own bills on this subject after much personal research and study. This knowledge should be presented to the proper committees of the House for consideration in hearings.

To accept the Senate amendment would be to surrender our legislative function in this most important area.

There have been no House hearings on these bills.

There has been no committee report.

There has been no floor debate.

My reading of the Senate amendment finds it fraught with questionable approaches, suppositions, conditions, and language. It would be a disservice to our men in arms if those of us in the House who have worked on this problem for so long were to accept what is put forth as a "solution" when it is really no solution at all. It would be a disservice to a nation that looks to us for leadership if we accepted a bad amendment because to eliminate it in these emotional times would be tantamount to a "vote against motherhood." It would be a disservice to this Congress to delude ourselves into thinking we had done something about this problem when we had actually done very little.

I most respectfully ask Members to join me in my effort to move the House to assume its full legislative responsibilities in this area.

Because of the cosponsor support I have received, I plan to reintroduce this legislation 1 week from today to accommodate those Members who wish to join me in supporting this approach. For those Members who are not familiar with this problem area and some of the different viewpoints concerning it, I include my "Dear Colleague" letter at this point in the RECORD:

HOUSE OF REPRESENTATIVES,
Washington, D.C.

"DRUG ADDICTED G.I.'S"

DEAR COLLEAGUE: I am writing to you regarding a bill I introduced on March 16, 1971, H.R. 6172, which concerned itself with the handling of drug abusers in the Armed Services. I feel that the crisis of drug abuse facing the military is beyond the capacity of the individual services to cope with. The mission of the Armed Forces of America is the defense of this country. They should not be forced into the business of rehabilitating thousands of drug addicts and multiple drug users. My bill would help solve the problem of weeding out those truly addicted and drug dependent servicemen and committing them to our Federal program for the treatment and rehabilitation of addicts.

Since I introduced H.R. 6172, which was the first bill introduced in Congress on the military drug offender, there have been other bills introduced on this same subject—but the bulk of them call on the military to provide treatment services. I feel that such an approach to drug addicted G.I.'s is not a sound one. I repeat that the mission of the Armed Services is the defense and protection of this country; we cannot turn the services into one vast rehabilitation center.

There are not enough hospitals.

There are not enough doctors.

And there are not enough supportive treatment personnel to set up such a system within the services.

I have studied this problem since 1966 when we first began to find addicted veterans returning from Vietnam. I have talked to military men including battle commanders, doctors, psychiatrists, and social workers. They all agree that the military cannot and indeed should not have the primary responsibility to deal with this problem.

That is why in my bill I call for the medical discharge of truly addicted servicemen and a civil (non-criminal) commitment to the already existing Federal program for the treatment of addicts set up by the Narcotic Addict Rehabilitation Act of 1966. That program has the facilities, the personnel, and the expertise to return the military drug addict to a useful life. Under my plan, the G.I. addict could be treated under confinement for up to 42 months which would discourage malingerers from escaping military service.

I am convinced that something must be done to help the Department of Defense out of a dilemma, which, in the main, it has inherited from civilian society. On the other hand we must protect society from those troops who became addicted for the first time or who became more addicted because they served in parts of the world where drugs are plentiful and cheap, such as Vietnam. Too many times these soldiers are given dishonorable discharges and returned home to spread even more addiction and commit crimes to support their drug habits.

The Supreme Court long ago recognized that addiction is an illness, and I feel it is time the military officially recognized that fact. My bill would accomplish this by allowing physical disability discharges for drug dependency and the treatment and care of these unfortunate young men. It would also allow him to receive veteran benefits after he is cured—which is not now the case.

I am convinced it is the most humane and sensible approach to our addicted soldiers. Because of this it has the support of medical people in the military both in the United States and in Vietnam.

In summary, my bill provides:

The physical disability separation from service of drug addicted and drug dependent military personnel. Presently, regulations require that drug addicts be discharged with something other than an honorable discharge.

The civil commitment of drug users to treatment under the Narcotic Addict Rehabilitation Act of 1966.

Penalties for drug offenses that are commensurate with those provided for in the Comprehensive Drug Abuse Prevention and Control Act of 1970.

The bill will make all of title III of the Narcotic Addict Rehabilitation Act's civil procedures applicable in the case of petitions filed by persons separated from the service. This means that it provides for the same hearing and examination that NARA provides. Once the soldier is studied by the Department of Health, Education, and Welfare and found to be an addict, he is discharged to a hosiptal of the Public Health Service or any hospital or other facility of the Public Health Service especially equipped to handle drug dependent persons, or any other appropriate public or private hospital or facility available to Health, Education, and Welfare for the care and treatment of drug dependent persons.

Further, in the bill, the Uniform Code of Military Justice is amended so that in effect, I have established statutory penalty provisions applicable to drug offenses under section 934 of title 10 of the United States Code.

I think you will agree that the same progressive treatment of young drug offenders we provided for in the new drug law Congress passed in 1970 should apply to our young servicemen as well.

A 19-year-old serviceman who is an addict should receive the same treatment as a 19-year-old civilian.

Finally, I point out that the hit or miss, fragmented attempts of the Armed Services to meet this problem have not proven successful and the approval of setting up a whole new system of treatment programs in the services contained in the proposals now before Congress would take years to develop. We need to help these servicemen now. And we can do it quickest and best in the facilities that are already set up to accomplish this.

That is why we in Congress must recognize the disastrous nature of the drug abuse problem in the military and take immediate action to solve the problem. The situation is critical and demands the immediate attention of the Federal Government. The disastrous drug situation among the troops has spilled over into civilian life as the G.I.'s return home.

My bill would attack the drug problem not only in the military, but here at home where drug abuse and dependency has been compounded by returning servicemen who have become addicted and drug dependent while serving their country. Under present discharge procedures, these drug using troops are released back onto the streets of our cities and towns, unknown to local authorities. This is true in my own city of New York where "strung out" Vietnam veterans are turning up at Bellevue or in our police stations under arrest for drug related crimes.

My bill would stop this.

We should provide the very best of care for all of our returning veterans and this includes adequate treatment for drug dependency.

That is why I have decided to re-introduce my bill at this time to seek support from those who agree with my approach. I would welcome your co-sponsorship of this legislation. If you are interested in my plan to handle the problem of the G.I. addict, please have your staff call Carl Perian or Jim Larocca on Extension 5-6898 by June 24, 1971.

Sincerely,

JOHN M. MURPHY,
Member of Congress.

A BILL TO PROVIDE MEDICAL DISCHARGE AND TREATMENT FOR DRUG-DEPENDENT SERVICEMEN

(Mr. ROUSH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROUSH. Mr. Speaker, today I have the honor of joining with our distinguished colleague from New York (Mr. MURPHY) in sponsoring H.R. 6172 which provides for discharge and treatment of drug-dependent servicemen. This measure is a major step in curbing the mounting drug-abuse problem in the military.

Drug addiction in the military has reached crisis proportions. Easily accessibility and low cost combined with the emotional stress of combat have resulted in rampant use of drugs by our servicemen in Vietnam. We must assist the Department of Defense in this situation and we must remember that addiction is an illness and not a crime—a fact that the Supreme Court recognized long ago.

H.R. 6172 provides that a serviceman with a physical dependency on drugs should be recognized as suffering from an illness and not dishonorably discharged. He is given a physical disability discharge for his addiction and his treatment and veterans' benefits are insured. H.R. 6172 provides for treatment under confinement for up to 42 months, which would substantially discourage those who would use drug addiction as a method for escaping military service.

H.R. 6172 provides for penalties for drug offenses that are equal to those stated in the Comprehensive Drug Abuse Prevention and Control Act of 1970. The 1970 act also provides for progressive treatment of young drug offenders and I can see no difference between a young civilian addict and a young military addict.

I have spent a considerable amount of time studying the various proposals introduced on the escalating drug-abuse problem in the military and one of the main reasons I support this is that I share Mr. MURPHY's opinion that the prime duty of the military is the defense and protection of this country and not one of rehabilitating servicemen addicted to narcotics.

The armed services do not have enough hospitals, doctors, or supportive personnel to deal effectively with the problem, but the already existing Federal program for the treatment of addicts provided for in 1966 by the Narcotic Addict Rehabilitation Act does. H.R. 6172 provides for the civil commitment of drug users under this act.

The time to remedy the military drug problem is now, and it is my opinion that the proposals now before the Congress would take a great deal of time to develop. We simply cannot wait. We must use the facilities that are already set up to accomplish this and we must do this now.

If this bill is enacted into law, it will mean a positive and meaningful step toward curbing drug abuse not only among service personnel but also among the civilian population to which these drug-

addicted servicemen have returned. We must relieve the military of the responsibility for extended treatment and rehabilitation of serious drug abusers. We must allow drug-dependent servicemen to be medically rather than punitively discharged. Under present discharge procedures serious drug abusers are discharged under conditions other than honorable and are returned to the community with their drug problem. It is far better to identify this man while still in the service, medically discharge him under the conditions of this bill that I have the privilege of cosponsoring today, and then remand him to a drug rehabilitation program within his own community rather than at a far distant military hospital.

While I have primarily directed my remarks to the need and provisions of this bill I would also like to address myself to the need for multiphased attacks upon drug abuse in the military. Rehabilitative efforts alone will not completely solve the military drug problem. Intensive drug-abuse education efforts must be developed and implemented so that each man who enters military service is made fully aware of the medical and physical effects of drug abuse. In addition to an accelerated program of drug-abuse education there is also need for intensified investigative efforts coordinated among the branches of the service to seek out and identify sources of supply of illicit drugs. I believe that these efforts coupled with the approach of this bill, to identify and then medically assist drug addicts and drug-dependent men, will result in curbing the drug-addiction problem within the military.

CAPITOL PAGES TAKE TO THE FIELD

(Mr. CASEY of Texas asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CASEY of Texas. Mr. Speaker, let it go down in history that the first annual junior-senior Capitol page softball game was held in Bowie, Md., last Saturday, June 12, 1971. Needless to say, it was a good game for the seniors. After all, they have to take some memories home with them, and the 15-to-10 victory over the juniors will be one.

It all started when Archie Nahigian and Bob Bergin combined forces on Saturday morning, the 5th of June, and called all the juniors and seniors with hopes of organizing a softball game. With such leadership—as well as a promise of a home-cooked meal from Mrs. Bergin—all involved knew there would be a good game. And it was, with the juniors winning 16 to 3 over the seniors. However, there was only one problem. This game did not count as a victory for the juniors because Craig Black was the senior pitcher. And so, a rematch was called for the following Saturday, June 12. This game would be the first annual junior-senior Capitol page softball game. What with such a smashing victory over the seniors the previous week, the juniors could not possibly realize what could happen in a rematch.

The second softball game on Saturday, the 12th—which the seniors consider as the first official game since they were overwhelmingly defeated in the previous week—was ironic in comparison to the first game. Every junior had his worst day ever; the seniors' ability remained the same. For example, juniors Peter Thompson and David Bianchi committed a combined total of three errors yielding five unearned runs. Brian Jones' pitching did not help the matter either—he gave up two home runs to Bob Bergin on top of a myriad of hits. However, had it not been for Desi Drotos, Dohn Larson, Gary Earle, and John Van Zile, the juniors would not have scored their 10 earned runs. Also, Bob Bergin's brother, Peter, saved the juniors from falling still further in the hole with two fantastic plays at third as well as three RBI's.

As for the seniors—well, as previously stated, they stayed the same—or tried to stay the same. John Andrews and Archie Nahigian helped the juniors more than any junior was able to assist his team. Pitching nearly the entire game, John yielded 10 earned runs on twice as many hits, committing two errors; Archie made one error, but, sorry to say, it did not help the juniors. Had it not been for some fantastic fielding and hitting by seniors Mike Malbrough, Raymond Potts, Brad Walker, Geoff Perselay, and Glenn Harden, the seniors would never have been able to "pull off" such an untimely victory.

But all is well that ends well. The juniors can claim a handicap, however. They did have one less man than the seniors. John Andrews and Archie Nahigian did equalize the situation with their "fine plays." But wait until next year—the juniors shall rise.

THE HOUSE DEMOCRATIC STEERING COMMITTEE UNANIMOUSLY ENDORSES A COMPREHENSIVE HEALTH MANPOWER TRAINING ACT OF 1971

(Mr. MADDEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, at a meeting of the House Democratic Steering Committee yesterday afternoon, discussion was held on the Comprehensive Health Manpower Training Act of 1971 and also the pending Nurses Training Act of 1971. Both of these bills were reported out of the House Rules Committee on Tuesday of this week and will be considered on the floor of the House in a few days.

Members of Congress are familiar with the critical shortage of doctors and nurses throughout the Nation in both urban and rural areas. The American Medical Association, State medical associations, nurses' associations, and hospital associations are all unanimous that the lack of medical training schools for doctors and nurses are approximately 25 years behind the times and the health of the Nation depends on a united effort by government, medical people, and the public to cooperate as a unit in a mass effort to relieve the shortage of doctors, nurses, and medical facilities. The steering committee heard from Congressman STAGGERS and Congressman PAUL ROGERS, who are chairmen on committees that held extended hearings on the Nation's serious health crisis. The steering committee also heard from Chairman TORBERT MACDONALD in an informative report on legislation to limit the fabulous amount of money political parties and candidates are using to purchase nominations and win elections throughout the Nation.

Mr. Speaker, I incorporate with my remarks the resolution unanimously adopted by the steering committe endorsing H.R. 8629. The Nurse Training Act of 1971 was also endorsed by the steering committee at its session yesterday. The resolution follows:

ENDORSEMENT OF H.R. 8629

Be it resolved by the House Democratic Steering Committee that all Democratic Members of the House are urged to support and vote for H.R. 8629, the Comprehensive Health Manpower Training Act of 1971, a bill to amend Title VII of the Public Health Service Act to provide increased manpower and medical facilities for the health professions.

MORE ON TIDELANDS ISSUE

(Mr. HÉBERT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HÉBERT. Mr. Speaker, the tenacity of George W. Healy, Jr., editor of the Times-Picayune, is evident again in his determined effort to keep the tidelands issue before the Congress and to get a long overdue settlement to the problem.

Under the title, "Twin Needs: Oil, Tidelands Action," Mr. Healy again reviews the situation in an editorial in the June 13 issue of his paper.

An understandable reaction to his previous writings on the subject is from a surprisingly large number of non-Louisianians who say they want the States to get an equitable portion of offshore revenues.

This suggestion is the end toward which I and the other members of the Louisiana delegation have worked—that all States be treated equitably.

Editors who read Mr. Healy's comments responded that they were under the impression that the issue had been settled long ago.

The realistic attitude is that it took the confusion a long time to get developed and it will take a long time to get things unconfused.

The Louisiana delegation and the Congress welcome any assistance other States can provide in the interest of getting this problem solved once and for all.

I want to insert at this point Mr. Healy's editorial which follows up the previous material in the RECORD on this situation:

TWIN NEEDS: OIL, TIDELANDS ACTION

President Richard M. Nixon during the past week gave another reason why generation-old differences between federal and state governments should be settled promptly.

Differences to which we refer, of course, are those regarding revenue from offshore minerals deposits.

The President's first message to the Con-

gress on national energy policies urged utilization of new sources of energy *and increased development of offshore oil fields.*

Coastal states off whose shores oil now is being produced are being penalized by inequities resulting from federal-state differences. If President Nixon's recommendations are followed, fields will be developed in waters off many more states touching two oceans, the Gulf of Mexico and the Great Lakes.

Unless existing practices are changed, the discrimination which has been experienced by several states for years will be felt by many others states from Maine to Hawaii and Alaska.

These states will learn what Louisiana has learned and continues to learn the hard way: that providing education, police and fire protection and hundreds of other necessary and costly services for residents who operate offshore rigs and platforms while receiving no revenue from those operations is an unjust burden.

Present law discriminates most heavily against Louisiana. That is because more oil is produced off the coast of this state than off the coasts of California, Texas and Alaska. On the basis of latest available figures, Louisiana offshore wells are producing 277,400,000 barrels of petroleum per year: California, 9,940,844 barrels, and Texas, 798,110 barrels.

Figures on production off other states were not available in Washington this past week. It is certain, however, that offshore exploration is increasing almost everywhere, thanks in a large degree to equipment and techniques developed off Louisiana.

This widespread exploration, we expect, will result in the vastly increased offshore production which President Nixon urges.

Some public officials say that "everything has been done which can be done" to end the inequity which exists in the use of revenues from offshore minerals production. We do not agree.

True, Louisiana has hired competent special counsel to litigate in its behalf. Prolonged litigation hasn't settled the federal-state differences; and there is no indication that further litigation will settle them. "Blue ribbon" committees haven't settled them; and there is no reason to expect that more "blue ribbon" committees will settle them.

Congressional action can and should end these differences.

Members of the Louisiana delegation in Washington doubtless have worked hard to try to settle them. That delegation in the past, however, did not hold the powerful places in the Senate and in the House of Representatives that four of its members hold today. Need for settlement never has been as acute as it is today.

Now, we contend, is the time for concerted action toward having the Congress settle the differences. The Congress can accomplish this with justice and with speed. It should apply to revenues from offshore lands which the federal government claims the same sharing formula that it applies to federal lands within state boundaries.

This would assure the coastal states at least a substantial portion of the offshore revenues. It would be a kind of revenue-sharing at its best.

It is a worthy goal which we are confident can be accomplished; but it won't be accomplished if we rely on politicians who say it can't be done to provide the leadership and do the work that are essential to end the differences.

Complete faith in the justice of the coastal states' position and determination and hard work on Capitol Hill will succeed, in our opinion.

Let's have that determination and hard work, now!

EMERGENCY COMMUTER RELIEF ACT OF 1971

(Mr. ROSTENKOWSKI asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. ROSTENKOWSKI. Mr. Speaker, on February 25, I introduced the Emergency Commuter Relief Act of 1971. This bill would provide financial assistance on a short-term basis to assure the retention of adequate urban mass transit by State and local governments.

The Urban Mass Transportation Act, Public Law 91–453, provides for long-term solutions to some of our critical mass transit needs. In the interim, however, transit fares are increasing throughout the Nation in response to ever-escalating costs. Transit riders are forced to pay more for their transportation but rarely receive service improvements as a result.

Within the past 11 months, 769,000 daily railroad commuters riding 24 different railroad lines in several large metropolitan areas have been confronted by requests for fare increases. Seventeen such requests have been approved and put into effect. Consequently, commuter tickets have increased in cost anywhere from 5 to 75 percent per trip. Many passengers are outraged at these increases. Railroad managers, however, contend fare increases are necessary in order to reduce railroad operating deficits. All too often, it is a self-defeating proposition since the increase drives away a certain percentage of the clientele.

Railroad commuter systems experienced a moderate 1-percent increase in ridership in 1970 over 1969, while revenues increased by 6.6 percent. In 1970, 4,592,000,000 passenger miles were attributable to commuter trains, an increase of 36 million over the 1969 figure of 4,546,000,000. Commuter revenue for 1970 was $172,301,000, an increase of $10,725,000 over the 1969 revenue of $161,576,000. This is another indicator that people are paying more to ride commuter trains.

It is my opinion that under present conditions, the automobile is not the most appropriate vehicle for moving masses of people into and out of our congested cities. Transit ridership must be increased for the very survival of our smog-choked and traffic-snarled cities. Passage of the Emergency Commuter Relief Act would assist materially in establishing reasonable fares and decent services on these systems.

For the benefit of my colleagues, I wish to insert in the RECORD, a list of the railroad commuter lines on which a fare increase has been put into effect, or applied for. I am certain a similar situation exists with regard to bus and rapid-rail systems. The list follows:

COMMUTER FARE INCREASES

Date of Request	Railroad	Metropolitan area	Fare increase (percent)	Number of daily riders
Requests pending:				
May 13, 1971	Southern Pacific	San Francisco	10	11,500
May 3, 1971	Pennsylvania-Reading Seashore Lines	Philadelphia-New Jersey	10	200
May 1, 1971	Illinois Central	Chicago	7	2,000
Mar. 30, 1971	Erie-Lackawanna	New Jersey-New York	15	45,000
Mar. 10, 1971	Burlington Northern	Chicago	6	320,000
Soon to be announced	Long Island	New York	[1] 10	260,000
Requests approved:				
May 29, 1971	Milwaukee Road	Chicago	5–10	23,000
May 1, 1971	Penn Central	New York (Hudson Line)	25	13,000
Do	do	New York (Harlem Line)	10	29,000
Do	do	Chicago	25	400
Do	Chicago & North Western	do	7	90,000
Apr. 5, 1971	Baltimore & Ohio	Baltimore/Washington	7	1,000
Apr. 1, 1971	Chicago, South Shore & South Bend	Chicago-Northern Indiana	75	9,000
Do	Penn Central	Baltimore/Washington	25	250
Mar. 1, 1971	do	Philadelphia	10	70,000
Do	Reading Railway	do	10	48,000
January 1971	Central of New Jersey	Intrastate New Jersey	15	30,000
Do	Penn Central	do	25	7,000
December 1970	do	New Jersey-New York	25	26,000
November, 1970	Baltimore & Ohio	Pittsburgh	10	1,000
Nov. 1, 1970	Chicago, Rock Island & Pacific	Chicago	6	26,000
Sept. 1, 1970	Boston & Maine	Boston	10	25,000
August, 1970	Erie-Lackawanna	Cleveland	35	250
Requests withdrawn voluntarily by railroad:				
Feb. 15, 1971	Grand Trunk Western Railroad	Detroit	5–10	1,400
Total number of riders affected				769,000
Total number of fare increases				23

[1] The anticipated Long Island Railroad fare increase will be at least 10 percent.

ATTENDANCE SOUGHT FOR NEWSMEN AT SOVIET TRIALS OF JEWS

(Mr. MORSE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MORSE. Mr. Speaker, last December, the House enacted House Resolution 1336, to protest against the continued injustices to which the Jewish people in the U.S.S.R. have been subjectd by that Government. It can be presumed that this and other protests which were raised in other countries had considerable influence in the Soviet decision to commute the death sentences that had been imposed on two of the Jewish defendants in the Leningrad trial that month.

Since then, the Soviets have continued a series of trials involving Jewish defendants who have expressed a desire to emigrate. These trials have been conducted under conditions that have caused great concern on the part of citizens of all faiths throughout the world. There have been many reports of the harassment of representatives of the American press when they have sought to observe these proceedings. The most recent trial at Riga, in which four Jews were found guilty of anti-Soviet activity and sentenced to terms ranging from 1 to 3 years in prison camps, was moved without notice and at the last moment to a new and inaccessible location, in effect barring foreign observers and press from viewing it.

The next trial is scheduled to begin on June 21, at Kishinev, Moldavia. As the one guarantee that the defendants will have a fair trial is the presence of outside observers, I have today directed a letter to the Secretary of State to urge every appropriate action on behalf of our journalists and correspondents so that they might be assured access to its proceedings.

I am gratified to have the support of 55 Members of the House in this effort, and am pleased to include here the text of the letter to Secretary of State William P. Rogers, and the list of signatories:

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: We are writing to urge that every effort be made by the United States Government and our Embassy officials in the Soviet Union to aid those members of the U.S. press corps who will be seeking access to the forthcoming trial at Kishinev, Moldavia, scheduled to begin next week, on June 21.

We are greatly concerned with the conditions under which the recent trials, involving Jewish defendants who have expressed a desire to emigrate, have been held, as well as with the reports that accredited members of the press who have attempted to observe them have experienced considerable harassment. The steps taken by the Soviet Government to obstruct the entry of outside observers to the recent trial of Jewish defendants in Riga have served to intensify our concern, and that of Americans of all faiths, that the Jewish people in the USSR are being denied fair and equitable justice.

As the Congress has clearly put itself on record in support of efforts to insure justice for Soviet Jewry, and as international public opinion has proved to have considerable effect in this regard, as witnessed by the commutation of the death sentences in the Leningrad trial last December, we think it critical for the U.S. to continue to make its concern known, and to provide the members of the press every possible assistance in their efforts to observe the proceedings of the forthcoming trial at Kishinev. Their presence will not only help alleviate the growing concern which the secrecy of these trials has caused, but it is also the one guarantee that the defendants will receive a fair trial.

We are most grateful for your cooperation and assistance, and hopeful for the success of your efforts.

Sincerely,

F. BRADFORD MORSE,
Member of Congress.

ADDITIONAL SIGNERS

Bella S. Abzug of New York.
Joseph P. Addabbo of New York.
William R. Anderson of Tennesee.
Herman Badillo of New York.
William A. Barrett of Pennsylvania.
Mario Biaggi of New York.
Jonathan B. Bingham of New York.
John Brademas of Indiana.
Frank J. Brasco of New York.
Goodloe E. Bryon of Maryland.
George W. Collins of Illinois.
James C. Corman of California.
William R. Cotter of Connecticut.
R. Lawrence Coughlin of Pennsylvania.
Philip M. Crane of Illinois.
Edward J. Derwinski of Illinois.
Robert F. Drinan of Massachusetts.
Bob Eckhardt of Texas.
Joshua Eilberg of Pennsylvania.
Dante B. Fascell of Florida.
Edwin B. Forsythe of New Jersey.
Donald M. Fraser of Minnesota.
Bill Frenzel of Minnesota.
Edward A. Garmat of Maryland.
Ella T. Grasso of Connecticut.
William J. Green of Pennsylvania.
Michael Harrington of Massachusetts.
James Harvey of Michigan.
Ken Hechler of West Virginia.
Henry Helstoski of New Jersey.
Louise Day Hicks of Massachusetts.
Frank Horton of New York.
Edward I. Koch of New York.
Peter N. Kyros of Maine.
Paul N. McCloskey of California.
Mike McCormack of Washington.
Parren J. Mitchell of Maryland.
Lucien N. Nedzi of Michigan.
Robert N. C. Nix of Pennsylvania.
Claude Pepper of Florida.
Bertram L. Podell of New York.
Donald W. Riegle of Michigan.
Howard W. Robison of New York.
Peter W. Rodino of New Jersey.
Benjamin S. Rosenthal of New York.
William F. Ryan of New York.
James H. Scheuer of New York.
Fred Schwengel of Iowa.
Garner E. Shriver of Kansas.
Louis Stokes of Ohio.
Morris K. Udall of Arizona.
Bob Wilson of California.
Wendell Wyatt of Oregon.
Sidney R. Yates of Illinois.
Gus Yatron of Pennsylvania.

SOCIAL SECURITY—MEETING ITS COMMITMENTS

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK), is recognized for 60 minutes.

Mr. VANIK. Mr. Speaker, during recent months, a few critics have focused considerable attention on the increase in social security taxes, the impact of the program on middle income groups and the tremendous burden on the younger worker. Those who assail the social security system talk only about the taxes and completely disregard the benefits.

First of all, one half of today's social security retired beneficiaries, 9 million older people, would have no other significant retirement income if it were not for social security. For the other 13 million, social security is the major source of retirement income. Less than 5 percent of those on social security would be able to afford modest retirement without social security benefits.

Today, 95 million people are covered by the social security program. These citizens and their employers will contribute $40 billion into the social security fund in 1971. This figure excludes $7.7 billion for medicare. The workers and their employers buy social security protection for almost 100 million workers for $40 billion per year. What does the worker and his employer get for the average $200 per year payment each make for social security insurance?

By this insurance payment, millions of young workers are substantially relieved of having to support their elderly parents whose benefits can range up to $213 per month for the retired worker himself and $320 for a retired couple. Under life expectancy tables, a married worker retiring today at 65 would be expected to live 13 years and his wife 3 years longer. In this period of time, and not counting cost of living increments, the retirement benefits would total $33,244 for the husband and $22,962 for the wife. Under this year's proposed social security bill, the benefits would total $68,839. How many young Americans would be able to pay for this level of support for their parents if there were no social security system?

In spite of all its problems the medicare system is the largest payer of medical bills in the world. In 1971, $5.2 billion will be collected from employers and employees for hospital insurance, while $2.5 billion will be paid into the doctors medical insurance fund. From these funds $8.4 billion will be paid on the claims of about 12 million elderly citizens. This $8.4 billion burden would otherwise have to be borne in large part by the children of the elderly.

The costs of health care and support of elderly parents would descend upon the younger worker at a time when he must face the heavy burdens of supporting his family and completing the education of his children.

The average young worker at age 35, with maximum earnings under social security, and his employer pay $115 per year each, or a total of $230 per year for survivor and disability insurance under social security. Without regard to escalators, this insurance has a value of $75,000 to $100,000 depending on average earnings. If he should die, his widow and two children would receive up to $517 per month until the children reach 18 or 22 if attending school. These payments are subject to escalation under H.R. 1, the social security bill now before Congress.

If this worker is disabled, he and his family would receive about the same amount for the period of his disability. At the maturity of his children, his benefits would drop to $295.40 per month. These benefits are also subject to escalation under H.R. 1, the social security bill

now before Congress. In addition, under H.R. 1 Medicare would assume the major cost of his medical expense in turn for a slight increase in the tax payment.

Under the automatic adjustment provisions of H.R. 1 now being considered by Congress, a worker of 35 retiring at age 65 and married would receive $1,215.90 per month at the time of retirement for himself and his wife. Ten years later, their benefits will increase to $1,530 per month. With an average life expectancy, this worker and his wife could receive a total of $249,480—a quarter of a million dollars.

Today's 35 year old worker retiring at age 65 would receive the following schedule of benefits for himself and his wife. All of these projections of benefits are based on the conservative assumption that the cost of living will be increasing by 2.3 percent per year over the long term, and that the wage levels will increase over the long term by 4.5 percent.

COUPLE'S MONTHLY BENEFITS OF WORKER NOW 35 RETIRING AT AGE 65 UNDER PROPOSALS OF H.R. 1

Retiree's age	Worker's benefit	Couple's monthly benefits
65	$810.60	$1,215.90
66	810.60	1,215.90
67 and 68	848.70	1,273.10
69 and 70	888.60	1,332.90
71 and 72	930.40	1,395.60
73 and 74	974.20	1,461.30
75 and 76	1,020.00	1,530.00

In the past 4 years, and under H.R. 1, social security benefits will have increased across the board by 50 percent.

INCREASES IN CASH BENEFIT

Amendments	Effective date of increase	Benefit increase (percent)	Cumulative increase (percent)
1967	February 1968	13	13
1969	January 1970	15	30
1971	January 1971	10	43
1971	June 1972	5	50

When we consider the other benefit improvements, like the increased widows' benefits, disability benefits, and the retirement test, increases in the social security package total 70 percent in the last 4 years.

INCREASES IN SOCIAL SECURITY CASH BENEFIT PROTECTION

[In percent]

Amendments	Increase in protection	Cumulative increase
1967	14.5	14.5
1969	14.2	30.1
1971	10.0	43.8
1971	18.0	70.0

When we add the value of medicare coverage which is estimated to increase total coverage between 30 to 36 percent, it can readily be seen that social security benefits including medicare have increased by over 100 percent in the past 5 years.

Nowhere in America, or anywhere else in the world, can comparable insurance be bought. No private insurance program today provides a cost of living escalation in benefits. Social security is the best insurance investment for every worker in America.

SHARPSTOWN FOLLIES—ACT II

(Mr. GONZALEZ asked and was given permission to revise and extend his remarks at this point.)

Mr. GONZALEZ. Mr. Speaker, we have had the salad oil scandal, and the case of the fertilizer king, and now we have the great Sharpstown Follies. As you recall, Mr. Speaker, act I of the Sharpstown Follies involved the machinations and manipulations of Frank Sharp, who was a homebuilder, banker, insurance man, philanthropist, man about town, and fraud.

Frank Sharp bought and systematically looted companies. Through stock manipulation schemes it is alleged he endeavored to enrich high officials of the State of Texas, who might or might not have known what was happening, or why, just as the Jesuit priests he defrauded of millions might or might not have known that their supposed benefactor was stealing them blind. After all of this was revealed, the Sharpstown State Bank collapsed, with a loss of millions. And it appeared that Frank Sharp was destined to face trial and perhaps a long jail sentence.

That was act I of the Sharpstown Follies. Act II has now started.

Mr. Speaker, some weeks ago I discussed in great detail how Frank Sharp and his associates built and milked a financial empire. I discussed how this man bought and sold insurance companies, and made deals with high officials in Texas, how he manipulated stocks and defrauded people, the very companies he owned, and even a Jesuit school. Millions of dollars disappeared into the mysterious world of Sharpstown, the town that Sharp built, and into Sharpstown State Bank, which he owned.

Now we learn that this man, who surely was one of the great manipulators of his time, has been permitted to plead guilty to lesser offenses, and has been assessed a fine of $5,000.

This is less than a slap on the wrist.

Obviously, the big fish has been let off the hook by the Department of Justice. We have a right to ask why.

Well, for one thing, it is possible—and very likely—that the Department of Justice has decided it would rather go after some political figures rather than the man who seemingly tried to influence those same men. They have made a deal with Frank Sharp—help us indict these Democrats, and we will let you off with a little old fine.

Now we are told that Will Wilson, who was once a Democrat, and who once aspired to be Governor of Texas, but who is now a Republican and in charge of the Criminal Division at the Department of Justice, has disqualified himself from the case of Frank Sharp. Why? Well, because he was once an associate of Sharp—and was attorney for Sharp in some of the very deals that Sharp has been indicted for.

But perhaps there is more to this than meets the eye. Did Will Wilson ever trade in the stocks that Sharp manipulated? Could it be that the Department of Justice wants as little known about this phase of the deals as possible? And is not it likely that one way to cover this up would be to go after democratic politicos and ignore Sharp himself?

One wonders why it is that the Deputy Attorney General himself is making the deals in this case. One wonders why it is that the local U.S. attorney mysteriously cut the Securities and Exchange Commission out of his plea bargainings with Sharp, despite the protests of the SEC. This same attorney had just a few weeks ago been extraordinarily zealous in prosecuting some rural small time Democratic officials—why is he now not so zealous in prosecuting Frank Sharp? One explanation could be that he is a specialist in catching little fish. But it is far more likely that he is not so much interested in the big fish in this case, but in the rich political possibilities involved in prosecuting highly placed State officials who may or may not have known about what Sharp was doing or trying to do. And incidentally, at the same time, saving his boss, the Assistant Attorney General for the Criminal Division, and former Sharp associate, the embarrassment of having to own up to his own dealings with Sharp, and the stocks that Sharp manipulated.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore (Mr. GONZALEZ). 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. The United States has the greatest length of railroad as of 1966 with 210,573 miles of track.

INCREASE IN INTERPOL DUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 10 minutes.

Mr. POFF. Mr. Speaker, in company with the gentleman from New York (Mr. CELLER), I have introduced a bill to authorize an increase in the U.S. dues for the International Criminal Police Organization—Interpol. The bill would raise the ceiling on dues from $28,500 to $49,000, and would also provide for the payment of the outstanding Interpol dues balance of $20,170 for the calendar year 1970. The dues paid by the United States will be only about 6 percent of the total amount of dues payable to Interpol and is equivalent to the individual shares to be paid by France, Germany, the United Kingdom, and Italy.

I include at this point in the RECORD a descriptive statement of Interpol, its makeup, its purposes, the nature of U.S. participation, and the benefits we derive from our membership:

INTERNATIONAL CRIMINAL POLICE ORGANIZATION—INTERPOL

The International Criminal Police Organization (Interpol), comprised of 109 member countries, is represented in the United States by the Treasury Department. Each participating country appoints a corresponding National Central Bureau to coordinate and channel their enforcement agencies foreign investigative requirements. For example, in the United Kingdom the N.C.B. is a part of Scotland Yard; in France, it functions as a branch of the Surete Nationale; in Australia, all foreign requests are handled by the Melbourne Police Department.

The purpose of Interpol, as stated in its Constitution, is:

"A. To ensure and promote the widest possible assistance among all criminal police authorities within the respective limits of the laws existing in their countries . . ."

"B. To establish and develop all institutions likely to contribute effectively to the prevention and suppression of crime."

Therefore, Interpol, is the catalyst which enables the police of the world to effectively coordinate their work in law enforcement and crime prevention.

In practical terms, Interpol is the tool and means by which any police agency, whether it be local, county, state or Federal, having a requirement for foreign investigation, from a routine criminal name check to a full criminal investigation leading to the gathering of evidence and subsequent arrest and extradition of a fugitive, can communicate their needs.

The Organization, however, is forbidden to undertake any intervention or investigation of cases having a political, military or religious character.

During the past two years, Interpol Washington's emphasis has been on advising and encouraging, not only the Treasury and other Federal enforcement agencies of the services of the Organization, but also educating the local police departments on the potential benefits to be obtained considering today's jet age in which the sophisticated criminal finds no national boundaries too distant to commit his offense. Prior to 1969, cases referred by this N.C.B. on behalf of United States enforcement agencies amounted to only 4% of the total case load of this Bureau. During Fiscal 70, 34% of the case load was on behalf of United States interests. The New York City and Los Angeles Police Departments, as well as others, refer all their foreign requirements through this N.C.B.

Interpol Washington, located at the Main Treasury Building in Washington, D.C., has telex capabilities to communicate directly with 41 member countries and cable facilities to the remaining countries. In addition, our National Central Bureau has access to the Interpol International Radio Network consisting of all the member countries on the European Continent, as well as many in South America, Africa and Asia.

There are, moreover, special additional benefits for the United States incident to membership in the Organization. These arise from the fact that Treasury and Justice law enforcement agencies have assigned numerous agents to posts of duty in foreign countries in order to combat activities abroad that ultimately have consequences in the United States, such as smuggling, counterfeiting, and movement of illicit drugs. These agents collaborate effectively in their missions with foreign police officials. To a large extent, such cooperation is made possible by the fact that the United States and the foreign countries in which United States agents are stationed have a common membership in Interpol.

In addition, the General Secretariat, located in St. Cloud, France, staffed by police officers on assignment from the French Surete and the Prefecture, as well as from numerous other countries, maintain complete identification files, fingerprints, photographs, etc., on known international criminals and furnish member countries with studies, reports and intelligence on the activities of individuals and groups engaging in international criminal operations.

The benefits derived from our participation in Interpol are far more valuable than the modest amount we pay in dues. I am pleased to introduce and offer my support for this legislation.

Mr. Speaker, by way of more precise explanation of the content of the bill, I quote herewith the letter of transmittal dated June 15, 1971, addressed to the Speaker by the Secretary of the Treasury:

THE SECRETARY OF THE TREASURY,
Washington, D.C., June 15, 1971.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Enclosed for your consideration and appropriate reference is a legislative proposal "To amend the Act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization."

Under existing law, the Act of June 10, 1938, (22 U.S.C. 263a), there is a ceiling of $28,500 per annum on the total dues to be paid for the membership of the United States in the International Criminal Police Organization (Interpol). As the agency designated to represent the United States in the International Criminal Police Organization, the Treasury Department has been responsible for the payment of Interpol membership dues and has obtained annual appropriations for that purpose. Because the dues have been increased, the Treasury Department recommends that the ceiling be increased from $28,500 to $49,000 and the payment of the outstanding balance of $20,170 for calendar year 1970 be authorized.

Congress amended the Interpol enabling act in 1967 to increase the then existing limitation on United States dues payments from $25,000 to $28,000 a year. Since that time, however, expenses have risen appreciably and at the annual conference held in 1969 in Mexico City the General Assembly of Interpol approved a new budget increase which raised the United States membership dues to the equivalent of $48,670 a year starting in calendar year 1970. The amount of dues payable by member countries is reconsidered every three years by the General Assembly of Interpol. The United States share represents only about 6% of the total amount of dues payable and is equivalent to the individual shares to be paid by each of the following members: France, Germany, United Kingdom, and Italy. Adequate safeguards are provided through congressional consideration of the annual appropriation request for the amount of such dues.

The Department believes that participation in Interpol is far more valuable to the United States than the amount of the annual dues. Such membership makes this country part of a productive information and communications system relating to criminals. This is valuable not only because of the data it regularly provides about offenders, but also because of the knowledge it imparts about developing trends in international crime and police science.

On June 25, 1970, the Department submitted legislation on the matter to the Speaker of the House of Representatives, which was introduced as H.R. 18550, and referred to the Committee on the Judiciary. However, no further action was taken on the measure and the Department as a result has been unable to pay the membership dues for the calendar year 1970 in full because of the present statutory limit. Consequently, section 2 of the draft bill would authorize the payment of the balance of the dues remaining unpaid for 1970 and authorize appropriations for that purpose.

There is enclosed for your convenient reference a comparative type showing the changes in existing law that would be made by the proposed legislation.

It would be appreciated if you would lay the proposed bill before the House of Representatives. An identical bill has been transmitted to the President of the Senate.

The Department has been advised by the Office of Management and Budget that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

JOHN B. CONNALLY.

POW PRISONS SHOULD BE INSPECTED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRENZEL) is recognized for 5 minutes.

Mr. FRENZEL. Mr. Speaker, 7 years and 83 days ago the first American became a prisoner of war in Southeast Asia. Since that time too many of our young men have been captured by the North Vietnamese or have become missing in action. This is a long time to be held prisoner in a war that should have been ended long ago. We have little idea who the North Vietnamese is holding captive much less what kind of treatment they are receiving. Our boys deserve better than that.

Mr. Speaker, this deplorable situation must be ended. We must do all in our power to secure inspection rights of prison camps by neutral observers, to get assurances that our prisoners are receiving humane treatment, to secure a list of all prisoners, and finally we must step up our efforts to negotiate the return of all men imprisoned by the North Vietnamese.

MERCHANDISING STOLEN PROPERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. DEVINE) is recognized for 5 minutes.

Mr. DEVINE. Mr. Speaker, I had occasion today to pay a partial visit to the highly publicized press conference of a group of our colleagues, augmenting a statement of 62 House Members, designed to influence Attorney General Mitchell, in effect, to withdraw his suit to enjoin the New York Times from publishing certain classified material.

Apparently the spokesmen for this group will inject themselves into the legal proceedings as amicus curie for the purpose of urging publication of the secret documents. Frankly, I am appalled and disturbed by what appears to be an endorsement by certain of our colleagues of the practice of merchandising stolen goods. Do they really realize what they are sanctioning? In my rather broad experience as a lawyer, prosecuting attorney, and law enforcement official, it was always considered a crime to fence,

or merchandise, stolen goods, and the facts in this case merely would compound the offense by peddling highly secret, sensitive U.S. Government documents.

I suspect by now most everyone knows there were 47 volumes of the material in the secret report, and only 15 sets, so it should not be impossible to discover from whom they were taken, and I presume the Attorney General will vigorously prosecute whoever is responsible for this outrageous breach of trust.

Moreover, I am deeply distressed over the publication by the New York Times of top secret Defense Department documents. In my view the action taken by one of America's supposed "leading newspapers" represent a new low point in journalistic irresponsibility and constitutes a serious threat to the internal integrity of our National Government.

I should like to emphasize very clearly at the outset, that, although I strongly believe in the public's right to know and in the concept of free and open government, the articles published by the Times far exceed any reasonable interpretation of these principles. The documents in question used by the Times were stolen from the U.S. Government and were clearly marked as classified "top secret" by the Department of Defense. That it went ahead and published them, at a time when American combat soldiers are still engaged in the battlefields of Southeast Asia, to me indicates a callous disregard for the national interest and a serious violation of the law.

It is vitally important that we separate the two very different questions which are raised by the Times' action. The first question is whether or not this is the proper moment for us as a Nation to engage in a national debate over how and why we entered the Vietnam war. The Times obviously believes that it is. I strongly feel otherwise.

It is my feeling that, in view of the fact that there are still American servicemen in the field and American prisoners of war interned in Southeast Asia, now is not the time to undertake a retrospective analysis of our involvement nor a self-recriminating search of our souls. Perhaps I would feel otherwise if the present administration were not getting us out of this unfortunate war. It is apparent that it is. President Nixon has withdrawn over 300,000 troops from Vietnam and has announced his intention to continue his withdrawal program. Vietnamization seems to be working and the Paris negotiations just might start moving forward at any time now that the war is winding down.

We should have an analysis of our involvement in Southeast Asia and there are very few people who would argue otherwise. However, there will be ample time for all to engage in such an effort. I believe that the Times' contribution at this time can have a very detrimental impact on the President's efforts to achieve a settlement. It is a classic example of very bad timing which very well may prolong the agony of the war.

The second issue raised by this controversy is a much more serious one, involving as it does a flagrant disregard for national security. Here is a newspaper anxious to print "all the news that's fit to print" obtaining a highly classified Government document from an inside source, proceeding to declassify it by publishing its contents on its news pages. The Times evidently is putting the American people on notice that it is willing to violate the law to obtain classified information relating to the national defense and it is taking upon itself the authority to determine whether or not that information should be declassified. In other words, "National security be damned."

To me this means that any and all classified documents in the possession of our Government henceforth are fair game to the Times or any other newspaper that can get its hands on them. It means that Government employees at all levels will be subjected to solicitations from enterprising reports for classified documents of all sorts whose contents might later appear on the news pages of newspapers across the country. It means that Government officials—both our own and those dealing with us—cannot operate freely with the assurance that highly sensitive conversations will not be the subject of somebody's headline. The implications of all this are appalling for every American. It must not be allowed to happen in America.

I, for one, do not want to see national security decisions made by Arthur Ochs Sulzberger of the New York Times. I urge the present administration and the Justice Department to prosecute the New York Times to the fullest extent of the law. The Times and its reporters have no constitutional right to violate the law and endanger national security. Those who believe that we will have a freer flow of information were the Times allowed to prevail in this instance will be sadly disappointed. If such conduct receives the sanction of the law, Government officials will surely be much more secretive in their activities than they need to be today. The "chilling effect" on our national leaders would be a great detriment to effective government. Its impact on international diplomacy, devastating.

The nature of the documents in this instance is totally irrelevant. There are well-established procedures to declassify secret publications whenever appropriate, but this must be a governmental function and not one for a newspaper. What really is at issue is whether anyone has the right to steal classified documents and publish them at will. If the New York Times can blatantly and arrogantly violate the law and jeopardize national security without punishment, it will be a sad day indeed for this great Nation. I urge that every individual involved in this most unfortunate episode—whether he be government official or Times employee—be brought to trial and dealt with accordingly.

HEARINGS ON VOTING REPRESENTATION FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, I would like to announce that Subcommittee No. 1 of the House Judiciary Committee has scheduled a series of public hearings on various proposed constitutional amendments to provide voting representation for the District of Columbia.

These hearings will commence on July 19, 1971, at 10 a.m., room 2141, Rayburn House Office Building, at which time congressional witnesses will be heard. On July 20, 1971, Government witnesses and District of Columbia officials will testify. Organizations and public witnesses are scheduled to be heard on July 21 and July 22, 1971.

Those wishing to testify or to submit statements for inclusion in the hearing record should address their requests to the Committee on the Judiciary, House of Representatives, room 2139, Rayburn House Office Building.

ENVIRONMENTAL AND CONSERVATION ORGANIZATIONS OPPOSE STREAM 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 Conservation and Natural Resources Subcommittee of the House Committee on Government Operations, of which I am chairman, has for several years held wide-ranging hearings and investigations on the economy and efficiency of Federal Government programs as they relate—for better or for worse—to the environment.

Our subcommittee recently concluded 7 days' of hearings called to evaluate the effects of stream dredging and modification programs—the small watersheds "stream channelization" projects authorized by Public Law 566—on the quality of our environment.

We set out to learn the answer to a question of prime importance: Are those Federal agencies which conduct, authorize, or provide financial assistance for stream channelization projects—principally, the Army Corps of Engineers, the Bureau of Reclamation, the Soil Conservation Service, and the Tennessee Valley Authority—complying with congressional mandates: First, to consider carefully possible adverse effects on fish and wildlife, in order to avoid or minimize them; and second, to protect and enhance our Nation's recreational opportunities and the quality of our waterways.

We heard testimony from proponents of stream channelization that these projects may—

Increase available water storage;

Provide flood protection to bottom land—which is then developed for residences and crops;

Decrease mosquito populations; and

Increase land values.

Critics of channelization testified that although these projects are designed primarily to facilitate navigation and flood control, they also—

Adversely affect fish and wildlife habitat;

Increase streambank erosion and stream sedimentation;

Increase pollution downstream and cause greater downstream flooding; and

Destroy esthetic values.

Representatives of environmental and conservation organizations who testified during the first 2 days of our hearings were unanimous in their support for a moratorium on stream channelization projects. They are joined by countless other organizations and individuals, many of whom have communicated their concern to me.

During the May 4 hearing, I asked the witnesses whether they would agree with the witnesses we had heard the previous day that, beginning on July 1, 1971, a 1-year moratorium be placed on stream channelization projects. The following colloquy ensued:

Mr. REUSS. Yesterday the question was put to the witnesses—representatives of the Audubon Society, the Wildlife Management Institute, the National Wildlife Federation, the Izaak Walton League, and Friends of the Earth—whether it would not be in the public interest for Soil Conservation Service channelization activities to be suspended during the year starting July 1, 1971, and ending with the end of that fiscal year. There was unanimous agreement among the witnesses that such a prohibition would be in the public interest.

I am going to ask each one of you that proposition, though some of you in your testimony made it clear that you would go much further.

I will take you in the order that you testified. How about the American Forestry Association?

Mr. TOWELL. I would wholeheartedly concur in the opinion of my colleagues yesterday, Mr. Chairman, that a 1-year suspension, or even longer if necessary, to review all channelization projects would be in order. However, I would not agree with one of our colleagues today, and others perhaps, about a suspension of all Public Law 566 projects for 2 years. I think this would be bad because there are many fine recreational, wildlife conservation, soil conservation, water conservation projects going forward under Public Law 566, and I think it would be disastrous to condemn the whole program for its weaknesses.

Mr. REUSS. I put my question narrowly to try to see the measure of as much agreement as possible. And your testimony is clear that you would favor as a minimum a 1-year ban on further channelization.

Mr. TOWELL. Yes, sir; I concur.

Mr. REUSS. Let me now turn to Mr. Barry of the Wildlife Society.

Mr. BARRY. I concur, but perhaps it would be well to establish that date in 1973, rather than immediately, in order to effect the administrative procedures.

Mr. REUSS. You say for 2 years?

Mr. BARRY. No. To start the procedure in 1973 rather than right now. It might create administrative complications if you started in the fiscal year 1972, or this July.

Mr. REUSS. Well, I picked that date for several reasons. One, it is close at hand. Two, it happens to be the day after the SCS Memorandum No. 108 filing deadline, which requires a return from the State conservationists; because unless there is such a prohibition, there would be nothing to stop the SCS from going right ahead with stream channelization as it has done for the last 15 years or so.

Mr. BARRY. But aren't there contracts ready to be let, and you might have complications in legal procedure here?

Mr. REUSS. The reference in my question was to the fiscal year 1972 budget.

Mr. BARRY. That would be starting in July.

Mr. REUSS. The commitments that exist before that would presumably have to be on order.

Mr. BARRY. We concur then.

Mr. REUSS. Yes, would concur, Mr. Dickerman?

Mr. DICKERMAN. Yes. The Wilderness Society could clearly concur in the proposal you made as a minimum situation. I think our testimony would indicate we would prefer to go further.

Mr. REUSS. Dr. Jenkins.

Dr. JENKINS. What would be the nature of the review carried on during this year's moratorium?

Mr. REUSS. My question sort of leaped over that because I was trying to get a minimum position, if there is one, on which all witnesses would agreed. I would assume that during the year in which there was a moratorium, organizations such as those represented here today would be working with the Soil Conservation Service—either to make the ban permanent or to see whether there are not some channelization projects which don't present any environmental threat and which are economically sound. If so, presumably the ban would be partially lifted, but these are facts that we can't now determine.

Dr. JENKINS. Fine. We would concur.

Mr. REUSS. You would concur. Mr. Johnson of the Sierra Club.

Mr. JOHNSON. Yes, I concur.

Mr. REUSS. General Rich?

General RICH. Yes, sir.

Mr. REUSS. And finally, Mr. Strohbehn and Mr. Barlow of the Natural Resources Defense Council.

Mr. STROHBEHN. We clearly concur.

Mr. BARLOW. Yes, sir. I, myself, have just recently been alerted to the full and wide problems caused by stream channelization, and I would certainly welcome this period of review to continue picking up all the information that is just coming to the fore on the devastating effects of channelization.

In fact, at the end of this period of review we very well might find ourselves in the position of asking the Soil Conservation Service to pursue flood control and to keep our streams clean by constructing swamps instead of destroying them.

Mr. REUSS. It is interesting that there is unanimous agreement today on this proposition, as there was yesterday; and between today and yesterday we have a very wide spectrum of the greater conservation organizations of the Nation. Your agreement with the proposition I put gentlemen, means, I take it, that you would not be satisfied with the operation of SCS Memorandum No. 108 over the next year. While it represents some forward motion, it apparently is your opinion that stream channelization would still continue under that operation, and you feel that, at least for the interim year, it should not continue. Is that a fair statement?

(All replied in unison affirmatively.)

Mr. REUSS. I'm particularly interested in the enthusiastic "yes" answer to my question given by the Natural Resources Defense Council, because you gentlemen—especially Mr. Barlow—showed more sympathy perhaps toward Memorandum No. 108 than some of the other witnesses have. But even you, sympathetic as you are, say that the boom should be lowered as of July 1, for at least a year.

Mr. BARLOW. Yes, at least.

Mr. STROHBEHN. Yes.

Mr. BARLOW. At no point in Memorandum No. 108 is there any indication that a specific channelization project is going to be shelved as a result of the review. This review process is simply paper shuffling in many cases.

Mr. REUSS. In general, you get the feeling that Memorandum No. 108 says "if the conservationists are being difficult, because we are bulldozing trees a hundred feet from the stream, just bulldoze 50 feet from the stream and see if we can't get them off our back." Would that be the general feeling?

Mr. BARLOW. Yes. But Memorandum No. 108 does give us an opening to pursue this further. For instance, it has come to our attention that the Soil Conservation Service is not requiring the State conservationists and the sponsoring soil conservation districts to submit 102 statements of any projects that were approved prior to the passage of NEPA—the National Environmental Policy Act. And since 108 clearly indicates that channelization is causing a lot of problems, we feel that there are grounds to go to the Soil Conservation Service and say, "where are the 102 statements on these projects?"

Mr. REUSS. I would just comment that it amazes me that the Soil Conservation Service—which as I have said in days gone by has been one of my favorites—is so careless of its reputation that it has allowed a situation to come about where in the clearest and most forthright way all the great outdoors and conservation organizations which have testified before us yesterday and today are unanimous in their condemnation. I don't know where SCS has been.

Mr. Speaker, yesterday I included in the RECORD, in my remarks on stream channelization, excerpts from letters we have received from State and international agencies. I now include, at this point in the RECORD, excerpts from the statements of environmentalists and conservationists who testified before the Conservation Subcommittee at its May 3 and May 4 hearings:

THE NATIONAL RIFLE ASSOCIATION—MAJ. GEN. MAXWELL E. RICH, RETIRED, EXECUTIVE VICE PRESIDENT

Some of these [channelization] projects have enhanced the quality of our environment by conserving soil, water and wetlands, and therefore the maintenance of suitable habitat for viable fish and wildlife resources.

Too often, however, these federally subsidized programs have subverted the wise and basic principles of conservation and have, in the opinion of many competent biologists, done irreparable harm to soil and water and wildlife resources. Included in this category, we believe, are the extensive wetland drainage projects which, in a puzzling paradox, add agricultural land acreage as agricultural lands are being removed from food production by other Federal programs. Meanwhile, these wetlands, valuable as wildlife habitat and a means of diverting rain from surface water runoff to much needed underground water supplies, are lost.

Case histories of dredging, drainage and channelization are legion and each such history has in common with others the conversion of living streams to silted ditches. Fish and other wildlife populations are decimated and radically changed by species. A 1964 study by Bayless and Smith in North Carolina found a 90-percent reduction of aquatic life after stream channelization. The results of this study are substantiated over and over again by separate studies conducted by independent and respected scientists in such diverse States as Ohio, Colorado, Washington, Nebraska, Montana and many others. An interesting study on the Tippah River in Mississippi concluded only last year showed the streams produced a standing crop per acre of fish before channelization of 887 fish weighing a total 240.7 pounds. Four years later the same stream produced 2,498 fish per acre totaling only 4.8 pounds in weight, a reduction of 98 percent in weight, an increase of 68 percent in numbers. The second sample is 99 percent minnows, shiners and darters—species of no food or recreational value.

It may appear strange that our association

which has a basic interest in sport shooting and hunting should show so much concern over the reduction of aquatic life. And I hasten to point out that our interest in the environment is not limited but rather is a matter of entire concern. Terrestrial animal population is equally damaged by channelization, and it is more difficult to make the same precise evaluation of this reduction as is noted in studies of aquatic animals. However, the serious decline of terrestrial species, dependent on the edge environment of stream banks is immediately obvious.

Texas reports a 90-percent reduction of their 4.5 million white wing dove population as the result of clearing riparian lands along the Rio Grande River by a Federal agency as part of a reclamation project.

Many of these federally sponsored projects lay claim to providing additional man-days of recreation on the water impoundments and reservoirs thus created. However, we hear no claims being made as to the quality of this new recreation. Nor do we hear much about increased siltation rates of water impoundments because of channelization of upstream tributaries.

We suspect that frequently the deciding factor on channelization, reclamation, and so-called flood control projects is an economic one. The implication of increased short-time prosperity brought about by the expenditure of substantial sums of money by the Federal Government for local construction overrides the long range loss suffered from a degraded environment.

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THE NATIONAL AUDUBON SOCIETY—MR. CHARLES H. CALLISON, EXECUTIVE VICE PRESIDENT

The channelization emphasis in the Public Law 566 program has to be changed • • •. These damages are in the lowering of water tables, the elimination of flood plains as natural reservoirs and recharge basins for aquifers, the elimination of wildlife cover and of stabilizing vegetation along the streambanks, an increase in water temperature and turbidity, elimination of desirable sport fisheries, and decimation of a whole host of stream-related wildlife. In short, the conversion of beautiful streams that are rich in natural life into sterile and unsightly ditches. And all for the benefit, really, of a relative handful of riparian landowners who, at the cost of disproportionate public investment, gain more acres of cleared and tillable land.

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Two years ago the Game and Fish Commission of the State of Georgia made a careful analysis of SCS plans for the extensive channelization of the Alcovey River and its tributaries, Flat Creek and Cornish Creek. Using the Soil Conservation Service's own figures, the commission found that channeling 80.9 miles of these streams would make possible the drainage of 4,327 acres of privately owned swampland at a cost to U.S. taxpayers of $3,494,432, or at the average cost of $807.77 per acre. The value of the land before drainage was estimated at $300 per acre, and after drainage it would be worth, the SCS said, $350 per acre.

The economics of most such projects, we fear, are equally fantastic—not counting the generally unmeasured but substantial costs in environmental damage.

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THE NATIONAL WILDLIFE FEDERATION—MR. LOUIS S. CLAPPER, DIRECTOR OF CONSERVATION

We were, like the Audubon Society, one of the original supporters of the small watershed program and the Watershed Congress which each year continues efforts to promote this concept.

We still believe there is merit and public value in the original concept of the watershed program—that of controlling floods by holding water where it falls, especially in the upper reaches. But we honestly and sincerely feel many of the so-called channel improvement projects which are being pursued under the guise of flood control in reality are measures designed to speed water off the land or to allow adjacent farmowners to reclaim wetlands for increasing agricultural production, and we don't believe it's consistent, Mr. Chairman, for one arm of the same department to increase agricultural production at the same time when another program within the same department is endeavoring to pay subsidies to keep lands out of production.

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Now, I would like to make one additional expression. We would express the hope that the subcommittee will join us in reaching the decision that these drainage and channelization projects as currently pursued are contradictory, conflicting, wasteful, and harmful, and not in the overall public benefit.

Further, we hope and trust that the subcommittee will recommend administrative changes and, if necessary, additional legislation which will correct the ills and deficiencies which these hearings are bringing out.

AMERICAN FORESTRY ASSOCIATION—MR. WILLIAM E. TOWELL, EXECUTIVE VICE PRESIDENT

As a native Missourian, I witnessed almost complete disappearance of what we called our delta hardwoods down in southeast Missouri from land drainage and clearing as a result of drainage and channelization. At one time there was a tremendous hardwood forest industry in that section of our State, but as a result of this drainage and the clearing that resulted from it this almost completely disappeared.

The same thing is true in other States. In Arkansas, for example, since 1960, 1.2 million acres of delta forest have been cleared, and they calculate this at the rate of 150,000 acres per year. In Arkansas only about 2 million acres of the delta forest remain.

In Mississippi we have some figures, too, which show that 1 acre out of every three in the delta region has been cleared. And I think, as I already mentioned, that this clearing is a direct result of drainage and stream channelization. Once the land is cleared, it, of course, goes immediately into agriculture crops, which I am afraid is the real incentive behind the project.

I quote also from a U.S. Forest Service report in Louisiana:

"It appears that the brunt of agricultural expansion in the delta is being borne by the better hardwood sites and that forests are being increasingly restricted to areas that flooding, poor drainage, and soil conditions render unsuitable for farming. The delta has long been noted for the quality and quantity of timber yielded by its heterogenous forests. These forests are generally regarded as the most productive hardwood lands of any size in the entire South or perhaps the Nation. The decade-by-decade attrition of hardwood acreage in the delta has caused widespread local concern over the long-range future of the region's wood-processing industry."

This same thing happens not just in Arkansas and Mississippi and Louisiana, but in most of the Eastern and Southern States where you have delta forests, where you have flood plains, and lowlands, where drainage is generally desired to achieve agricultural productions. • • • when forests are gone, generally the wildlife goes right along with it.

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Now, I am against channelization generally. I think it has been overused and abused to the detriment of forests, to the detriment of fish and wildlife. I think it should be eliminated eventually as a small watershed project because of its misuse and because of the detrimental effects it has on conservation and environmental matters. • • •

THE WILDERNESS SOCIETY—MR. ERNEST M. DICKERMAN, DIRECTOR, FIELD SERVICES, EASTERN REGION

The Wilderness Society would like to stress one major thought: The place to keep the water is in the soil. That is where the water is most fruitful. To undertake to run it off as rapidly as possible is to lose its prime benefit in terms of productivity, whether of domestic cattle, wildlife, cultivated crops, timber, fish, or other forms of plant and animal life upon which man is dependent. To be beneficial the water needs to stay in the land. A meandering stream or river, along the banks and bottoms of which innumerable forms of plantlife grow, does this best. Likewise, a swamp or marsh is the most efficient and effective form of water reservoir, automatically expanding or contracting as the circumstances require, absorbing the surplus waters in time of flood, releasing the surplus waters gradually after the flood has subsided. And all the while as the swamp or marsh automatically performs this reservoir function, it is constantly productive in terms of growing suitable types of timber, of sustaining bird, fish, and other animal life ranging from the conspicuously visible to the microscopic in size, of providing one more of the varied forms of natural habitat necessary for a balanced ecology on this planet.

Because we as a society have become so accustomed to judging practically everything by the number of dollars which it will add to man's annual income, we have persisted in the error of closing our eyes to the long-term needs of life itself. We have closed our eyes to the fact that man, too, must live in harmony with nature and must adapt his needs and actions to conform to the balance of nature if he is to have a continuing existence—most especially so if he is to have a full and satisfying life.

These channelization projects, which would drain the water off the land and accelerate its movement to the sea are in most cases of benefit only to the individual property owners who stand to make a quick monetary gain from some short term use not previously possible. A former piece of swampland, drained and filled, may then be subdivided and the land sold at a handsome dollar profit by the original private owner—with the new homeowners probably plagued with drainage problems from then on. Or the drained swamp may initially and for some years grow cash crops previously not possible; but the odds are that the character of the soil will not sustain indefinitely intensive cultivation and in time it will have to be abandoned. With the stream or river ditched and straightened by dragline or bulldozer, almost certainly the local water table will be lowered, reducing the fruitfulness of the adjacent lands. Most certainly fish life will be destroyed indefinitely, for the barren stream bed will contain no nourishment, the swifter flowing waters will retard the growth of new plantlife and the sustaining of needed microscopic life, and the frequent deposition of silt cut by the faster flowing water from the bare stream banks will periodically suffocate new plant life bold enough to try again.

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This is the sort of Government-financed program which needs to be eliminated in short order.

We have too long presumed to evaluate a wide range of river control projects only on a limited range of factors. By omitting consequential loss factors, we have made unwise projects appear favorable in terms of immediate dollars and cents. For example, on dam and reservoir projects for years we have deliberately omitted the loss of annual food

production from the highly productive river-bottom lands which would be permanently inundated. The National Environmental Policy Act of 1969, with its section 102 statements requiring that all adverse environmental effects be taken into account, represents positive action on the part of the Government to see that in our environmental projects the entire range of related factors is fully considered. But with thousands and thousands of separate channelization projects programmed all over the United States, we cannot hope for adequate protection of the public interest if each one has to be reviewed and fought individually when the true problem lies in the basic error of the general policy of river channelization.

This destructive policy has gone on because the channelization projects happen one by one in a diversity of localities around the country, making it difficult to show them as a national danger. The Subcommittee on Conservation and Natural Resources is to be most heartily commended for focusing public attention at the national level on this problem.

THE SIERRA CLUB—MR. A. STEVE JOHNSON

"Channel improvement" as used by the SCS can mean a wide variety of operations, ranging from simple removal of snags and debris from the streambed, to drastic excavation and straightening of miles of stream channel, with complete removal of vegetation from banks. Quite often, however, the latter extreme is the dominant one. For example, in my home State of Georgia, the 72 SCS projects authorized as of December 1970, include 318 miles of excavation, plus 264 miles of clearing and snagging.

Similar activities by other Government agencies—notably the U.S. Army Corps of Engineers and the Tennessee Valley Authority—are much in evidence in the Southeast. For example, TVA's plan for development of the French Broad River Watershed in North Carolina includes 74 miles of channel improvement, of which 58 miles is excavation. Channelization activities of the Corps of Engineers during the past 40 years have affected every major stream in the delta region of Louisiana; hardwood forests in this area are being cleared at the rate of 110,000 acres per year, and at this rate will be depleted by 1991. Proposed development of the Atchafalaya Basin in Louisiana by the corps is expected to detrimentally affect 1,300 square miles of outstanding wildlife habitat.

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Although environmental impact statements are now required on all SCS small watershed projects, under the National Environmental Policy Act of 1969, such statements appear to be little more than a formality, are poorly researched or documented, and show a gross ignorance of ecological principles on the part of the SCS. For example, in the statement on the headwaters of the Chattooga River in Georgia—Coosa drainage—section II, headed "Adverse Environmental Effects" contains only the one blunt statement: "No adverse effects on man's environment are anticipated." (The project contains seven floodwater retarding structures and about 26 miles of "channel improvement.") The statement on the North Oconee River project in Georgia states: "The 24 miles of channel improvement are not expected to result in losses to the presently low-value fish and wildlife resources." No biological data or other evidence of intelligent investigation into the subject is apparent in the statement.

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WILDLIFE SOCIETY—MR. EDWIN M. BARRY, ON BEHALF OF DR. FRED G. EVENDEN, EXECUTIVE SECRETARY

I would like to say that from my experience the Middle Atlantic States and those to the south of us, who have experienced severe damage to wildlife through drainage of swamps and marshes and relocation of existing streams and rivers, are of one mind in the demand that future Federal agencies not rest their case on mitigating measures but that all projects show documentary approval and that all resource values are thoroughly considered and replacement in kind of fish and wildlife habitat is effected.

We might point out that in the little State of Maryland there are about 300,000 acres of wetlands. We are losing more than 2,000 acres a year.

THE WILDLIFE MANAGEMENT INSTITUTE—DR. LAURENCE R. JAHN, VICE PRESIDENT

Increased flows have undesirable impacts all along stream channels. And this, I emphasize, is an important relationship. They alter the stability of the channel itself wherever the peak flow moves. The added volume of water gradually enlarges the channel through erosion. The results are unstable and poorly vegetated banks, scoured or muddy channel beds, and unusual debris accumulations. All of these results degrade a stream and its associated flood plains. Biological productivity declines. Preferred species of fish decrease, and if conditions are particularly severe the species composition may change drastically with the desired species becoming rare or being eliminated. Esthetic values are degraded. Of course, some of this happens in undisturbed streams, but the results are neither as abrupt nor as disastrous as in areas downstream from channeled portions of streams.

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In view of these potentially serious adverse impacts of channelization on interior continental streams, we recommend:

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8. That a moratorium be established immediately on construction of channels and other drainage measures in watershed projects. As of July 1970, construction was in progress on 728 small watershed projects and planning was underway on 368 projects in the United States. Additional watershid projects are being proposed continuously. Established projects have been evaluated and planned without benefit of adequate ecological, hydrological, and benefit-cost considerations. Alternatives for channel construction and drainage should be incorporated into all approved and proposed projects.

THE IZAAK WALTON LEAGUE OF AMERICA—MR. TED PANKOWSKI CONVERSATION ASSOCIATE

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It is suggested, Mr. Chairman, in the interest of flood prevention, channelization is actually causing higher and greater flood levels than occurred before the channelization took place.

In north Missouri, for example, a rough estimate is that more than 400 miles of river have been completely channelized, 600 miles of river partially destroyed with more than 700 miles scheduled for straightening and damming. The Satilla River in Georgia that should be studied for "scenic river" designation is, according to our affiliates there, a target for recreational navigation, a concept conjured up by some Corps personnel.

A similar situation existed with respect to plans to convert the Maumee River from Toledo, Ohio, to Fort Wayne, Ind., into a commercial barge canal eventually linking up with the Ohio River. * * *

The public has been made well aware of the more notorious instances of environmental damage caused by these works—the Alcovy River in Georgia where the Soil and Water Conservation Service of the Department of Agriculture advised us 2 weeks ago no environmental impact statement as required by EPA has yet been prepared. * * *

And in New Jersey * * * we learn that the Department of Agriculture may be contributing to their destruction. This is done through a Federal assistance program to salt hay farmers, who are encouraged to dike off lands over which the tide flows and to drain it for increased hay production.

The particular irony here is that this encourages the breeding of mosquitoes so that the department can then offer further assistance for pesticide application.

THE NATURAL RESOURCES DEFENSE COUNCIL—MR. EDWARD L. STROHBEHN, JR.

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The seriousness of the environmental destruction problem posed by the watershed protection program is apparent from its magnitude: as of June 30, 1970, planning assistance had been authorized for 1,561 watersheds, of which 273 projects had been completed; a backlog of 1,300 applications for assistance had accumulated at that time and 8,904 of the 19,195 watersheds in the Nation that could qualify for Public Law 566 assistance were reported as needing attention. By April 1, 1971, SCS had completed another 27 projects.

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And the Soil Conservation Service has permitted itself to pursue an environmentally destructive course of agricultural land development when its statute clearly commands it to undertake an environmentally responsible multipurpose program. Here, however, under existing authority, other Federal agencies that are seeking to protect the environment can undertake responsible decisionmaking roles regarding the watershed protection projects.

Unless remedial action is taken now, one of the most precious parts of our environment will be lost forever. We would be wise to remember Justice Holmes' admonition: "a river is more than an amenity, it is a treasure." So is a stream.

FRIENDS OF THE EARTH—MR. BRENT BLACKWELDER

No account is taken in the cost-benefit analysis of significant costs. There is a great deal of mention of benefits but no enumerations of such significant losses as losses of fishing, hunting, esthetic beauty, recreational opportunities, loss of forest products, losses from lowering of the water table, from increased downstream flooding, siltation, the rapid spread of pollutants and insecticides.

Furthermore, the loss of areas of scientific and educational value is something that should be taken into account but is not now done.

In addition, an unrealistically low discount rate is used to justify these projects. Many of them were authorized under a 3⅛-percent rate, and they have yet to be installed. Were the opportunity cost of capital to be used as the discount rate—that is now between 8 to 10 percent—perhaps as many as 80 to 90 percent of these projects would have an adverse ratio and could not be initiated.

Studies of a number of these projects have shown that it would be cheaper to purchase the land and use it as a wildlife refuge rather than continue with the project.

Almost double the amount in some projects is being spent per acre over and above what the land is valued at.

The magnitude of the threat posed by channelization needs to be stressed. Fewer than 300 projects have been completed, but the claim is that over 10,000 additional Public Law 566 projects are needed, and unless something is done, many of these 10,000 will involve channelization.

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We fully support a moratorium for a good number of years until adequate scientific investigation can be conducted on all of the Soil Conservation Service Projects. We do not believe that the talk of mitigation which is mentioned in Watersheds Memorandum 108 will be sufficient because there is no reason to mitigate losses on projects which should not have been initiated in the first place.

THE NATURE CONSERVANCY—DR. ROBERT E. JENKINS, ECOLOGY ADVISER

In our view, the chief purpose and result of channelization and stream modification is the destruction of natural habitat resulting from the naive and arrogant assumption that a simplistic, artificial hydrological system can be imposed on the natural one without penalty.

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Of all the habitats we seek to save, none are more important, in our view of the current evidence, than waters and wetlands. Life began in the water and it is still water upon which every living thing depends. At the same time, mismanagement and misunderstanding of the water resource is perhaps the outstanding feature of present day civilization's treatment of the environment. Water is at the bottom of things and, therefore, becomes particularly vulnerable to a variety of influences in the surroundings, the effects of which are eventually felt in the lakes, streams, oceans, or wet bottoms.

At time when the need to preserve the aquatic environment is becoming apparent, the intent of channelization and other stream modifying operations is frequently the elimination of natural wetlands. In their place we are offered ditched streams and artificial impoundments. Natural floodplains are no longer to be permitted their periodic floods. Natural valley communities which were exquisitely adapted to occasional inundation are drowned under permanent pools of deep water. Swamps and marshes are drained, cleared and put into crops.

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Prior to September 1, 1969, nearly 59 million acres of watershed in 956 projects had been approved for alteration under Public Law 83–566 alone, and applications had been made to treat another 155 million acres in 1,860 other projects.[4] In 1964, Hollis Williams of the Soil Conservation Service asserted at the 11th National Watershed Congress that 1 billion acres—or 43 percent of the U.S. land area—needed watershed development. In the single month of March 1971 the Council on Environmental Quality received environmental impact statements from SCS for projects involving 22 dams and at least 61.9 miles of channel alteration on watersheds covering well over 200,000 acres.

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It might be better if all of this were a simple matter of spoiled esthetics and insulted conservationists, but it is much grimmer than that. Whereas the colonial agriculturist could be forgiven for his belief that swamps were useless or worse, in the face of the emerging evidence to the contrary, it is not asking too much of Government environmental specialists to reassess their positions on the matter. I will not speak here of the well-known values of wet lands to fish and wildlife, their great recreation and esthetic potential, and their tremendous productivity relative to other ecosystems. These are well-known facets of wet lands which I feel have already been considered by the promulgators of hydrological simplification and rejected as less important than the apparent short-term economic returns to be realized by the technological "fix" which they choose to employ. However, wet lands fulfill other vital but nonobvious functions within the ecosystem which we are only beginning to understand, but which may be of much long-term significance to human welfare.

The first of these factors has actually been known for a long time, but it has been for some reason given insufficient consideration. This is the role that wet lands fill in the hydrological cycle. Swamps, marshes, and flood plains act like giant sponges, absorbing up to 16 times their own weight of water and releasing it slowly into water courses, the atmosphere, and into deep ground waters.

Far from requiring protection from floods, such areas actually act to prevent floods elsewhere by reducing waterflows to levels which can be accommodated by existing channels.

This is exactly the opposite of the way channelization itself performs, passing the roaring torrent downstream where it can cause further problems. Retention of the water at one place permits it to percolate downward into the aquifiers, which we are now recognizing as underground reservoirs of great value because of their comparative purity and their protection from evaporative loss. Slow release of water also maintains more continuous streamflow, reliable springs, et cetera.

Mr. REUSS. Mr. Speaker, I submit that we create an intolerable situation when we allow the conversion of hundreds of once-beautiful, natural settings—the breeding grounds of fish and wildlife—to barren, silt-laden waterways in which few creatures can flourish or even survive.

PANAMA CANAL: INTENSE PANAMANIAN HOSTILITY CAMPAIGN AGAINST THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, since World War II the diplomatic relations between the United States and the Republic of Panama have been featured by a sustained sequence of unrealistic and unreasonable demands on the part of Isthmian demagogues as regards the Panama Canal. Bluntly stated, these demands aim at wresting control of the Canal Zone and canal from the United States.

Though Panamanian propagandists seem to lie awake at night trying to think up cleverly worded diatribes and distortions against United States and Panama Canal authorities, they seldom, if ever, mention the great economic benefits received from U.S. Government agencies in the Canal Zone. In 1969 more than $161,100,000 were injected into the economy of Panama from these sources giving that small country one of the highest per capita incomes in all of Latin America. Moreover, in 1970 there were a total of 15,846 Panamanian nationals employed by the United States.

Among the recent critical comments against the United States as expressed in the Spanish language press of Panama the following are summarized:

El Panama America, January 5, 1971: A columnist states that Panama has made it very clear that in future relations with the United States, it expects to be treated as an equal and will accept nothing less than absolute sovereignty over all its territory, including the Canal Zone.

El Panama America, January 8: Editorial contends that the France Field area should be turned over to Panama as that area was included in the 1967 draft treaties for cession to Panama.

El Panama America, January 8: Columnist in commenting on the January 9, 1964, Panamanian mob assault on the Canal Zone stated that each stone thrown and each bullet fired against the U.S. military repudiated the situation in the Canal Zone, in Panama, in Latin America, and indirectly in all the dependent countries; and opened new roads toward the only goal, a Panama Canal used by the people of the world and managed by Panamanians.

Matuitino, January 9: A columnist refers to the "cold, satanic executioner, Gen. Andrew P. O'Meara, who ordered his army to kill undefended citizens" in the 1964 mob attack on the Canal Zone.

El Panama America, January 10:

National dignity is vital for the Panamanians.

Hour of the Second Independence Has Come.

We should free ourselves of Colonialism.

Sovereignty or Death.

Critica, January 12: Columnist states that Panamanian jurisdiction should be administrative, fiscal, judicial, and political.

El Panama America, January 18: Operation of schools, colleges and universities in Canal Zone is illegal. No school should exist in the Canal Zone without permission from Panama.

La Hora, January 21: Referring to Representative LEONOR K. SULLIVAN, a columnist states that no Member of Congress is against Panama more than Representative FLOOD except Mrs. SULLIVAN.

El Panama America, January 24: Refers to the Panama Canal as the cancer of Panama.

La Hora, January 26: Writer states that the gringos are trying to pull the wool over Panama's eyes by closing a number of canal installations and pretending to have financial difficulties.

El Panama America, February 2: The Governor has no authority to give an opinion on the future use of the Panama Canal without first having consulted the Panama Foreign Office.

La Estrella, February 3: United States does not have the right to give political asylum in the Canal Zone.

El Panama America, February 3: Columnist devoted his criticisms to statements by Representative DURWARD G. HALL regarding U.S. sovereignty over the canal stating that such persons would listen to Panamanian reasoning only if it is backed up by an act of sabotage, or if every Panamanian in the Canal Zone becomes a guerrilla, ready to set a storehouse on fire, or place a plastic bomb in the residence of a Canal Zone official.

El Panama America, February 8: Foreign Relations Minister Juan A. Tack has done a fine job fighting for Panama's absolute sovereignty over the Canal Zone.

La Estrella, February 12: Foreign Relations Minister Tack labels Canal Zone authorities as arbitrary, abusive, and intolerable.

El Panama America, February 9: The cause of sovereignty is the cause of Latin America.

El Panama America, February 13: Compares U.S. action in the arrest of an impersonating narcotic agent with the action of the NKVD.

El Panama America, February 26: The Revolution reaffirms Panamanian political and judicial sovereignty in the Canal Zone.

Critica, February 26: Not one Panamanian would permit signing treaty in perpetuity.

El Panama America, March 1: Charging for water is another of many impositions by Canal Zone authorities on Panama.

El Panama America, March 12: Columnist writes that Latin America has been exploited by the U.S. which buys Latin America's raw materials at low prices and sells back finished products at high prices.

El Panama America, March 24: Pressure Fails/Now They—Gringos—attempt to undermine us by using drugs from the Canal Zone.

Canal Zone has been converted into a sanctuary for psychological activities against Panama.

Editorial states that not only do Canal Zone authorities protect drug pushers but they hide Panamanian terrorists and criminals.

El Panama America, March 25: Canal Zone Police have had a great time giving citations for traffic violations to motorists who do not know how to drive in proper lanes on the Thatcher Ferry Bridge.

La Hora, March 26: Canal Zone has become a source of corruption.

El Panama America, April 1: Only after the 1903 Treaty has been replaced by one satisfying Panama can there be any discussions for a new treaty.

El Panama America, April 8: Foreign Minister Tack protests to U.S. Ambassador in Panama against "illegal" operation of clubs and recreation centers in Canal Zone.

El Panama America, April 21: U.S. Chief Negotiator Anderson is wrong in wishing to consult with Canal Zone residents on treaty negotiations.

Critica, April 28: Principal aim of Torrijos is clear: Panamanian jurisdiction over the Canal Zone and elimination of irritating privileges of the United States.

Critica, May 6: "Panama One Nation: One Flag from Border to Border," say Panamanian treaty negotiators.

El Panama America, May 7: Editorial says that reactionaries are trying to make the Panama Government appear communist in order to bring about U.S. intervention.

El Panama America, May 12: Columnist writes that if something unfortunate like the January 9, 1964, mob assault on the Canal Zone occurs, the people will not be alone and Governor Parker will open new graves.

Editorial states that one of the conflicts that will be eliminated when Panama has complete sovereignty over the Canal Zone is its use as a political asylum—

El Panama America, May 13: Columnist suggests that Panama geographers revise their data and texts to show the Canal Zone as Panama.

La Estrella, May 15: Torrijos wishes to end Panama's dependence on the United States.

El Panama America, May 15: President Allende of Chile supports Panama's aim for complete sovereignty over Canal Zone.

Critica, May 15: Panama will be energetic in defense of its rights.

El Panama America, May 17: Canal Zone impedes full development of Panamanian nationality.

Critica, May 18: Columnist deals with the Guatemalan fight against communism and the part U.S. played and the various times U.S. interfered with the internal affairs of Mexico.

El Panama America, May 18: Students reaffirm defense of sovereignty.

Editorial urges an organization to promote the negotiations and to orient the masses on canal treaty with the United States.

La Hora, May 18: Panama is being flooded with contraband phonograph records from Canal Zone.

El Panama America, May 20: Columnist suggests that the problem of returning the Canal Zone to Panama be submitted to the U.N. General Assembly in September 1971.

El Panama America, May 23: Panama will demand that some of the meetings in the treaty negotiations be held in Panamanian territory.

El Panama America, May 24: Columnist blames the Thatcher Ferry Bridge for a tragic bus accident, which involved the loss of 38 Panamanian lives.

El Panama America, May 29: Editorial discusses the use of Panama water for operating the Panama Canal and questions the right of the United States to sell Panama water to vessels in transit and to Panama. He thinks that the United States should supply free water to Panama.

Critica, May 29: Panama cannot accept that its relations with the United States be on a colonial basis and be burdened by a treaty made through imperialism and power.

El Panama America, May 31: Dr. Carlos Lopez Guevara, member of the Panama negotiating team, states that the 1903 Treaty is contrary to the U.N. Charter, and that, under Article 103 of the Charter, the Charter prevails over the Treaty.

El Panama America, June 1: The Zone will no longer be a colony within our territory.

La Hora, June 1: Absolute Sovereignty: In the Panama Canal Zone.

El Panama America, June 2: A cartoon on the editorial page shows two new Panamanian patrol launches in the water with a sign saying "200 miles" and a Panamanian saying, "Now we can defend our sovereignty in the water."

Critica, June 2: Panama never gave sovereignty in the Canal Zone to the United States.

El Panama America, June 3: Revolutionary Government obligation: to consolidate sovereignty and the rights of the people in the entire national territory.

Editorial: The new Treaty will be made by the people, who will also ratify it—

El Panama America, June 3: Dr. Carlos Lopez Guevara contends that the U.N. Charter nullifies the 1903 Treaty that he says was not negotiated but imposed on Panama.

Critica, June 3: Editorial states that the existence of another government within a government was an impossible situation and the principal cause of conflict between Panama and the U.S.

El Panama America, June 4: Columnist writes that Panama wants just compensation for its contribution of geographical position and its water resources that make the Canal possible.

La Estrella, June 4: The principal objective of Panama is recovery of jurisdiction in the Canal Zone.

Mr. Speaker, the foregoing sequence is not accidental but evinces a carefully prepared design of hostility to the United States. As I have often stated the crucial issue at Panama is not U.S. sovereignty over the Canal Zone versus Panamanian but U.S. control versus Soviet control.

As regards the tragic bus accident on the Thatcher Ferry Bridge on May 24, 1971, listed above, I have taken steps to ascertain essential facts. After a study of them, I plan to make a special report to the House in an address should this be deemed appropriate.

One of the current demands that has been often repeated in the past is payment for Chagres River water on the specious claim that this water is a natural resource of Panama and that the United States should pay for it. Isthmian agitators never mention the fact that one of the fundamental provisions of the 1903 treaty grants the unrestricted use of this water in perpetuity to the United States for canal purposes and I shall quote that provision:

ARTICLE IV

As rights subsidiary to the above grants (Articles II and III) the Republic of Panama grants in perpetuity to the United States the right to use the rivers, streams, lakes and other bodies of water within its limits for navigation, the supply of water or waterpower or other purposes, so far as the use of said rivers, streams, lakes and bodies of water and the waters thereof may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal.

Mr. Speaker, the above cited treaty provision is further evidence of the vision of the statesmen who were responsible for the construction of the Panama Canal and the acquisition of its protective frame of the Canal Zone in the early part of the century. Its terms are conclusive and should end all debate but it does not, largely because of the failure of the highest officials of our Government to answer directly and forthrightly such atrocious claims and criticisms. Instead of boldly asserting our treaty-based rights as President Theodore Roosevelt or Secretary of State Charles Evans Hughes would have done, recent high officials of our Government have kept silent, giving Isthmian demagogues unrestricted play to ply their game of political blackmail.

In the present diplomatic negotiations with Panama the lineup of negotiators is as follows:

For the United States: Robert B. Anderson as Chief Negotiator, and John C. Mundt as deputy.

For Panama: Dr. Carlos Lopez Guevara and Fernando Manfredo.

It is interesting to note that Ambassa-

dor Anderson was also the chairman of the recent Atlantic-Pacific Interoceanic Canal Study Commission that recommended the construction of a new Isthmian Canal in Panama of so-called sea level design. This proposal hinges upon the surrender to Panama of U.S. sovereignty over the Canal Zone and existing Panama Canal, which to any realistic person is unthinkable. It makes imperative early adoption by the House of the pending Panama Canal sovereignty resolutions now before the Committee on Foreign Affairs.

In my judgment all that has recently occurred in Panama since the Communist takeover of Cuba has been influenced, aided and abetted by Soviet power and money. What the Soviet Government has done in these connections has been motivated by its long proclaimed policy to conquer the entire world for communism—a policy that has never been renounced, but has become more determined as shown by the recent Soviet-Egyptian Treaty.

The election of a Marxist as president of Chile, the expropriation of property there, and the assassination of conservative leaders in that country show the inevitable consequences of Communist practices in every country where they have obtained domination or a foothold. How can anyone with knowledge of these facts be so stupid as to believe that what is now taking place in Panama is without Soviet backing and assistance? Our own country's softness is dealing with the Isthmian situation has been induced, in large measure at least, by the desire of our responsible officials not to "make matters worse." Except for this Soviet backing, I am sure that these violent, truculent and hate-infected actions at Panama would not obtain.

Soviet power now dominates the Suez Canal and several Near Eastern countries, including Egypt. A Soviet fleet has been built in great strength in the Mediterranean and Soviet power is moving heaven and earth to open the Suez Canal and thus enable Soviet naval power to control the Indian Ocean and adjacent nations. According to Admiral Horacio Rivero, commander in chief, Allied Forces Southern Europe, opening the Suez Canal would provide "an enormous strategic advantage" to the Soviet Mediterranean Fleet—U.S. Naval Institute Proceedings, June 1971, page 108.

A confrontation between United States and Soviet power at Panama seems inevitable and the nonconstitutional Government there now in authority seems to have been completely taken over and dominated by Soviet influence. If and when that power takes over the canal enterprise and the United States is driven from the isthmus complete domination of all Latin American and the West Indies will inevitably follow. For this reason holding firm at Panama is imperative to the security of the United States and the entire free world.

Mr. Speaker, in the past in diplomatic discussions with Panama our negotiators do not seem to have made counterproposals to extravagant demands of Panamanian negotiators. The current claims for payment for water from the Chagres River to which the United States under treaty is entitled emphasize the importance of extending the boundaries of the Canal Zone to include the entire Chagres watershed as was originally recommended by Gen. Clarence Edwards when he was the commander of the U.S. Army on the isthmus. The present Panamanian demands for payment for lockage water make the proposal to extend the Canal Zone paramount.

The story of the latest Panamanian water demand for payment of Chagres River water as told by the two Panama negotiators and published in a leading isthmian newspaper should be of great interest to the Congress and I quote it as part of my remarks:

[From the Star & Herald Panama, R.P., June 4, 1971]

PANAMA TO SEEK PAY FOR PC USE OF WATER

Panama will demand compensation for the water consumed in the operation of the Panama Canal as well as for the use of its geographical position as a site for the waterway, according to negotiators Fernando Manfredo and Carlos Guevara López.

In a television interview over Channel 2, Manfredo and Guevara pointed out that water for putting the ships through the Canal comes from the Chagres River basin, which is a Panamanian natural resource. Fifty-two million gallons of water are dumped into the sea each time a ship transits.

As to the lands in the Canal Zone, they pointed out that there are 242,500 acres of land with commercial value in use plus 167,500 acres of land submerged under Panama Canal waters.

Discussing Panama's geographical position as a natural asset, the negotiators said this resource is not quantifiable.

In addition to direct benefits, the negotiators said, Panama is entitled to indirect benefits resulting from activities such as the docking of ships and sale of supplies to vessels.

The United States, they pointed out, has received direct benefits from the Canal, not the least of which is a subsidy for its maritime trade through low Panama Canal tolls.

In the discussions on compensation, negotiator Manfredo said, consideration will be given to what each country has furnished for the Canal enterprise. In this connection, he mentioned the United States investment in the waterway.

From the political viewpoint, according to negotiator Guevara, the main objective for Panama is to recover its jurisdictional rights in the Canal Zone. He said these rights, granted to the United States in the 1903 treaty, have been abused by the United States for purposes not provided for in that treaty.

The interviewer asked negotiator Guevara how a new Panama Canal treaty would be ratified by Panama, whose constitution requires legislative approval of all treaties.

He replied that he has heard authorized spokesmen of the Revolutionary Government say that with or without a National Assembly, a new treaty would be submitted to the people, directly for approval—a plebiscite.

BLACK LUNG LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. KEE) is recognized for 15 minutes.

Mr. KEE. Mr. Speaker, it is a pleasure to share with my colleagues a statement made by Dr. Lorin E. Kerr, director, department of occupational health, United Mine Workers of America and visiting professor of public health, Howard University College of Medicine before the General Subcommittee on Labor, House Committee on Labor and Education on May 10, 1971, with respect to bills to amend title IV—black lung benefits—of the Federal Coal Mine Health and Safety Act of 1969.

This excellent statement follows:

STATEMENT BY LORIN E. KERR, M.D., M.P.H. ON H.R. 18, H.R. 42, H.R. 43, AND H.R. 5702

My name is Doctor Lorin E. Kerr. I am Director, Department of Occupational Health, United Mine Workers of America and Visiting Professor of Public Health, Howard University College of Medicine.

I wish to express the union's appreciation to this subcommittee for holding these hearings on H.R. 18; H.R. 42; H.R. 43; and H.R. 5702, bills to amend title IV (black lung benefits) of the Federal Coal Mine Health and Safety Act of 1969. It is appropriate that this subcommittee should hold the first hearings to amend this historic act and that this initial attention is focused on title IV. Mister Chairman, you and the other members of the subcommittee played a major role in assuring the provision of benefits for black lung victims as well as the ultimate passage of the law. We are also mindful of the precedence this law established in your highly successful endeavors to protect the on-the-job health of all workers which culminated with the passage of the Occupational Health and Safety Act of 1970. Although the 1970 act is not concerned with the prevention and control of the health hazards plaguing the nation's coal miners, the administration of the 1970 act does have an immediate and direct effect on the Federal Coal Mine Health and Safety Act of 1969 and the UMWA shares with all of organized labor a deep concern about the matter on which I will elaborate later in my testimony.

As you know, the authority and responsibility for the enforcement and compliance with the health standards in the coal mine act is delegated by Congress to three federal departments. There are none of these, however, that can successfully achieve its assigned responsibilities by independent action. In each instance all interested parties, but in particular the union, must and have played an active and aggressive role. During the seventeen months since the law was enacted the union's Department of Occupational Health has conducted an intensive campaign to help coal miners disabled by coal workers' pneumoconiosis and widows of miners killed by the disease received black lung benefits. More than 50 articles, most of which contained detailed information concerning title IV, have appeared in the United Mine Workers Journal which is mailed to every member of the union. These included such items as a black lung application form; the rules and regulations for black lung benefits which appeared in the Federal Register April 7, 1970; a continuing black lung questions and answers column; and a listing of the name and address of each union district office rehabilitation counselor appointed by President Boyle to assist black lung victims. The federal black lung rules and regulations were also mailed to every local union. Mr. Chairman, sample copies of these items appear as appendix A at the end of this statement and I respectfully request they be inserted with my statement in the record of these hearings.

Beginning in May 1970 the department conducted two series of meetings throughout the coal fields with the union district rehabilitation counselors and representatives of the Social Security Bureau of Disability Insurance and the UMWA Welfare and Retirement Fund. The first meetings were designed to facilitate and hasten all applica-

tions while the second were concerned with immediate implementation of the reconsideration of all applicants denied benefits. During June 1971 a third series of meetings will be devoted to the activation of the Social Security Administration appeals procedure for those receiving a negative response to an application for reconsideration. In the union districts these regional meetings are followed by continual local group and individual meetings.

The Department, since December 30, 1969, when the bill was signed into law, has received each day more than fifty written requests for help and information on black lung benefits. Replies to these and innumerable telephone inquiries are never delayed more than forty-eight hours. In addition, there have been almost daily conversations and many personnal meetings with the Bureau of Disability Insurance in an effort to resolve individual applications, policies and issues.

Finally, I am sure you are aware of our role in the National Conference on Medicine and the Federal Coal Mine Health and Safety Act of 1969 held here in Washington, June 15–18, 1970. This was the first public review of the numerous health aspects of the act and of necessity considerable time was devoted to title IV and its administrative problems. The conference was supported by a grant from the Bureau of Occupational Safety and Health, Department of Health, Education, and Welfare; the coal industry and the United Mine Workers of America. Mr. Chairman, I have a copy of the papers and proceedings of that conference for each member of the subcommittee because I believe this report will be a standard reference on the diagnosis, prevention and control of coal workers' pneumoconiosis for some time to come. I think you will also find the contents helpful to you in your deliberations on the proposed amendments. Additional copies are available at no cost to anyone requesting them.

We have been impressed with Congressional wisdom in assigning the administrative responsibilities for title IV to the Social Security Administration. The concern for people manifested by the Social Security Bureau of Disability Insurance has been a refreshing contrast to the usual adversary attitude encountered in most state workmen's compensation agencies. It was this attitude which motivated the Bureau to implement the act the same day the President signed the bill, instead of waiting one and one-half days for the beginning of the new calendar year. This action did, in fact, provide a number of applicants with an extra month of benefits. There are many other significant actions which further substantiate the Bureau's capability to handle the black lung program. We are, however, deeply concerned about the restrictions we constantly encounter which are attributed by the Bureau to the absence of Congressional authority or the lack of clarity in the legislative intent. We think the passage of these amendments will eliminate some of these restrictions.

We heartily endorse H.R. 18. This amendment will help to rectify the serious problem surrounding the overly long delayed publication of the criteria for determining the adequacy of state workmen's compensation coverage for pneumoconiosis by the Department of Labor. The proposed rules were published in the Federal Register on October 9, 1970, with a 30-day proviso for comments. However, the final rules and regulations were not published in the Federal Register until March 17, 1971. As you know, by that time a number of legislatures had adjourned and, lacking federal criteria, they took no steps to amend their compensation laws. In fact, they resisted the importuning of UMWA district presidents to at least take the six initial steps spelled out in the act. Detailed information essential for implementing these requirements was developed early in January 1971 by the Department of Occupational Health and sent to each district president by President Boyle with a memorandum insisting on immediate action. Thus far only two states, Montana and West Virginia have made essential legislative changes. Some states opined that the lack of federal criteria indicated that P. L. 91–173 would be repealed by 1973, thus obviating the need to amend state laws. The passage of H.R. 18 will correct misconceptions and permit the orderly passage of state laws without penalizing black lung victims for whom the benefits were intended.

The union also endorses H.R. 42. On March 26, 1971, President Boyle addressed a letter to Commissioner Robert M. Ball regarding the proposed rule making concerning black lung benefits published in the Federal Register on March 4, 1971 with a 30-day proviso. A copy of this letter is attached and labeled appendix B. The first point in that letter deplored the absence in the proposed rules of any provision for the payment of benefits to dependent survivors other than widows. President Boyle noted this was a serious deficiency in P. L. 91–173 and strongly recommended that ". . . the Department of Health, Education, and Welfare take action to have legislation introduced at an early date to rectify this grievous oversight." Precedent for the passage of H.R. 42 exists in other sections of Social Security legislation where payment is made to orphans.

The UMWA strongly supports H.R. 43. We have disagreed many times with the Social Security administrative decision which permits the reduction of black lung benefits by any payments for a distinct and separate disability regardless of the source of such payments. A Congressional statement that black lung benefits must not be construed as workmen's compensation would remove the administrative subterfuge which Social Security Administration has used to support its decision. President Boyle, in his letter of March 26, 1971 to Commissioner Ball, noted above, vigorously protested this administrative decision as it appears in the proposed rule making of March 4, 1971. His letter states:

"There is nothing in the law to support your deduction of workmen's compensation payments for *any* disability. The context in which this is covered in the law clearly indicates that the disability under consideration is one produced by black lung. Moreover it is contrary to the purported concern for people expounded by the Social Security Administration to reduce the benefit for a coal miner disabled by black lung by the amount paid by state workmen's compensation for a totally unrelated disability such as an above-the-knee double amputation."

The same statement is also applicable to the Social Security Administration reduction of black lung benefits by an amount equal to OASDI benefits paid for a separate disability. The passage of H.R. 43 would correct this defect.

The UMWA heartily endorses H.R. 5702. The passage of this amendment will rectify a serious inequity in P.L. 91–173. At present it is impossible for a coal miner with pulmonary impairment, regardless of the severity of the resultant disability, to receive black lung benefits unless his chest x-ray shows dust opacities thought to be characteristic of coal workers' pneumonoconiosis. This restriction unjustly penalizes many miners who are totally disabled because of a protracted occupational dust exposure. Moreover, the x-ray, good as it may be, should not be used as *the sole determining test* of an occupational pulmonary disability. The adequate interpretation of a chest x-ray requires an experienced, well trained and skilled radiologist. The chest x-ray, however, is only one piece of the medical armamentarium which the physician uses to arrive at a correct diagnosis. In this instance the physician must at least combine information from the x-ray with the results of pulmonary function tests and occupational and clinical history. Numerous physicians and miners have complained bitterly to me because the present law does not recognize the man who is totally disabled but has a negative chest x-ray. The passage of H.R. 5702 would recognize the total man and his disability which in turn would necessitate the development of adequate diagnostic criteria dependent on a number of factors.

While these hearings are concerned primarily with four proposed amendments, I am certain you share our concern about a number of other closely related health matters effecting P.L. 91–173 and its administration which should also be subjects for additional amendments. Again, I refer you to President Boyle's letter to Commissioner Ball (appendix B) wherein he reiterates his earlier denunciations of the administrative decision expressed in 410.555(a)(3) and 410.520 of the March 4, 1971 proposed rule making which condones the reduction of black lung benefits paid Pennsylvania miners and widows by an amount equal to state benefits which they are entitled to receive from general tax revenues. President Boyle's letter elaborates a little more on this matter but stresses the fact that it is an administrative decision in conflict with both the letter and intent of P.L. 91–173.

The same letter also voices the union's continuing opposition to the reduction of black lung benefit payments by the 1965 Social Security "offset provision." This has caused untold hardships among disabled miners who have suffered reductions of $50 to $200 per month in social security benefits.

A final item in that letter recommends that a wife or widow be qualified as a legal representative in the March 4, 1971 proposed rule making. In the absence of such a regulation the wife or widow is presently required to pursue the legal process of qualifying as legal representative. In such instances lawyers' fees may be as high as twenty-five percent of the total black lung benefits payable. Acceptance of this recommendation will prevent further diminution of the already meager resources of the wife or widow.

Another matter concerning the administration of black lung benefits is covered in President Boyle's letter of April 13, 1971 to Commissioner Ball, attached as appendix C. This letter urges the Bureau of Disability Insurance to adopt the same criteria for the diagnosis of black lung as the one formulated by the Bureau of Occupational Safety and Health published in the Federal Register of August 19, 1970. Contrary to the arguments presented by Social Security Administration, there is good reason to believe that the adoption of these criteria would hasten decision making on black lung applications and reconsideration of denials. The present dual system also raises unnecessary questions concerning the validity of two standards for the same diagnostic procedure within one federal department, particularly when one standard has acknowledged superiority over the other.

Finally, I must draw your attention to the apparent decimation of the Bureau of Occupational Safety and Health by the Secretary of Health, Education, and Welfare. On April 27, 1971 President Boyle sent a telegram and confirming letter to Secretary Richardson deploring his violation of the Occupational Safety and Health Act of 1970 and stressing the destructive effect his inaction would have on the Federal Coal Mine Health and Safety Act of 1969. This telegram is attached as

appendix D. The 1970 law requires the designation of a National Institute of Occupational Safety and Health on April 28, 1971. To date this pronouncement has not been made. On April 16, 1971 the Federal Register indicated the Bureau of Occupational Safety and Health was to have immediate and direct administrative responsibility to the Assistant Secretary for Health and Scientific Affairs. Contrary to this formulation, we understand it is planned to make the Bureau administratively responsible to the Assistant Secretary via the Surgeon General then the Director of Health Service and Mental Health Administration and possibly the Director of the Communicable Disease Center. This extraordinarily long chain of command for a Bureau charged with major responsibilities by both P.L. 91–173 and P.L. 91–596 would confirm suspicions that such laws are a sham and will never be enforced.

Organized labor, until recently, has given top priority to programs designed to provide medical security because of the preeminence given this need by the workers themselves. There is now sufficient public attention focused on this subject that it is safe to conclude we are not far removed from a national health program which, hopefully, will remove the financial barriers and provide a planned approach to comprehensive, readily accessible medical care.

Consequently, organized labor is able to direct its attention to the grisly toll of job-related death and disability. This is rapidly gaining acceptance as the next major health problem confronting the workers and they will not tolerate current administrative tinkering with bills designed to eliminate the needless slaughter on-the-job.

After nearly 18 months of operating experience with the federal coal mine act the UMWA feels that it is inconceivable that Secretary Richardson would even consider destroying both the letter and intent of P.L. 91–173. This experience has also convinced the union that the present director of the Bureau of Occupational Safety and Health has established himself as a thoroughly competent individual fully capable of assuming the responsibilities of the National Institute of Occupational Safety and Health and the implementation of the Occupational Safety and Health Act of 1970.

The nation's coal miners who fought so hard for the 1969 legislation have unsuccessfully petitioned Secretary Richardson not to subvert the National Institute or the 1969 and 1970 Acts. We now turn to Congress with a request to stop the impending chaos.

Thank you.

APPENDIX A

FORM FOR COAL MINERS AND WIDOWS TO FILE FOR "BLACK LUNG" BENEFITS

The form below was published in the January 15, 1970 issue of the UMW Journal to assist coal miners and widows in applying for Federal benefits under the Federal Coal Mine Health and Safety Act of 1969. To apply for benefits under the new law fill out this form. Take it to the nearest Social Security office or mail it as soon as possible. Any delay in filing could cause a loss of benefits. If you think you are eligible for benefits file this form. Payments will start as of the date you file, if it is determined that you are eligible. The law does not permit back payments earlier than the date you, yourself, file.

Name of the Coal Miner (Please print)___
Social Security Number_____
"I_____(Name of Miner or Widow—Please Print) hereby apply for any benefits due me (and my family) under the Federal Coal Mine Health and Safety Act of 1969."

Witnesses: If this statement has been signed by mark (X), two witnesses who know the person making this statement must sign below, giving their full addresses.

1. Signature_____
Address_____
2. Signature_____
Address_____
Signature of person making the statement:
Signature_____
Mailing Address (please print)_____
City, State, Zip Code.
Date, Telephone No.

[From the United Mine Workers Journal, February 1, 1970]

Q. AND A. ON "BLACK LUNG" COMPENSATION

EDITOR'S NOTE. The UMWA's Department of Occupational Health, headed by Dr. Lorin E. Kerr, has received hundreds of letters asking questions about the new Federal "Black Lung" compensation law. As of January 21, the Social Security Administration has received 60,000 applications for the Federal compensation under the new law. By the time you read this they expect to have over 70,000. Listed below are the questions most frequently received by the Department of Occupational Health. The answers are correct on the basis of the best information available at the present time.

1. Where should I file for black lung benefits?

Answer: At your nearest Social Security office. It is important to apply now, because benefits are effective only with the date of application. If you are unable to visit the office, write as soon as possible. The address can be found in the telephone directory or obtained from your post office.

2. How much will the benefits be?

Answer: For single miners, $136 per month; it goes up to $272 per month for a miner with three or more dependents.

3. How much money will I have to spend for medical reports to prove my claim?

Answer: You may not have to spend any since the evidence needed to support your claim may already be available. However, the law provides that claimants will be reimbursed for reasonable medical expenses incurred in establishing their claims.

4. Are benefits payable to widows?

Answer: Yes, *regardless* of when the miner died provided that he was disabled by or died from pneumoconiosis. Such a widow must not have remarried and must have been living with or dependent for support on the deceased miner at the time of his death, or, if living apart, it must have been for reasonable cause or because of miner's desertion. Once a miner starts drawing these benefits his widow will become entitled to benefits at his death, if she meets the other requirements. The widow will receive the basic monthly amount ($136) plus any allowance due for children up to the family maximum of $272.

5. How about payment to a wife or child?

Answer: There is no provision for direct payment to a wife or child, but if a wife or child qualifies as a dependent, this will result in a higher benefit rate payable to the disabled miner. (Benefits to a widow are also increased if she has dependent children.) The maximum family benefit is twice the basic benefit payable to a disabled miner (about $272 a month at the present time).

6. Is a miner who retired many years ago because of pneumoconiosis due to his employment in an underground coal mine eligible for benefits?

Answer: Yes, the law sets no time limit on when the disability must have begun. Similarly, if the miner is deceased it does not matter how long ago he died for his widow to qualify.

7. What coal miners are eligible?

Answer: Any individual who has worked underground or on the surface in preparing coal who has pneumoconiosis as prescribed by the law or is found by the Social Security Administration to be incapacitated by the disease to a degree that they are totally disabled. The criteria may not be more restrictive than those for determining entitlement to social security disability benefits.

8. What is pneumoconiosis?

Answer: The law defines pneumoconiosis as a "chronic dust disease of the lung arising out of employment in an underground coal mine."

9. Are other chronic dust diseases of the lung included in the law for purposes of "black lung benefits"?

Answer: Yes. A partial list of chronic dust diseases of the lung that may have arisen out of employment in an underground coal mine includes pneumoconiosis, anthracosilicosis and silicosis.

10. What benefits must be reduced because of entitlement to workmen's compensation, unemployment compensation, or disability insurance benefits under State law on account of disability of the miner?

Answer: Either miner's or widow's benefits but only if the workmen's compensation, unemployment compensation, or disability insurance benefit is on account of the disability of the miner.

11. If an individual becomes entitled to miner's black lung benefits, may he work without losing benefits?

Answer: A totally disabled miner beneficiary may earn up to $1,680 a year without any reduction in his black lung benefits. There is a $1.00 reduction in benefits for every $2.00 earned between $1,680 and $2,880, and a dollar-for-dollar reduction thereafter for earnings over $2,880. Work deductions do not apply to widows or dependents.

12. Should an individual also apply for State workmen's compensation benefits?

Answer: The law requires that you must also file a claim under the State workmen's compensation law unless you have already done so or the filing of such a claim would be futile because you would clearly not be eligible. Your Union District office can help answer this question for you on State workmen's compensation.

13. Should miners receiving state workmen's compensation benefits for "black lung" also apply for Social Security "black lung" benefits?

Answer: Yes.

[From the United Mine Workers Journal, Apr. 1, 1970]

NEW GOVERNMENT BLACK LUNG PAMPHLET

(EDITOR'S NOTE.—The Social Security Administration has published a pamphlet titled "The New Coal Miners Black Lung Benefits." It is printed in full below. Dr. Lorin E. Kerr, Director of the UMWA Department of Occupational Health, recommends that this be saved for future reference.)

If you are a coal miner disabled by black lung disease—

If you are the widow of a coal miner who had this disease—you may get monthly cash benefits.

MINERS

A miner who is disabled by black lung disease may be eligible for benefits even if he has been out of the mines many years.

WIDOWS

A widow of a coal miner may be eligible for benefits if her husband was disabled by or died from black lung disease. It does not matter how long ago he died.

APPLY NOW

If you think you may be eligible for these benefits and have not already applied, you should do so now. Even though payments cannot begin until a claim has been approved, benefits will be paid going back to the time of application. But no benefits can be paid for the time before you file your claim.

Apply at your nearest social security of-

fice. Phone or write the office if you can't visit in person. You can find the address of the office in the telephone directory under "Social Security Administration" or ask at your local post office.

The people at your Social Security office will help you with your application. There is no charge for this service. It is not necessary to have someone represent you when you apply for benefits—but it is your right to have a representative if you want.

The medical evidence needed to support your claim for black lung benefits may be available in existing records. You will be notified of any additional information or evidence you need to furnish. You will be reimbursed for any reasonable medical expenses you might have in establishing your claim.

AMOUNT OF BENEFITS

The benefits amount to about $136 a month for a miner or his widow. Payments are higher if there are dependents (wife or children), ranging up to about $272 a month for a family of four or more.

WHAT IS BLACK LUNG DISEASE?

Black lung disease is the commonly used name for coal workers' pneumoconiosis, a chronic lung disease caused by breathing dust in underground coal mines. Sometimes black lung disease is called miner's asthma, silicosis or anthracosilicosis.

WHAT IF I HAVE ALREADY APPLIED FOR SOCIAL SECURITY?

You should apply for black lung benefits even if you have filed for social security payments. You may be entitled to additional benefits.

If you think you are disabled by black lung disease, you should apply even though you have been turned down for social security disability benefits. The rules are different and you might qualify for black lung benefits even if you aren't eligible for social security disability payments.

REDUCTIONS IN BENEFITS

If a miner or his widow is getting workmen's compensation, unemployment compensation, or disability insurance benefits under state law, black lung benefits may be reduced in the amount being paid under those programs.

If a miner is getting social security disability benefits, under some circumstances there may be a reduction in these payments if a claim for black lung benefits is approved.

If a miner qualifies for black lung benefits but earns more than $1,680 a year, his benefit checks will be reduced (unless he is 72 or older). Benefits are reduced $1 for every $2 earned between $1,680 and $2,880. Benefits are further reduced by $1 for every $1 earned over $2,880. Earnings by a miner's wife or widow, or by dependent children, do not affect the benefit amount. The social security office can explain this in more detail.

HELP SPREAD THE WORD

If you know people who may be eligible for black lung benefits and have not yet applied, tell them about this new program. Suggest a visit to the nearest Social Security office. The people there will be glad to help in every way.

[From the United Mine Workers Journal, May 15, 1970]

U.S. BLACK LUNG BENEFIT REGULATIONS

EDITOR'S NOTE: On April 7 the Federal Register published regulations covering payments of black lung benefits under the new Federal Coal Mine Health and Safety Act. The text of these regulations is printed in full below:

[F.R. Doc. 70-4171; Filed, Apr. 6, 1970; 8:48 a.m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. No. 10 added]

Part 410—Federal Coal Mine Health and Safety Act of 1969, Title IV—Black Lung Benefits (1969———)

Title IV, Part B of the Federal Coal Mine Health and Safety Act of 1969, Public Law 91-173, provides for payment of benefits to coal miners who have contracted pneumoconiosis from work in the Nation's underground coal mines and are disabled thereby, and to the widows of such miners. Section 411(b) of the Act provides that the Secretary of Health, Education, and Welfare shall by regulation prescribe standards for determining whether a miner is totally disabled due to pneumoconiosis and for determining whether the death of a miner was due to pneumoconiosis. There are, accordingly, promulgated below, Regulations No. 10 of the Social Security Administration, 20 CFR Part 410, which at the present time contain two subparts: Subpart A (Introduction, General Provisions, and Definitions) and Subpart D (Total Disability or Death Due to Pneumoconiosis).

Because of the provision in section 411(b) of the Act requiring that such standards be promulgated and published in the *Federal Register* not later than the end of the third month following the month in which title IV was enacted, the Secretary of Health, Education, and Welfare finds that notice of rule making and public procedure thereon are impracticable. Therefore, these regulations will be effective upon their filing with the Office of the Federal Register.

Consideration will be given, however, to any data, views, or arguments pertaining to said regulations for the purpose of suggesting modifications or additions thereto, which are submitted in writing in triplicate not later than May, 1970, with the Commissioner of Social Security, Department of Health, Education, and Welware Building, Fourth and Independence Avenue, S.W., Washington, D.C. 20201.

Subpart A—Introduction, General Provisions, and Definitions

Sec.

410.101 Introduction.

410.110 General definitions and use of terms.

Subpart D—Total Disability or Death Due to Pneumoconiosis

410.401 Basis for total disability standards.

410.402 Total disability defined.

410.403 Evaluating total disability under § 410.402(b).

410.404 Evidence of pneumoconiosis.

410.405 Determining medical equivalence.

410.406 Evidence of origin of pneumoconiosis.

410.407 Cessation of disability.

410.415 Death due to pneumoconiosis.

410.421 Provisions incorporated by reference.

AUTHORITY: The provisions of this Part 410 issued under secs. 402(f), 411(b) of Public Law 91-173; 83 Stat. 793.

Subpart A—Introduction, General Provisions, and Definitions

§ 410.101 Introduction.

The regulations in this Part 410 (Regulations No. 10 of the Social Security Administration), relate to the provisions of part B (Black Lung Benefits) of title IV of the Federal Coal Mine Health and Safety Act of 1969, as enacted December 30, 1969, and as may hereafter be amended. The regulations in this part are divided into the following subparts according to subject content:

(a) This Subpart A contains provisions relating to definitions and the use of terms.

(b) Subpart B of this part relates to the requirements for benefits, filing of claims for benefits, and duration of benefits.

(c) Subpart C of this part contains provisions regarding dependents of entitled miners and widows.

(d) Subpart D of this part provides standards for determining total disability and death due to pneumoconiosis.

(e) Subpart E of this part relates to the payment of benefits, benefit rates, adjustment of benefits, and overpayments and underpayments.

(f) Subpart F of this part relates to procedures for determinations and review of determinations with respect to benefits, and representation of parties.

§410.110 General definitions and use of terms.

For purposes of this part, except where the context clearly indicates otherwise, the following definitions apply:

(a) "The Act," means the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91-173), as enacted December 30, 1969, and as may hereafter be amended.

(b) "Benefit" means the black lung benefit provided under part B of title IV of the Act to coal miners and to surviving widows of miners.

(c) "Secretary" means the Secretary of Health, Education, and Welfare.

(d) "Commissioner" means the Commissioner of Social Security.

(e) "Administration" means the Social Security Administration in the Department of Health, Education, and Welfare.

(f) "Appeals Council" means the Appeals Council of the Bureau of Hearings and Appeals in the Social Security Administration or above the surface of such land by any person, used in, or to be Chairman.

[From the United Mine Workers Journal, Sept. 15, 1970]

IF TURNED DOWN FOR "BLACK LUNG" BENEFITS, HERE'S WHAT TO DO

EDITOR'S NOTE. The following information from the Department of Health, Education, and Welfare is for the information of all American coal miners. It concerns your right to question the decision made on any claim you may file or have filed for "black lung" benefits under the Federal Coal Mine Health and Safety Act of 1969. Read it carefully. If there are further questions you should get in touch with your local Social Security office and/or with the Rehabilitation Counselor in your UMWA District office.

WHAT TO DO

This article explains what you may do if you feel the decision on your claim under the Federal Coal Mine Health and Safety Act is not correct and you want to have the decision re-examined.

1. First you may ask that the decision be *reconsidered*.

2. You may next ask for a *hearing before a hearing examiner* if you disagree with the results of that reconsideration.

3. If you disagree with the decision of the hearing examiner, you may then ask for a review of that decision by the *Appeals Council*.

4. If you disagree with the Appeals Council decision or if the Appeals Council declines to review your case, you may bring a *civil action in a Federal court*.

WHAT ASKING FOR RECONSIDERATION MEANS TO YOU

When you apply for benefits under the provisions of the Federal Coal Mine Health and Safety Act, your application and the evidence submitted are given careful consideration. If the requirements for benefits are met,

your claim is approved. If it is determined that you do not meet the requirements of the Act, your claim is disallowed. The following steps may be taken if you feel that the decision made on your claim is not correct.

RECONSIDERATION OF YOUR CLAIM

A reconsideration is a complete review of your claim to determine whether the original decision was correct. It is a thorough examination of all the evidence submitted when the original decision was made plus any additional evidence which can be obtained. This review is made by persons other than those who made the original determination to insure that you receive a new and independent decision. The request must be filed within six months of the date the notice of initial determination is mailed. If you still disagree with the decision after the claim has been reconsidered, you may ask for a hearing before a hearing examiner.

HEARING BEFORE A HEARING EXAMINER

A hearing examiner is an officer of the Bureau of Hearings and Appeals of the Social Security Administration. He had no part in the initial or reconsidered determination. A hearing is usually held in the city where the Social Security office that handles your claim is located so that you may conveniently attend the hearing and present your case in person. At the hearing, the hearing examiner reviews what has gone before in the case, states exactly what issues must be decided, and asks questions of you and your witnesses present. All testimony is taken under oath. You and your representative may question the witnesses, present new evidence, and may examine the evidence on which the hearing examiner will base his decision.

If you prefer, you may request that the hearing examiner review the case without your personal appearance. In that event, the hearing examiner will base his decision on the evidence which was previously submitted in the case plus any additional evidence or statements which you submit. A request for a hearing must be filed within six months of the date the notice of the reconsidered determination is mailed.

A copy of the hearing examiner's written decision will be sent to you. If you disagree with this decision, you may request a review by the Appeals Council.

REVIEW OF THE HEARING EXAMINER'S DECISION BY THE APPEALS COUNCIL

Whether your request for a review of a hearing examiner's decision will be granted is up to the Appeals Council. If the Appeals Council decides to review the case, you have a right to appear and present new evidence before the Appeals Council and to file a written statement. A request for Appeals Council review must be filed within 60 days of the date that the hearing examiner's decision or dismissal of the hearing request is mailed. The Appeals Council meets in Washington, D.C. When the Appeals Council decides your case, a copy of the written decision is sent to you. If you feel that the decision is not correct or if the Appeals Council has declined to review the hearing examiner's decision, you may bring a suit in a Federal District Court.

HOW TO REQUEST A RECONSIDERATION, A HEARING, OR A REVIEW

A request for a reconsideration, a hearing, or an Appeals Council review must be in writing and filed with an office of the Social Security Administration. The request may be made by you or your representative. A special form for making the request may be obtained from your Social Security office. The people there will also be glad to assist in completing the forms. A request may also be made by letter.

TIME LIMITS

If you wish to question any decision made on your claim, there are, as mentioned before, specific time limits within which the request must be made:

Reconsideration—Your request must be made within six months of the date of mailing of the notice of the initial determination.

Hearing Before A Hearing Examiner—Your request must be made within six months of the date of mailing of the notice of reconsidered determination.

Appeals Council Review—Your request must be made within 60 days of the date of the mailing of the hearing examiner's decision or dismissal of the hearing request.

Court Action—Your complaint must be filed in a District Court of the United States within 60 days of the date of mailing of the notice of the Appeals Council's decision or denial of review.

When the last day of the period for requesting any of the actions falls on a nonworkday (Saturday, Sunday, or national holiday), the period is extended to the next full workday.

If you fail to request the appropriate review within the time specified, you may lose your right to that review and be ineligible to take advantage of the next step in the review process. However, for good cause, such time limits may be extended. Of course, a person does not have to go through all the review steps if he does not want to. For example, a person may have a reconsideration and decide not to ask for any further review.

RIGHT TO BE REPRESENTED

You have a right to be represented by a qualified person of your choice in dealing with the Social Security Administration at any stage of your claim for black lung benefits. You and your representative will receive notices of the decisions. Payment of any fee to your representative for his services before the Social Security Administration must be made by you. For further information about your right to have someone represent you, get in touch with your Social Security office.

WHERE TO GO FOR INFORMATION

If you have any questions about the decision made on your claim for benefits under the Federal Coal Mine Health and Safety Act, get in touch with your Social Security office. The people there will be glad to discuss your claim with you and assist you in any way they can. They will also be glad to discuss any social security matter with you.

[From the United Mine Workers Journal, Feb. 1, 1971]

"BLACK LUNG" BENEFITS DENIED? ASK FOR RECONSIDERATION

The UMWA's Department of Occupational Health is currently engaged in a series of meetings with UMWA rehabilitation counsellors and representatives of the Social Security Administration in coal areas looking toward ironing out difficulties encountered in administration of the Federal "black lung" benefits program.

Dr. Lorin E. Kerr, Department Director, reports that the meetings are very successful and are resulting in better understanding of the problems being encountered.

The *Journal* has reported that Social Security has processed more than 150,000 "black lung" claims for miners and widows. Benefits have been awarded to more than 90,000 applicants, including 35,000 widows.

SOME CLAIMS HAVE BEEN DENIED

Of course, as in any such program, there have been denials of claims. Many of these denials undoubtedly are not justified. The Department of Occupational Health recommends and urges all applicants for "black lung" benefits to request reconsideration of their claims if there have been denials.

It is simply not true that Social Security is systematically denying benefits or is using a "gimmick" to deprive applicants of benefits to which they may be entitled. We say this because some uninformed persons have made such charges and the charges have been published in coal area newspapers.

Our impression, having talked to Social Security representatives, is that every effort has been made and will be made to give applicants any and all benefits to which they are entitled under the law.

If for any reason you have been denied benefits to which you think you are entitled you should immediately request reconsideration. This should be done in person or by letter to your local Social Security office.

It is not necessary to employ an attorney to handle any of these matters. There is no evidence that any reconsideration review or appeal is hastened or a decision changed by the employment of an attorney by a coal miner or widow. The UMWA has designated a rehabilitation counsellor in every one of the UMWA District offices in the United States. The District offices are listed on the Official Roster page in each issue of the Journal. If you need help get in touch with the rehabilitation counsellor.

The Journal plans to report in more detail on the meetings between UMWA rehabilitation counsellors and Social Security representatives in a later issue.

UMWA REHABILITATION COUNSELLORS

Following are the names of the UMWA rehabilitation counsellors in the UMWA Districts in the United States. They are the men to whom applicants for Federal "black lung" benefits should present their problems if they have any questions about denials or other problems:

District No., Counsellor.
2, Bruno Telk.
3, Bruno B. Olmizzi.
4, Walter Suba.
5, John Wusels.
6, John Pollack.
8, James Procarione.
10, Sam Nicholls.
11, James Procarione.
12, Kenneth F. Wells.
14, Henry Allai.
15, Arthur Biggs.
17, Robert L. Hutcherson.
19, Kenneth R. Combs.
20, Samuel E. Littlefield.
21, Donald E. Lawley.
22, H. A. "Dell" Brownfield.
23, Lee Roy Patterson.
25, Daniel M. Kopcza.
27, Antoinette Boyle.
28, William F. Hogan.
29, Robert Forren and Charles H. Phillips.
30, Tom Raney.
31, William L. Marsh.

[Appendix B]

UNITED MINE WORKERS OF AMERICA,
Washington, D.C., March 26, 1971.

Mr. ROBERT M. BALL,
Commissioner of Social Security,
Department of Health, Education, and Welfare,
Baltimore, Maryland

DEAR MR. BALL: In accordance with the proposed rule making published in the Federal Register on March 4, 1971 concerning black lung benefits, we submit the following comments:

1) There is no provision for benefits for dependent survivors other than widows. Failure of the Federal Coal Mine Health and Safety Act to provide for orphans is a serious deficiency and we strongly recommend that the Department of Health, Education, and

Welfare take action to have legislation introduced at an early date to rectify this grievous oversight.

2) The second sentence of 410.226 needs clarification. The sentence can easily be determined to mean the claimant can be paid benefits for the month of filing only if all of the requirements for entitlement are met in the same calendar month. It is my understanding that this is not the actual practice. Therefore, we urge you to change the wording to avoid possible contrary action at a later date.

3) There are three typographical errors in the printed text. Line 4 of 410.230 "field" should be "filed." Line 8 of 410.231(c) "edath" should be "death." Line 1 of 410.320 (c) "low" should be "law."

4) Section 410.515 states and section 410.520 delineates the reduction of black lung benefits upon receipt by a beneficiary of payments made "on account of any disability of the miner" by state workmen's compensation. We vigorously protest this administrative decision. There is nothing in the law to support your deduction of workmen's compensation payments for "any" disability. The context in which this is covered in the law clearly indicates that the disability under consideration is the one produced by black lung. Moreover, it is contrary to the purported "concern for people" expounded by the Social Security Administration to reduce the benefit for a coal miner disabled by black lung by the amount paid by state workmen's compensation for a totally unrelated disability such as an above-the-knee double amputation.

5) I reiterate my denunciation of the administrative decision as expressed in 410.515 (a)(3) and 410.520 which condones the reduction of black lung benefits paid Pennsylvania miners and widows by an amount equal to state benefits which they are entitled to receive from general tax revenues. The case for non-deduction of these state benefits is clearly set forth in the report of the Joint House-Senate Conference Committee on P.L. No. 91–173. As I have stated before, the law does not support this administrative decision. In fact, it is acknowledged by those familiar with the law and its legislative history that this is an inhuman misinterpretation of both the letter and intent of the law. We will continue to vigorously protest this decision until it is rescinded

6) The United Mine Workers of America again voices its opposition to the reduction of black lung benefit payments by the 1965 Social Security "offset" provision as proposed in 410.515(a)(1) and 410.530. This amendment with its 80% proviso sorely affects those with meager income. It has caused untold hardships among disabled miners who have suffered reductions of $50 to $200 per month in Social Security benefits. The union will continue its diligent efforts to have this section of the law repealed.

7) We recommend that a wife or widow as defined in 410.310 and 410.320 be qualified as a legal representative in 410.570(d). In the absence of such a regulation the wife or widow is required to pursue the legal process of qualifying as legal representative. My information is that lawyers' fees in such instances may be as high as 25% of the total black lung benefit payable. Acceptance of my recommendation will prevent further dimunition of the already meager resources of the wife or widow.

We share your concern over the need to provide each applicant adequate appeal procedures in the event of denial. However, we fear the administrative detail set forth in subpart F can serve as a subterfuge to delay further the final decision on many applications. Far too many victims of black lung are still waiting action on claims filed in 1970. We urge you to expedite these decisions.

Sincerely yours,

W. A. BOYLE.

[Appendix C]

UNITED MINE WORKERS OF AMERICA,
Washington, D.C., April 13, 1971.

Mr. ROBERT M. BALL,
Commissioner of Social Security, Department of Health, Education, and Welfare, Baltimore, Md.

DEAR COMMISSIONER BALL: The Bureau of Disability Insurance has been utilizing criteria appearing in the regulations published in the Federal Register of April 7, 1970 for diagnosing coal workers' pneumoconiosis and assessing total disability produced by this disease.

The Bureau of Occupational Safety and Health published in the Federal Register of August 19, 1970 standards governing the chest x-ray program for working miners set forth in title II of Pub. L. 91–173. The U.S. Public Health Service in setting these standards sought the advice and assistance of all interested parties including appropriate professional and scientific organizations. As you know, the Public Health Service also sponsored and actively participated in an extensive training program designed to assist radiologists and chest physicians participating in the title II program. We are favorably impressed with the validity of the standards and the methods being utilized to implement them.

In view of the numerous problems BDI and, in turn, the miner is encountering among those making a diagnosis of black lung in accordance with the title IV regulations, we urge you to adopt the title II regulations at an early date.

It is my understanding that BDI has taken preliminary steps in this direction but we are puzzled by the inordinate delay in taking appropriate action. This is only compounding the number of denials for black lung benefits and retarding the decision making process. It is also raising unnecessary questions concerning the validity of having two standards for the same diagnostic procedure within one federal department, particularly when one standard has acknowledged superiority over the other.

May I have your early response.

Sincerely yours,

W. A. BOYLE.

[Appendix D]

APRIL 27, 1971.

HON. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

We understand you are contemplating placing the bureau of occupational safety and health within the administrative structure of the communicable disease center of the health services and mental health administration.

Such action would make it utterly impracticable for the bureau to comply with the authority and responsibility assigned by Congress with the passage of the Federal Coal Mine Health & Safety Act of 1969. It would hamper the bureau's efforts to comply with the congressional intent of the occupational safety and health act of 1970.

In accordance with the 1970 act, it is essential that on April 28, 1971 the bureau be designated by you as the institute of occupational safety and health. It is also essential that the institute have immediate and direct administrative responsibility to the assistant secretary of health and scientific affairs as stated in the Federal Register of April 16, 1971. This is the only way the institute can adequately protect the workers' health and safety on the job. Any act to subvert the institute for occupational safety and health or the 1969 and 1970 acts will bring condemnation from the nation's work force.

In view of the innumerable problems still confronting HEW in seeking enforcement and compliance with the health regulations of this Federal Coal Mine Health and Safety Act of 1969, it is inconceivable that you would even consider administrative action destroying both the letter and intent of the law. The nation's coal miners who fought so hard for this legislation implore you not to make this change.

W. A. BOYLE, *President,*
United Mine Workers of America.

ACCESS TO THE NATION'S CAPITAL

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, yesterday, June 16, Washington National Airport marked its 30th anniversary. And I think it appropriate that the anniversary remind us of something too often taken for granted.

Over the past few years the city of Washington has been in the news a great deal, usually with the emphasis upon a District of Columbia problem of one kind or another. It is a somewhat rare occasion when we focus on one of the District's strong points, when we turn our attention to its community assets.

One of the strongest assets of the Washington metropolitan area is its accessibility. Washington is one of the most accessible national capitals in the world. In any government where the people elect the chief executive and the legislators, easy access to the national capital is tremendously important. Such accessibility enables us to go frequently and quickly to the people in our districts. It enables the people to come conveniently to see their government in action here. It enables our constituents to have ready access to express viewpoints on important legislative matters.

A major reason for Washington's accessibility can be found in the area's airports system. Washington National Airport, now handling about 9½ million passengers a year, is the most important element of this system in terms of volume, convenience of location and for short-range and medium-range air trips.

At this particular time in the jet era most of the scheduled short-range and medium-range air service is provided by three types of aircraft—the 727, the 737, and the DC–9. These are the planes most frequently seen at Washington National Airport. And increasingly they are being seen without the smoke trail.

More than 5 years ago, long before the present level of concern about environmental pollution, the airlines began working with manufacturers on a new type of burner can to virtually eliminate the visible particulates from the engines powering the 727, the 737, and the DC–9. The experiment was successful. A retrofit is underway at a cost to the airlines of some $30 million. And soon the planes using Washington National will be virtually smoke-free.

Among all of the 530 airports in the United States served by the scheduled airlines, Washington National is the outstanding example of a highly productive close-in airport. A close-in airport has many advantages. But a heavily used close-in airport must constantly strive to curb congestion. Here the airlines serving Washington National deserve good marks.

In the past few years passenger facilities there have been vastly improved. Since 1967 the airlines serving Washington National have invested more than $15 million in new passenger facilities. This has increased the terminal capacity by some 60 percent. Public parking space has been increased by 37 percent.

Amid the swirl of seemingly larger events occupying official Washington, such things as more room for passengers and more parking space at the airport usually pass without notice. This is particularly true if such amenities are provided as needed and the airport continues to do its job well. But they are part and parcel of insuring continued easy access by a people to their government. And that, I submit, is a very big thing indeed.

From a personal standpoint, I have taken off from or landed at Washington National Airport 784 times on trips to or from my district in Columbus, Ohio. It is most convenient. The trip is usually 50 minutes in the air, and 10 minutes by car to the Capitol building. Although Dulles is a fine modern facility, it is ridiculous to expect air travelers to spend an hour or more riding into Washington from there. Until such time as we develop high-speed surface transportation, it would be impracticable, inconvenient, shortsighted and ridiculous to bow to the special interest groups, real estate promoters and developers. Washington National must continue to serve the needs of the District of Columbia as well as the public who have business in the Nation's Capital.

Those complaining about noise and air pollution are really using this as the excuse rather than the reason for urging discontinuance.

I trust Washington National Airport will be able to celebrate at least another 30 years of effective and efficient service to the public.

THE PACIFIC TROPICAL BOTANICAL GARDEN

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I am introducing legislation, cosponsored by my distinguished colleague from Hawaii, the Honorable SPARK M. MATSUNAGA, to amend the charter for the Pacific Tropical Botanical Garden, to remove the limitation as to the maximum number of persons who may serve on the board of trustees.

The garden, located in Hawaii, was chartered by Congress by the act of August 19, 1964, Public Law 88–449. Its purposes, as set forth in the act, are as follows:

To establish, develop, operate, and maintain for the benefit of the people of the United States an educational and scientific center in the form of a tropical botanical garden or gardens, together with such facilities as libraries, herbaria, laboratories, and museums which are appropriate and necessary for encouraging and conducting research in basic and applied tropical botany;

To foster and encourage fundamental research with respect to tropical plant life and to encourage research and study of the uses of tropical flora in agriculture, forestry, horticulture, medicines, and other sciences;

To disseminate through publications and other media the knowledge acquired at the gardens relative to basic and applied tropical botany;

To collect and cultivate tropical flora of every nature and origin and to preserve for the people of the United States species of tropical plant life threatened with extinction; and

To provide a beneficial facility which will contribute to the education, instruction, and recreation of the people of the United States.

The garden has made steady progress toward carrying out these objectives. In view of the comprehensive nature of the stated objectives, it has been necessary to proceed through a period of organization and preparation which will enable the corporation to fully carry out the purposes of the act. Perhaps the most important principle developed during the planning phase of the first 5 years of the garden was that a 20th century garden could best be developed on a number of smaller sites and on the different islands of the State of Hawaii as they offered varying ecological environments.

Year 1970 marked a turning point in the progress of the garden, as it moved from planning to developmental activity. During the year the staff concentrated on preparing the garden's land in the Lawai Valley, on the Garden Island of Kauai, for its use as a scientific botanical garden. Some initial plantings were made, including native Hawaiian flora, medicinial plants in general, and the beginnings of a complete collection of hibiscus species and hybrids. A broad program of plantings in many genera was scheduled for this year.

In 1970, too, the Garden acquired additional Kauai acreage to form the nucleus of a botanical garden. As the corporation implements its operational program for the second 5 years, I am confident that we can look forward to great achievements in the establishment of sites on other islands and expansion of the planting and cultivation.

The increase in activity has brought a need for expansion of the membership of the board of directors, and that is the reason for my bill. Congress chartered the garden as a nonprofit corporation, and envisioned that it would be established and operated through private gifts and endowment without the need for appropriation or expenditure of Federal funds. Section 5(a) of the charter limits the size of the board to 15 members. The trustees and officers of the organization are of the view that this limitation should be removed.

In line with the purposes set forth in the act, the garden has the unique role of establishing for the people of the United States an educational and scientific center in tropical botany. In order to achieve the national goals of the corporation, it has been the practice of the board to include representatives on the board from as many sections of the country as possible, from the Northeast, mid-Atlantic, South, Southeast, Midwest, Northwest, Hawaii, and others. The board members have also recognized the need to have a diversity of interests and talents represented on the board: botany, horticulture, agriculture, education, medicine, drug manufacturing, philanthropy, industry, fund raising, and administration, among others.

When Congress chartered the corporation in 1964, it named only five persons to be the original trustees of the garden. These five and those whom they appointed to join them have carefully expanded the board over the past 7 years. By mid-1969, the board had been increased to 10 members. There were 14 in May 1971, and it was expected that during 1971 the 15th member would be elected to the board.

There are presently representatives on the board from the mid-Atlantic States, the District of Columbia, the Midwest, California, the Southwest, and Hawaii. If suitable trustees can be found in other sections of the country, the board would like to be able to add them. There are presently on the board a representative or representatives of the medical profession, the industrial community, the education community, garden clubs, and other nonprofit institutions. The board feels that when outstanding leaders in various of the disciplines previously mentioned related to effectuating the objects and purposes of the garden become available, that there should be the opportunity to add such persons to the board. A system of rotation of trustees has been adopted, but the system alone will not provide the flexibility required.

In view of the great need for adoption of this legislation to permit the organization to more effectively carry out its functions, I certainly hope that my bill will be promptly adopted.

CUBAN-AMERICAN VETERANS

(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, the Veterans of Foreign Wars recently created their first Cuban-American Post in Miami and the featured speaker was the distinguished Latin American news editor of television station WTVJ, Dr. Manolo Reyes.

I include Dr. Reyes' remarks in the RECORD so that my colleagues in the House may know of the contributions of Cuban-born men to our Armed Forces:

SPEECH BY DR. MANOLO REYES

A man without a country, but with ideals, is a brilliant star with its own light.

A human conglomeration which flees from oppression and tyranny is an example and a warning. But, it is also a symbol of love, because freedom was never born out of hate.

In the past, God took his chosen people from their country to return them to the promised land later, after a given time. We shall say that in this century, God took a group of Cubans to the desert to make them a reserve. Today we are contemplating the reassurance of the statement just made.

Twenty-four men born in Cuba and one born in the United States of Cuban parents—twenty-five men who have shone and do shine wearing the proud uniforms of the United States Armed Forces (the country which gave its close friendship to Cuba)—these men united to form the Cuban-American Post of the Veterans of Foreign Wars.

Using the opportunities which this great country has given to them, these twenty-five Cubans have united to look towards the future and act according to situations that arise.

We must say, that they have not only used the opportunities given them, but have gained the right to use them, with the light of their own ideals, which leads them straight on to combat International Communism, with their arms in hand, in Viet Nam or in Santa Domingo or in the eternal shores of Giron Beach.

Twenty-five men whom I consider heroes in the fight for freedom—the supreme expression of human dignity. Freedom is not bought—nor is it begged. Freedom is born of our ideals, brave men and with force of combat.

Freedom cannot be taken for granted. Each generation has its duty to achieve, maintain and preserve freedom. If a generation is born without freedom . . . it has the duty to earn it.

The twenty-five Cubans that are here today to form the first Cuban-American Post of Veterans of Foreign Wars are the symbol of a generation fighting for freedom.

To achieve this, the hands of these twenty-five brave men still have the smell of gun powder. However, for them the chapters they have lived are only a prologue of what is yet to come. The real chapter of their lives will be written with luminous letters in blood and gold in the final realization of Cuba's freedom.

For years they have been preparing. They have learned the art of war, and its more sophisticated methods. They have scaled to positions of honor. In exile honors are only half-received . . . in exile a being only half-breathes. The mother of us all is far away from us . . . the country that gave us everything is now in great pain. And because of these things, it is only right that we give her all we have.

Over there . . . Cuba . . . awaits her freedom!

There is an old American saying that reads, "Behind each great man there is a great woman." In the present case, we can say that behind this Cuban-American Post, there is a great woman.

With these words, and in the name of all my fellow Cubans, I wish to render respect and tribute, admiration and thanks to the great lady of the United States, Mrs. Anne Gennessee.

Mrs. Gennessee is the wife of Mr. Joseph Gennessee, Commander in Chief of the South Florida District of the VFW. In rendering tribute to these two American citizens, I am expressing the traditional Cuban-American friendship.

Now, my message to you, the brave Cubans who with your magnificent acts in the battle fronts of Viet Nam, fighting against International Communism . . . you have placed the name of Cuba on a very high scale.

Humanity is living a crucial moment. The principles which have allowed us to reach these moments look as though they are about to break. Our morals are constantly under attack from the forces of evil.

You, who are the military know that the corner stone of good order is respect, not only for the military, but also for society in general. Precisely, today people are trying to destroy respect and to end the principle of authority. Without respect there is no authority, and without respect or authority, there is no hierarchy of values. This is what International Communism is trying to do with their offensive ideology. The same International Communism you battled in the jungles of Viet Nam.

But, in keeping and cultivating the basic principles of God, country and family; by establishing the principles of law as a boundary which no man can infringe upon; and, by defending the sacred right of the people to freely choose those who govern them . . . we can overcome those who, with aggression, try to create chaos. Only in the confusion of anarchy can minorities seize power, as what did happen to our beloved country. Only in being loyal to ones ideals, even without a country, can one be a star with light of its own. Stars that can light the way to a free Cuba . . . on and off the captive island.

To go to ones country and to break the yoke of oppression . . . should be the greatest desire of all exiled Cubans. And for that supreme moment, when it comes . . . when the bullets of redemption sing their freedom gospel . . . I have brought something for you. Something that is the greatest symbol we have. Something that has the face of no leader but synthesizes in it the labor of all those who have fought for the freedom of Cuba. . . . The Cuban flag.

This Cuban-American Post of the Veterans of Foreign Wars carries the name of our great patriot "Jose Marti". God willing, may the gesture of these honorable men reach his tomb.

However, to make this more real, I am giving this beloved Cuban flag to this Post of gallant military men with the ferverent desire, converted into a solemn promise . . . that this flag which represents the country which Jose Marti fought for and gave his life for . . . will wave forever over his tomb at the Cemetery of Santa Efigenia in Santiago de Cuba.

And with all our hands united, we will help raise it over the new Cuba . . . over a free Cuba.

Gentlemen: Let us prove that God took a group of Cubans to a desert to form a reserve.

A NEEDLESS TRAGEDY

(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, we have regrettably witnessed our first airborne hijacking tragedy—the death of a passenger who heroically attempted to disarm a hijacker holding a stewardess as hostage.

There is every reason to believe that this incident never should have happened, Mr. Speaker.

For many, many months now I have been urging the Federal Aviation Agency to get the various airport authorities and the airlines together on an agreement to install sensitive magnetic detecting devices at all the major airports of this country. To so equip each gate, I have been informed by those who manufacture the devices, would cost less than $2 million, a minute sum to an industry that spends billions of dollars.

I have been told that the disagreement between the airlines and the airports is a matter of principle, Mr. Speaker, as to who should bear the cost of installing the devices and training the personnel to use them. One man has died for this principle, for this needless quibbling.

There is pending before the Congress my bill, H.R. 3992, which has been joined by 43 other Members of this body, to provide the funds necessary to install these sensing devices at all major airport gates in the country.

The tragedy of a few days ago should tell us that it is no longer a matter of saving passengers the inconvenience of an unscheduled stop. It has now become a matter of saving lives of passengers whose fate may someday be sealed by the demented mind of an aircraft hijacker.

I do not mean to imply that electronic devices should be the only front on which we move to minimize the risk of skyjacking.

Another equally important matter, now before the Senate, concerns ratification of the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague last year.

I wish to call to the attention of my colleagues the excellent and forceful testimony of John J. O'Donnell, president of the Airline Pilots Association, delivered before the Senate Foreign Relations Committee on June 7.

In addition to supporting ratification of the agreement, President O'Donnell makes a strong case for preventive deterrent measures on the ground and, in a supplementary statement submitted June 16, for bilateral treaties with those nations that are not signatories to the convention.

Mr. Speaker, I am inserting President O'Donnell's statement at this point in the RECORD:

STATEMENT BY J. J. O'DONNELL

Mr. Chairman: I am John J. O'Donnell, President of the Air Line Pilots Association. In this capacity, I represent more than 31,000 pilots of 39 commercial airlines and 12,000 stewards and stewardesses of 22 airlines.

I am grateful for the opportunity to appear before your committee bcause it gives the Association the opportunity to go on record in support of the immediate ratification of the Convention for the Suppression of Unlawful Seizure of Aircraft, which was signed at The Hague last December.

As President Nixon said, the Convention will be an important step in the development of international law and practice and we uphold the administration's stand on this great issue. From the standpoint of the flight crews who are literally in the front lines in the war against hijacking, the ratification of the Convention by the signatory nations is absolutely essential if lives and property are to have any measure of protection. The Convention, however, is only one of the actions that this nation and all nations must take if lives and property are to be saved from acts of aerial piracy.

The Air Line Pilots Association strongly urges that ways and means be found to bring *all* hijackers to the bar of justice wherever found and make them subject to severe punishment for any act which endangers the safety and well-being of airline passengers and crews. We wish to point out that the Convention, while an excellent, forward-moving document, would legally apply only to those nations who are members of the International Civil Aviation Organization. It would not necessarily be honored by nonparticipating nations.

Therefore, we urge in the strongest possible terms that the United States enter into bilateral agreements with other nations not members of the International Civil Aviation Organization. It is only through this means that *all* hijackers will be susceptible to punishment and thus present a psychological deterrent that may substantially lower the number of planes being diverted by this type of criminal.

Tht most recent hijacking, when a Pan American World Airways plane was diverted to Cuba, is a significant case in point. For the 66th time, American passengers, crew and planes were forced to land there because

a single individual threatened to harm or murder innocent people in order to get his way. It was the first time, however, that the passengers and crew were held incommunicado and detained for such a long time.

It is the feeling of flight crews that it is only a matter of time before an aircraft being hijacked to Cuba is either destroyed in flight, or mid-air collision will occur because the crew's attention is diverted or an accident will take place because of below standard airport conditions in Cuba. Therefore, it is especially imperative that the United States enter into a bilateral agreement with Cuba as one important means to deter diversion of American planes to that country.

The Association also wishes to go on record before your committee as firmly believing that the best way to stop hijacking is to prevent the crime from happening in the first place. Prevention is always better than apprehension—especially if apprehension is attempted by a shoot-out at 30,000 feet. Airline crews want more diligence and attention paid to security measures on the ground. We want airport security plans that will affirm who has jurisdiction, who will search the baggage and how bomb scares and hijacking attempts will be handled. In short, we want deterrence through prevention—before the crime, not after.

Therefore, we view the Convention agreement—although vital to the best interests of the traveling public of the world—as only one of the many essential measures that must be taken by our Government to make air piracy as rare as piracy at sea. It must *not* be considered the final answer to the air hijacking problem. However, we urge its endorsement at the earliest possible moment and hope that your committee will use its influence to pursue ways and means to get non-signatory nations to comply with its provisions.

Thank you for allowing us to have this day with this important Committee. We want you and the American public to know that we stand ready to assist in any way possible to prevent the dastardly crime of airliner hijacking that still occurs with frightening frequency and we expect the passage of this Treaty.

SUPPLEMENTARY STATEMENT OF JOHN J. O'DONNELL BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE ON THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL SEIZURE OF AIRCRAFT

Mr. Chairman: I appreciate this opportunity to submit a supplementary statement for the record after hearing the statements by representatives of the Departments of State and Transportation.

Perhaps it is the sign of our times but the statements of both these representatives seemed to infer that the ratification of the Convention by the countries represented at the Hague last December would solve the hijacking problem.

Mr. Beggs, Undersecretary for the Department of Transportation, even suggested two more conventions be written and ratified. He also advocated that "we do not wish to compel courts to apply the penalty of a minimum sentence of 20 years in the case of hijackers where special equities may be present."

Mr. Chairman, it is this attitude of molly-coddling of criminals that has placed the pilots of the nation's air transports in the dangerous position they are in today. Every time a commercial airliner takes off, the pilot and crew never know when some passenger will attempt to divert the plane to some unplanned destination. The destination for most hijacking attempts of U.S. planes has been Cuba—66 of them have been successful. Cuba is not a signatory to the Hague Convention. For all we know, Mr. Castro only interns them briefly and then puts them to work in the cane fields. He extracts anywhere from $5,000 to $10,000 in landing fees and ground handling costs from the airline. Therefore, he profits nicely each time a hijacked airliner lands in his country.

Last weekend, a new chapter began in the sordid history of air piracy. A Trans World Airlines jet was commandeered in Chicago by an individual who demanded that he be taken to North Vietnam. He had boarded without a boarding pass and seized a stewardess. He shot and killed a passenger. The plane was flown to New York and an aerial gunfight took place enroute. The hijacker was wounded and subsequently captured.

Mr. Chairman, this hijacking had the dubious honor of achieving three aviation "firsts." It marked the first time that an innocent passenger has been killed, the first time there has been a high altitude shoot-out on an American plane and the first time that a hijacker demanded passage to North Vietnam.

Now, Mr. Chairman, suppose for a moment that the hijacker had gotten his way and the crew had to try to fly to North Vietnam. Whether we want to admit it or not, we are at war with North Vietnam. A safe arrival in North Vietnam of a U.S. aircraft is doubtful.

It so happens that North Vietnam is not a signatory to the Hague Convention, either. Our State Department is not in direct contact with that country. It is conceivable that nothing could have been done to alert the North Vietnamese that a defenseless airliner was headed their way or that they would have honored its senseless mission.

So, it is the feeling of the 43,000 flight crew members I represent that these conventions, while necessary and probably helpful, do not solve the problem. Neither does it help for a government official to announce that we are in favor of lesser penalties for the crime of air piracy, and that the courts "be allowed to consider motivation and other special circumstances." What this means is that a slap on the wrist will be the eventual penalty for a crime that is potentially mass murder.

In your questioning of one of the government witnesses, you asked about the penalties for a passenger who hijacks an airliner from an Iron Curtain country to the United States and seeks asylum here. We do not believe the penalties should be any less for that individual just because he is escaping from some brand of political oppression to the Free World. The act is a crime because it endangers the lives of innocent people. It should be treated as a crime in the courts. It is only in this manner that we can expect hijackers from our country to be subject to swift and severe punishment *also*.

Again, I reiterate that we think the Hague Convention should be ratified. However, we want to see bilateral treaties with those nations that are not signatories and we are in no measure in favor of lesser penalties for hijacking.

Thank you, Mr. Chairman, for this opportunity to add a few words to my testimony of June 7. The members of our Association are available to do whatever we can for our country to help combat the serious hijacking situation. In light of the tragic events of last weekend, it is obvious that the threat is just as great as ever.

EDUCATION APPROPRIATIONS

(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, there is tragic irony in the fact that on the same day that the House is considering a bill—the Military Procurement Authorization bill for fiscal year 1972—which provides $21.88 billion for the Pentagon, conferees are also appointed to consider the Office of Education Appropriations bill, which, as the House passed it, provides less than one-fourth as much for education—$4.8 billion. If we need any object lesson of the misplaced priorities of this Nation, we certainly have it today.

The House conferees should be urged to accept the Senate version of the Office of Education Appropriations bill. The Senate version of the bill provides an appropriation of $5.5 billion—$808 million in excess of the House version.

Every aspect of the Senate-passed version of the bill demands the House's acceptance. The House bill provides $1.5 billion for title I of the Elementary and Secondary Education Act. The Senate-passed version provides an additional $150 million. Title I is the most important educational assault on the disadvantages of the poor and deprived. Its purpose is to alleviate educational deficiencies resulting from an impoverished environment and inadequate cultural, health, social and education experiences.

An excerpt from the recently published study by the Committee for Economic Development, entitled "Education for the Urban Disadvantaged," very clearly states the need for these funds:

> While the American schools have generally provided middle and upper income youth with the intellectual tools necessary for sucess in our society, they have commonly failed to cope effectively with the task of educating the disadvantaged youth in our urban centers. To an alarming extent they have simply swept disadvantaged youth under the educational rug.

The House-passed version of the Office of Education fiscal year 1972 appropriations bill appropriated $528 million for grants and work-study programs under title IV of the Higher Education Act of 1965. Again, these are enormously important programs, and that is why the Senate-passed version of the bill, providing $708,800,000 more adequately meets the need. This sum means that 654,000 students will be able to participate in, and benefit from, the college work-study program, as compared to the 430,000 students in the current academic year.

In total, the Senate-passed version of the appropriations bill provides $1.2 billion for student assistance programs. This is enormously important. This assistance—and there should be much more—is essential in order that no American youth be denied the opportunity to obtain a higher education.

In terms of adult education, the Senate-passed bill provides $90 million—$35 million in excess of the House-passed version. I know, from the experience of many of my own constitutents, how important adult education is. It provides the opportunity for men and women to compensate for the disadvantages of their youth by achieving the education they were denied. It gives them a chance for increased self-dignity and self-improvement. It provides them the entrance to better jobs.

I am also particularly pleased to see that the Senate-passed version of the Office of Education appropriations bill includes $60 million to provide payments to school districts for children who reside in public housing.

This $60 million will provide much needed relief to urban school districts by providing some compensation for loss of local tax revenues resulting from public housing projects rendering the land on which they are located tax exempt.

The Senate bill also provides $50 million for bilingual education. This is absolutely essential. It is $27 million in excess of the amount provided by the House bill. Even at that, it is still $50 million below the authorized amount of $100 million.

Bilingual education funds must be obtained. In my own congressional district, applications to the Office of Education for these funds have been denied because the Congress has not appropriated enough money. And yet this program is a primary vehicle—the primary vehicle—for giving children for whom English is not their chief language an opportunity to preserve their mother tongue, while at the same time developing a fluency in English.

These children—the intended beneficiaries of bilingual education programs—come from a vibrant and live cultural heritage. In my district, most of these children come from homes in which Spanish is spoken. That is their mother tongue; it is the bond which keeps their traditions and their cultures alive. And it is imperative that these traditions and this culture be sustained and nurtured.

At the same time, it is essential that these youngsters have the opportunity to develop a proficiency in English, which is the dominant language in this country. Without that proficiency, they may well be doomed to being locked out of the mainstream of our higher educational system and of our job market.

Bilingual education aims at enhancing "the self-image and sense of dignity of families that speak other languages," as Theodore Andersson and Mildred Boyer have written in "Bilingual Schooling in the United States." It also aims, as this study states, at "helping to harmonize various ethnic elements in a community into a mutually respectful and creative pluralistic society." These aims can only have the most beneficial of results.

For all of these reasons, then, the Senate-passed version of the Office of Education fiscal year 1972 appropriations bill more nearly recognizes and meets the needs of the children and adults of America. I urge the House conferees to accept this version.

NARCOTICS TRAFFIC AND DRUG ADDICTION

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, President Nixon has finally taken positive steps to organize national resources in action against illegal narcotic traffic and drug addiction, and I have made known to him that he has my support in taking this step. At this point it is not clear whether existing agencies will be properly used or what the extent of the powers of the new director will be, and those areas will have to be carefully examined, but the general direction is commendable.

From my reading of the President's message to the Congress, it appears that he has again given his endorsement to the principal procedures set forth in my bill, "The Armed Forces Drug Abuse Control Act of 1971," which I filed on May 10, and which is cosponsored by more than 50 House Members on a bipartisan basis. In his request for legislation to permit retaining narcotic addicts in the military service beyond their normal discharge date, the President has, in fact, asked for the prompt enactment of a major phase of my bill. I agree with the President that illegal narcotic addiction "afflicts both the body and soul of America and that if we cannot destroy the drug menace in America, it will surely destroy us."

It may be a costly operation, but we must resign ourselves to substantial expenditures to establish educational and rehabilitative processes in each branch of the Armed Services. We must also provide immediate assistance not only to those servicemen who are addicted to drugs and who are awaiting discharge, but also to those who became addicts while in service and have been discharged under conditions other than honorable as a result of drug addiction.

There have been many proposals for action based on the urgency of the drug problem. Neither the Armed Services nor the Veterans' Administration presently has the authority, the funds, the personnel, or the facilities to cope with the situation. I have strongly recommended action in these fields and I am gratified that the President, with his action today, has provided leadership which will contribute to making our proposal a reality and provide the means of dealing effectively with this exploding and heartbreaking national problem. I am pleased also that the President has recommended international sanctions against foreign nations which fail to cooperate in efforts to choke off the narcotics traffic. I have supported the use of such sanctions in connection with the provision of aid under our foreign assistance legislation. It is not clear from the message exactly what sanctions the President has in mind, and once again, this proposal will have to be clarified in the immediate future, but he is to be congratulated for taking the right road in seeking regulation of this virulent foreign import.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DENNIS (at the request of Mr. GERALD R. FORD), for Friday, June 18 and Monday, June 21, 1971, on account of official business.

Mr. MOSS (at the request of Mr. KLUCZYNSKI), from 4 p.m. today through Tuesday, June 22, on account of official business.

Mr. SEIBERLING, for Friday, June 18 and Monday, June 21, 1971 on account of official business attending Immigration Law Institute and hearings of Immigration and Nationality Subcommittee in Los Angeles.

Mr. RODINO, for Monday, June 21, 1971, attending meetings of Subcommittee on Immigration and Nationality in Los Angeles, Calif.

Mr. SAYLOR, for Friday, June 18 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SEBELIUS) and to revise and extend their remarks and include extraneous matter:)

Mr. MILLER for 5 minutes, today.

Mr. POFF, for 10 minutes, today.

Mr. FRENZEL, for 5 minutes, today.

Mr. DEVINE, for 5 minutes, today.

(The following Members (at the request of Mr. LINK) to revise and extend his remarks and include extraneous material:)

Mr. RODINO, for 10 minutes, today.

Mr. REUSS, for 20 minutes, today.

Mr. ROONEY of Pennsylvania, for 30 minutes, today.

Mr. FLOOD, for 30 minutes, today.

Mr. KEE, for 15 minutes, today.

Mr. RARICK, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HARVEY and to include extraneous material during general debate today on the bill H.R. 8687.

Mr. MADDEN.

Mr. BENNETT to include extraneous matter in remarks made in Committee of the Whole today.

Mr. VANIK.

Mr. CORMAN, to extend his remarks following the remarks of Mr. O'NEILL today.

Mr. DAVIS of Georgia, to extend his remarks following the remarks of Mr. DOWNING today.

Mr. HARVEY, to extend his remarks following the remarks of Mr. MCDADE today.

Mr. DELLUMS, to revise and extend his remarks today.

Mr. LEGGETT to include extraneous matter in his remarks today on the bill.

Mr. RANDALL to revise and extend his remarks prior to the request of Mr. FINDLEY for tellers with clerks.

Mr. MONAGAN to revise and extend his remarks during debate in Committee of the Whole on Nedzi-Whalen amendment.

Mr. SNYDER to revise and extend his remarks during debate on Nedzi-Whalen amendment and include extraneous matter.

Mr. RANDALL immediately following the motion to table the motion to instruct the conferees on the conference report on the Office of Education today.

(The following Members (at the request of Mr. SEBELIUS) and to include extraneous matter:)

Mr. GUDE in two instances.

Mr. KEITH.

Mr. DUNCAN in two instances.

Mr. MORSE in two instances.
Mr. WYMAN in two instances.
Mr. CEDERBERG.
Mr. MILLER of Ohio in two instances.
Mr. STEIGER of Arizona.
Mr. MYERS.
Mr. SCHWENGEL in two instances.
Mr. HOSMER in two instances.
Mr. PETTIS.
Mr. CONTE in two instances.
Mr. SCHMITZ in three instances.
Mr. FORSYTHE.
Mr. PRICE of Texas.
Mr. WIGGINS.
Mr. DERWINSKI.
Mr. ROBISON of New York.
Mr. ASHBROOK in three instances.
Mr. DEVINE.
Mrs. DWYER in three instances.
Mr. KEMP in two instances.
Mr. KEATING.
Mr. GOLDWATER.
Mr. LATTA.
Mr. RUTH in five instances.
Mr. CARTER in five instances.
Mr. DICKINSON.
Mr. BELL.
Mr. MCCLORY.
Mr. SANDMAN.

(The following Members (at the request of Mr. LINK) and to include extraneous material:)

Mr. BRASCO in two instances.
Mr. RODINO in two instances.
Mr. BADILLO in three instances.
Mr. EVINS of Tennessee.
Mrs. CHISHOLM.
Mrs. ABZUG in 10 instances.
Mr. FRASER in three instances.
Mr. DINGELL in three instances.
Mr. MINISH in three instances.
Mr. ROSENTHAL in five instances.
Mr. CARNEY.
Mr. JACOBS in two instances.
Mr. YATRON.
Mr. BEGICH in three instances.
Mr. PICKLE in three instances.
Mr. DANIELS of New Jersey.
Mr. SYMINGTON.
Mr. HARRINGTON in two instances.
Mr. HUNGATE in two instances.
Mr. CAREY of New York in four instances.
Mr. GALLAGHER.
Mr. DOWNING in two instances.
Mr. GALIFIANAKIS in two instances.
Mr. EILBERG.
Mr. RARICK in three instances.
Mr. BRINKLEY in two instances.
Mr. DULSKI in six instances.
Mr. ZABLOCKI in three instances.
Mrs. HICKS of Massachusetts in three 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. 904. An act to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. LINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Friday, June 18, 1971, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

865. A letter from the Chairman, U.S. Civil Service Commission, transmitting the 48th and 49th Annual Reports of the Board of Actuaries of the Civil Service Retirement System, covering fiscal years 1968 and 1969, pursuant to 5 U.S.C. 8347(f) (H. Doc. No. 92–132); to the Committee on Post Office and Civil Service and ordered to be printed.

866. A letter from the Secretary of Transportation, transmitting a report of an Anti-Deficiency Act violation by the Federal Aviation Administration, pursuant to 31 U.S.C. 665(i)(2); to the Committee on Appropriations.

867. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize certain naval vessel loans, and for other purposes; to the Committee on Armed Services.

RECEIVED FROM THE COMPTROLLER GENERAL

868. A letter from the Comptroller General of the United States, transmitting a report on opportunities for improving the neighborhood health services program for the poor administered by St. Luke's Hospital Center in New York City, Office of Economic Opportunity; to the Committee on Government Operations.

869. A letter from the Comptroller General of the United States, transmitting a report on controls needed over the leasing of land acquired under the open-space-land program, Department of Housing and Urban Development; to the Committee on Government Operations.

870. A letter from the Comptroller General of the United States, transmitting a report on progress being made and difficulties being encountered by credit unions serving low-income persons, Office of Economic Opportunity; to the Committee on Government Operations.

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. PERKINS: Committee on Education and Labor. H.R. 6247. A bill to extend the provisions of the Juvenile Delinquency Prevention and Control Act of 1968 for 5 years; with an amendment (Rept. No. 92–282). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 9098. A bill to extend and amend certain provisions of the Child Nutrition Act and of the National School Lunch Act (Rept. No. 92–283). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Michigan:

H.R. 9221. A bill to create a National Agricultural Bargaining Board, to provide standards for the qualification of associations of producers, to define the mutual obligation of handlers and associations of producers to negotiate regarding agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 9222. A bill to correct deficiencies in the law relating to the crimes of counterfeiting and forgery; to the Committee on the Judiciary.

By Mr. CELLER (for himself and Mr. POFF):

H.R. 9223. A bill to increase the limit on dues for U.S. membership in the International Criminal Police Organization; to the Committee on the Judiciary.

By Mr. CONTE (for himself, Mr. HORTON, Mr. HOWARD, Mr. JACOBS, Mr. KEITH, Mr. MCKINNEY, Mr. MACDONALD of Massachusetts, Mr. MATSUNAGA, Mr. MITCHELL, Mr. MORSE, Mr. O'NEILL, Mr. REES, Mr. RIEGLE, Mr. ROYBAL, Mr. RUPPE, Mr. ST GERMAIN, Mr. STAFFORD, Mr. STEELE, Mr. TIERNAN, Mr. VANIK, Mr. BIAGGI, and Mr. STOKES):

H.R. 9224. A bill to amend the Defense Production Act of 1950 to establish national defense petroleum reserves; to the Committee on Banking and Currency.

By Mr. DEVINE:

H.R. 9225. A bill to provide for the retirement of certain employees of the Federal Bureau of Investigation and the U.S. Secret Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRASER:

H.R. 9226. A bill to make permanent the temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance, and to reflect in such provision the social security benefit increases enacted in March 1971; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho (for himself and Mr. ALEXANDER):

H.R. 9227. A bill relating to manpower requirements, resources, development, utilization, and evaluation, and for other purposes; to the Committee on Education and Labor.

By Mr. HARRINGTON (for himself, Mr. ASPIN, Mr. ADDABBO, Mr. BADILLO, Mr. BINGHAM, Mr. BOLAND, Mr. BURKE of Massachusetts, Mrs. CHISHOLM, Mr. CLEVELAND, Mr. COTTER, Mr. DONOHUE, Mr. DRINAN, Mr. DULSKI, Mr. EDWARDS of California, Mr. FRELINGHUYSEN, Mrs. GRASSO, Mr. HALPERN, Mr. HAWKINS, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, and Mrs. HICKS of Massachusetts):

H.R. 9228. A bill to amend the Defense Production Act of 1950 to establish national defense petroleum reserves; to the Committee on Banking and Currency.

By Mr. LENNON (for himself, Mr. GARMATZ, Mr. DOWNING, Mr. GRIFFIN, Mr. ANDERSON of California, Mr. MOSHER, Mr. KEITH, and Mr. DU PONT):

H.R. 9229. A bill to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal and estuarine zones, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York (for himself, Mr. HAWKINS, Mr. ROUSH, Mr. DERWINSKI, Mr. JONES of North Carolina, Mr. CELLER, Mr. GARMATZ, Mr. EDWARDS of California, Mrs. HICKS of Massachusetts, Mr. WALDIE, Mr. DANIEL of Virginia, Mr. FLYNT, Mr. FRASER, Mr. HENDERSON, Mr. MCDADE, Mr. BURKE of Massachusetts,

Mr. CHARLES H. WILSON, Mr. HATHAWAY, Mr. ADDABBO, Mr. RODINO, Mr. ALEXANDER, Mr. DANIELS of New Jersey, Mr. YATRON, Mr. KING, and Mr. BRAY):

H.R. 9230. A bill to authorize members of the Armed Forces to be discharged from active military service by reason of physical disability when such members are suffering from drug dependency, to authorize the civil commitment of such members after their discharge, and for other purposes; to the Committee on Armed Services.

By Mr. PEPPER (for himself, Mr. DANIELS of New Jersey, Mr. MEEDS, Mr. SEIBERLING, Mr. WILLIAM D. FORD, Mrs. GRASSO, Mrs. ABZUG, Mr. NICHOLS, Mr. BARRETT, Mr. COTTER, Mr. HARRINGTON, Mr. MCKEVITT, Mr. MORSE, Mr. VEYSEY, Mr. CLEVELAND, Mr. CLANCY, Mr. ANDERSON of Illinois, Mr. MATHIAS of California, Mr. FORSYTHE, Mr. LUJAN, Mr. MINSHALL, Mr. WYATT, Mr. FRENZEL, and Mr. HANNA):

H.R. 9231. A bill to amend the Controlled Substances Act to move amphetamines and certain other stimulant substances from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. SYMINGTON, Mr. BYRNE of Pennsylvania, Mrs. HICKS of Massachusetts, Mr. REES, Mr. SCHEUER, Mr. GARMATZ, Mr. DANIEL of Virginia, Mr. EDWARDS of California, Mr. FULTON of Tennessee, Mr. SARBANES, Mr. PODELL, Mr. ASHLEY, Mr. ANDERSON of Tennessee, Mr. MOSS, Mr. STOKES, Mr. HAWKINS, Mr. NEDZI, Mr. ARCHER, Mr. CARNEY, Mr. MCDONALD of Michigan, Mr. WOLFF, Mr. WILLIAMS, Mr. UDALL, and Mr. DENHOLM):

H.R. 9232. A bill to amend the Controlled Substances Act to move amphetamines and certain other stimulant substances from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. WALDIE, Mr. BRASCO, Mr. MANN, Mr. MURPHY of Illinois, Mr. RANGEL, Mr. WIGGINS, Mr. STEIGER of Arizona, Mr. WINN, Mr. KEATING, Mr. CHARLES H. WILSON, Mr. VIGORITO, Mr. HOWARD, Mr. BADILLO, Mr. MATSUNAGA, Mr. GONZALEZ, Mr. RYAN, Mr. MAZZOLI, Mr. ROSTENKOWSKI, Mr. SMITH of Iowa, Mr. ADDABBO, Mr. MILLER of California, Mr. ANDERSON of California, Mr. DANIELSON, and Mr. ROSENTHAL):

H.R. 9233. A bill to amend the Controlled Substances Act to move amphetamines and certain other stimulant substances from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. HENDERSON, Mr. VAN DEERLIN, and Mr. YATRON):

H.R. 9234. A bill to amend the Controlled Substances Act to move amphetamines and certain other stimulant substances from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

By Mr. PEYSER:

H.R. 9235. A bill to extend to hawks and owls the protection now accorded to bald and golden eagles; to the Committee on Merchant Marine and Fisheries.

By Mr. RONCALIO:

H.R. 9236. A bill to reimburse the Shoshone and Arapahoe Tribes of the Wind River Reservation, Wyo., for tribal funds that were expended to benefit only individuals in the construction, operation and maintenance of the Wind River irrigation project; to the Committee on Interior and Insular Affairs.

By Mr. SPRINGER:

H.R. 9237. A bill to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9238. A bill to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS (for himself, Mr. BLACKBURN, Mr. BROWN of Michigan, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. COLLINS of Texas, Mr. ESHLEMAN, Mr. JOHNSON of Pennsylvania, Mr. PRICE of Texas, Mr. ROUSSELOT, Mr. SANDMAN, Mr. SAYLOR, Mr. WHALLEY, and Mr. WARE):

H.R. 9239. A bill to amend the Social Security Act to terminate the AFDC program except for those families who not only qualify on the basis of need but whose members are actually unable (with or without training or other assistance) to provide for their own support, and to furnish the necessary training, rehabilitation, child care, and other services and assistance, particularly on-the-job training and public service employment, to make possible the removal of all employable individuals and their families from the AFDC program, with the objective of placing such individuals in employment in the private sector of the economy with the cooperation of business and government; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 9240. A bill to preserve, stabilize, and reactivate the domestic gold mining industry on public, Indian, and other lands within the United States, and to increase the domestic production of gold to provide the requirements of industry, national defense, and other nonmonetary uses of gold; to the Committee on Interior and Insular Affairs.

H.R. 9241. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BRINKLEY:

H.R. 9242. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 9243. A bill to amend the act of August 13, 1946, to increase the Federal contribution to 90 percent of the cost of shore restoration and protection projects; to the Committee on Public Works.

By Mr. CONTE (for himself and Mr. WYMAN):

H.R. 9244. A bill to amend the Defense Production Act of 1950 to establish national defense petroleum reserves; to the Committee on Banking and Currency.

By Mr. DOW:

H.R. 9245. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. DUNCAN:

H.R. 9246. A bill to extend for an additional year the existing program for payment of black lung benefits; to the Committee on Education and Labor.

By Mr. ERLENBORN (for himself and Mr. MAZZOLI):

H.R. 9247. A bill to further promote equal employment opportunities for American workers; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee (for himself, Mr. STUCKEY, Mr. HAMMERSCHMIDT, and Mr. WINN):

H.R. 9248. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 9249. A bill to amend the Economic Opportunity Act of 1964 to authorize a legal services program by establishing a National Legal Services Corporation, and for other purposes; to the Committee on Education and Labor.

By Mr. KYROS:

H.R. 9250. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. LLOYD (for himself and Mr. MCKAY):

H.R. 9251. A bill to provide for the apportionment of funds in payment of a judgment in favor of the Shoshone Tribe in consolidated dockets Nos. 326–D, 326–E, 326–F, 326–G, 326–H, 366, and 367 before the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER (for himself, Mr. ABOUREZK, Mrs. ABZUG, Mr. ANNUNZIO, Mr. ASPIN, Mr. BARING, Mr. BEVILL, Mr. BURTON, Mrs. CHISHOLM, Mr. DANIELS of New Jersey, Mr. DULSKI, Mr. DUNCAN, Mr. FOLEY, Mr. HALPERN, Mr. HARRINGTON, Mr. MATSUNAGA, Mr. MITCHELL, Mr. PREYER of North Carolina, Mr. REES, Mr. ROSENTHAL, Mr. ST GERMAIN, Mr. CARNEY, Mr. SARBANES, Mr. WATTS, and Mr. WINN):

H.R. 9252. A bill to establish a Juvenile Research Institute and Training Center; to the Committee on the Judiciary.

By Mr. SCHWENGEL (for himself, Mr. BAKER, and Mr. CAFFERY):

H.R. 9253. A bill to authorize the Secretary of the Army to investigate, plan, and construct projects for the control of streambank erosion; to the Committee on Public Works.

By Mr. STEELE (for himself, Mr. MURPHY of Illinois, Mr. ANDERSON of Illinois, Mrs. CHISHOLM, Mr. DU PONT, Mrs. DWYER, and Mr. JAMES V. STANTON):

H.R. 9254. 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. TALCOTT:

H.R. 9255. A bill relating to the treatment, for purposes of the Federal Unemployment Tax Act, of services performed by a student or his spouse for certain organizations operated in connection with the school, college, or university which the student is attending; to the Committee on Ways and Means.

By Mr. BRAY:

H.J. Res. 722. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. CARTER (for himself, Mr. ANDERSON of Illinois, Mr. BOLAND, Mr. BRADEMAS, Mr. BUCHANAN, Mrs. CHISHOLM, Mr. COLLIER, Mr. COLLINS of Illinois, Mr. DENHOLM, Mr. DERWINSKI, Mr. FISHER, Mr. FORSYTHE, Mr. GRIFFIN, Mr. GUDE, Mr. HALPERN, Mr. HARVEY, Mr. HASTINGS, Mr. HORTON, Mr. KEMP, Mr. KUYKENDALL, Mr. LANDGREBE, Mr. MCCORMACK, Mr. MAZZOLI, Mr. MORSE, and Mr. PODELL):

H.J. Res. 723. Joint resolution to authorize the President to proclaim the month of January of each year as "National Volunteer Blood Donor Month"; to the Committee on the Judiciary.

By Mr. CARTER (for himself, Mr. PREYER of North Carolina, Mr. RHODES, Mr. ROBINSON of Virginia, Mr. ROSENTHAL, Mr. STAFFORD, Mr. STEELE, Mr. VIGORITO, Mr. WARE, Mr. WINN, and Mr. MORGAN):

H.J. Res. 724. Joint resolution to authorize the President to proclaim the month of January of each year as "National Volunteer Blood Donor Month"; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.J. Res. 725. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. FREY:

H.J. Res. 726. Joint resolution to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day"; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.J. Res. 727. Joint resolution authorizing the President to proclaim the period September 26 through October 2, 1971, as "National Home Fashions Week"; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H. Con. Res. 340. Concurrent resolution expressing the sense of Congress with respect to the withdrawal of American troops from South Vietnam, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RARICK:

H. Con. Res. 341. Concurrent resolution relative to placing of human right violations, including genocide in the Soviet-occupied Latvia on the agenda of the United Nations Organization; to the Committee on Foreign Affairs.

By Mr. WYLIE:

H. Res. 485. Resolution declaring that the House rejects the findings and recommendations of the Commission on Obscenity and Pornography; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DON H. CLAUSEN:

H.R. 9256. A bill for the relief of Kyong Ok Goodwin (nee Won); to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H. Res. 486. Resolution to refer the bill (H.R. 9217) entitled "A bill for the relief of James A. Boyajian" to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

REPORTS ON CLEARCUTTING ISSUE IN WEST VIRGINIA

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 17, 1971

Mr. RANDOLPH. Mr. President, the issue of clearcutting on our national forest lands is increasingly receiving greater attention through interested citizenry.

This practice which denudes the land and, in many cases, renders the land unfit for regeneration was begun on the Monongahela National Forest in West Virginia with the introduction of a new management in 1964—even-aged management. Citizens residing near the forest have been "up in arms" ever since as well as conservation organizations and professional foresters.

The Forest Service is well aware of the concerns of those opposed to clearcutting and it is fair to say that the Forest Service has made some minor concessions.

With regard to West Virginia, the controversy could be brought to an end if recommendations five and six of the West Virginia Forest Management Practices Commission were followed. They read as follows:

To implement the multiple use, sustained yield policy in national forests in West Virginia, we recommend that both uneven-aged and even-aged forest management be employed to manage the timber resource but with the greater emphasis placed on uneven-aged management. We believe full multiple use and sustained yield of all resources cannot be accomplished if even-aged management is used as the basic timber management system throughout the national forests.

As the main silvicultural technique to implement uneven-aged management, we recommend that the selection cutting system be used; that it be the primary and basic silvicultural technique used to manage the timber resource in national forests in West Virginia; and that it be the normal silvicultural technique employed where it can feasibly and logically be used to accomplish the regeneration and harvest of the timber resource.

Chief Edward P. Cliff, in testimony before the Senate Subcommittee on Public Lands with regard to the Monongahela National Forest stated:

We used the even-aged system of management for the general forest areas there since 1964 based on research and experience in hardwood management in the eastern United States and in other countries.

Mr. President, as I noted earlier, the Forest Service has made some changes. However, I question how valid or extensive its research has been after I saw practiced on steep slopes, over wide areas and so close together I was not able to distinguish two cuts were actually present.

Ralph O. Smoot, a highly respected forester and a University of Michigan graduate, toured portions of the Monongahela with Burt Schoor, a staff reporter for the Wall Street Journal. Smoot spent 31 years with the Forest Service and was ranger on the Gauley Ranger District of the Monongahela. He also presented excellent testimony before the Senate subcommittee hearing.

Mr. President, I ask unanimous consent to have the article from the June 4 issue of the Wall Street Journal printed in the RECORD at this point.

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

FOREST SERVICE SMARTS UNDER CRITICS' CLAIM IT HAS ALLOWED DAMAGE TO PUBLIC TIMBERLANDS

(By Burt Schorr)

CAMDEN ON GAULEY, W. Va.—The government's green-clad foresters have changed from white hats to black hats.

In growing numbers, conservationists, sportsmen, members of Congress and plain old nature-lovers are lashing the U.S. Forest Service. The foresters, say their critics, have allowed timber companies to cut too many trees in the national forests at the expense of recreation, wildlife development, watershed protection and natural beauty.

Ardent preservationists have been leveling such charges for years, but now criticism is also coming from members of the close-knit forestry establishment like Ralph O. Smoot whose opinions may carry much more weight.

Mr. Smoot, a past chairman of the West Virginia chapter of the Society of American Foresters, served for 31 years in the Forest Service himself, 10 of them near here in the Monongahela National Forest. He's convinced that his former government colleagues have been too permissive.

To prove his point, Mr. Smoot, whose home at Camden on Gauley overlooks the forest, guides a visitor along the dirt road that skirts the base of Black Mountain here. Off to the south, the Williams River rushes almost unseen behind a thick stand of sugar maples, basswood, ash and beech trees. On the opposite side of the road, though, the eye is affronted by a broad 50-acre swathe of cutover land stretching bleakly to a treeless skyline.

MORE THAN BEAUTY

Stepping nimbly between the dry limbs and toppled small trunks that litter the four-year-old cut, forester Smoot looks closely for signs of new tree growth. His verdict: "Other than (undesirable) beech-stump sprouts, reproduction is absent." Mr. Smoot theorizes that the slope may be too sunbaked because of its southern exposure. "If the cut had been only a half-acre across (and therefore shadier), it would have been filled with understory in a year's time," he adds.

There's more than natural beauty at stake in such stock-taking by Mr. Smoot and other Forest Service gadflies. The 97 million acres of commercial timber in the national forests yield 40% of U.S. timber production. And last year a Nixon task force recommended that to meet home construction needs the forests' timber output should be expanded 55% by 1978.

Wounded by allegations of lax stewardship, however, Forest Service officials are in the midst of timber management reforms that raise doubts about reaching that production goal. The foresters now are limiting the size of areas to be cut over, requiring greater distances between cuts and banning cutting on steep slopes. "Our whole problem has been letting the timber industry exert too much pressure," concedes one of the younger ad-