

## SENATE—Friday, June 18, 1971

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. ELLENDER).

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

O Lord, by whose providence this Republic was brought forth, we beseech Thee to keep the Members of the Senate and all who assist them under the canopy of Thy grace. Give them a wisdom beyond themselves and a strength greater than their own. Beneath our words hear the deeper yearning of our souls. Rule over the deliberations of this body, for Thy glory and the good of all the people.

In the Redeemer's name, we pray. Amen.

## THE JOURNAL

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

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

## COMMITTEE MEETINGS DURING SENATE SESSION

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

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

## FREE OR REDUCED-PRICE MEALS TO NEEDY CHILDREN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 173, H.R. 5257.

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

The assistant legislative clerk read as follows:

H.R. 5257, to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children.

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

There being no objection, the Senate proceeded to consider the bill which has been reported from the Committee on Agriculture and Forestry with amendments, to strike out all after the enacting clause and insert:

That the Secretary of Agriculture is authorized to use during the period ending June 30, 1972 funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) in such amounts as may be appropriate in addition to any other funds available for that purpose to carry out the provisions of the National School Lunch Act.

SEC. 2. (a) Section 4(a) of the Child Nutrition Act of 1966, as amended, is amended by striking out "for the fiscal year 1971" and inserting in lieu thereof "for each of the fiscal years 1971 and 1972".

(b) Section 13(a)(1) of the National School Lunch Act, as amended, is amended by striking out "three fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971," and inserting in lieu thereof "four fiscal years ending June 30, 1969, June 30, 1970, June 30, 1971, and June 30, 1972."

SEC. 3. Section 4(d) of the Child Nutrition Act of 1966 is amended by striking out "80 per centum" and inserting "100 per centum".

SEC. 4. Section 4(e) of the Child Nutrition Act of 1966 is amended by striking out the sentence reading "In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies." and inserting the following: "Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably on the basis of criteria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions; but any child who is a member of a household which has an annual income not above the applicable family size income level set forth in the income poverty guidelines shall be served meals free or at reduced cost. The income poverty guidelines to be used for any fiscal year shall be those prescribed by the Secretary as of July 1 of such year. In providing meals free or at reduced cost to needy children, first priority shall be given to providing free meals to the neediest children. Determination with respect to the annual income of any household shall be made solely on the basis of an affidavit executed in such form as the Secretary may prescribe by an adult member of such household. None of the requirements of this section in respect to eligibility for meals without cost shall apply to nonprofit private schools which participate in the school breakfast program under the provisions of subsection (f) until such time as the Secretary certifies that sufficient funds from sources other than children's payments are available to enable such schools to meet these requirements."

SEC. 5. In addition to funds appropriated or otherwise available, the Secretary of Agriculture is authorized to use, during the fiscal year ending June 30, 1972, not to exceed \$20,000,000 in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for the purpose of carrying out in any area of the United States direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food. Food made available to needy children under this section shall be in addition to any food made available to them under the National School Lunch Act or the Child Nutrition Act of 1966. Whenever any program is carried out by the Secretary under authority of the preceding sentence through any State or local welfare agency, he is authorized to pay

the administrative costs incurred by such State or local agency in carrying out such program.

Mr. ALLEN. Mr. President, H.R. 5257, a bill to amend the National School Lunch Act, is a major piece of legislation. It is needed at this time to meet an acute need that has arisen regarding the shortage of funds to carry out the provisions of the National School Lunch Act, the breakfast program, and the special food program.

I ask unanimous consent to have printed in the RECORD an article entitled "Cities Lose U.S. Funds for Summer Lunches," which was published in the Washington Post today.

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

CITIES LOSE U.S. FUNDS FOR SUMMER LUNCHES  
(By Nick Kotz)

The Agriculture Department has informed big cities throughout the country that they will not receive expected funds to feed hundreds of thousands of poor children this summer.

The children were to receive free meals, starting next week, under a federally supported summer program to feed poor children in day care and recreation programs. During the school year, the children are helped by the national school lunch program. City officials in Baltimore, Detroit, Los Angeles and other cities charged in interviews yesterday that the department has precipitated a crisis in ghetto areas by reneging on promises of food aid.

Agriculture Department officials said 11 cities, including Washington, D.C., have planned programs for 425,000 children at a federal cost of \$11 million, while only \$4.7 million is available to fund summer programs throughout the country.

The District has planned a \$1 million program for 50,000 children but is scheduled to receive only \$145,000 for both summer and full-year programs.

Sen. George S. McGovern (D-S.D.) disclosed the crisis in summer lunch programs and asked Agriculture Secretary Clifford Hardin to take immediate action to meet the problem.

Richard Lyng, assistant secretary of agriculture, acknowledged in an interview that needed funds are not available and that department officials improperly promised such funds to the cities.

"I just don't see how we can satisfy the requests of all these cities," Lyng said.

"It's a major problem and I don't have an immediate solution to it. Some of our people simply didn't face up to the budgetary problems soon enough. We have to have budgetary discipline in these things."

Among cities informed this week of sharp cutbacks in expected funds are:

Baltimore, which planned to start feeding 40,000 children next Monday, at a federal cost of \$1 million. USDA has said that all of Maryland will receive only \$265,000 for year-round programs as well as summer programs.

Chicago, which planned to feed 60,000 children, beginning June 28, at a federal cost of more than \$1.2 million. Chicago is now scheduled to receive only \$185,000.

Los Angeles, which planned to feed more than 200,000 children with \$5 million in federal aid, has been informed that all of California will get only \$863,000.

Detroit, which planned a \$1.3 million program for 50,000 children, will have to share in Michigan's total allocation of \$500,000.

The U.S. Conference of Mayors, in a resolution at its national convention, asked Congress to pass legislation immediately to meet the needs of all city lunch programs.

"This is incredible," said Deton Brooks, commissioner of Chicago's department of human resources. "They dropped this on us 10 days before the program is to start. How are we going to feed these kids?"

Baltimore Mayor Thomas D'Alesandro III, said:

"Our situation is desperate. We don't have the money and the kids are going to be out there in the streets. We had a good program last year and were promised support for a better one this summer.

Arnold Robles, coordinator of the youth advisory council of Greater Los Angeles, said he has hesitated to inform 65 community organizations that promised funds will not be delivered to feed 273,000 children beginning July 1.

"I'll have to bar my doors and put on a steel hat," he said. "This is just terrible—some more broken promise to those kids."

The funding mixup apparently occurred because USDA officials badly underestimated funds needed to fulfill federal obligations on the year-round feeding program that ends June 30, and failed to consider its pledges for new funds starting July 1.

The Nixon Administration has requested \$20.7 million, the same amount as this year for both summer and year-round programs under the out-of-school feeding programs of the Child Nutrition Act.

According to law, these funds are distributed on the basis of poor children living in the 50 states. The Agriculture Department avoided a similar crisis last year by redistributing funds not used by other states. However, the department has run out of current fiscal year funds and thus cannot meet the immediate needs of big cities beginning July 1.

City officials throughout the country said the department told them to expand their programs this summer. Assistant Secretary Lyng said he learned of the fund problem only two weeks ago. Lyng then ordered his subordinates to tell cities their expectations could not be met.

Mr. ALLEN. Mr. President, I also ask unanimous consent that a statement issued by the distinguished senior Senator from Georgia (Mr. TALMADGE) on yesterday be printed at this point in the RECORD.

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

STATEMENT BY SENATOR HERMAN E. TALMADGE

I have received a number of anxious inquiries from people who are fearful that the Special Food Assistance Program for children will die on June 30.

The program provides money for free and reduced price meals for children participating in special camps for needy children, and other activities such as summer recreation programs.

Yesterday, June 16th, our Committee approved the authorization for the continuation of Section 13 of the School Lunch Act, which includes the summer food program. Today the measure was officially reported to the Senate.

I expect early action on this measure, and hopefully we can go to conference with the House soon.

I must point out that the White House did not even ask for an extension of this program until May 18 of this year, even though the program was due to expire on June 30.

The bill was introduced in the Senate on May 19, and Senator James Allen's Subcom-

mittee on Agricultural Research and General Legislation held hearings on June 8. As I pointed out earlier, our full Committee on Agriculture and Forestry sent the bill out today.

Furthermore, the bill we have reported, authorizes the Secretary of Agriculture to use Section 32 funds in any amount necessary to keep this program going beyond June 30. The Committee included this provision because of the practical certainty that the appropriation for the Department of Agriculture for Fiscal Year 1972 will not be passed before July 1, and because of the probability that insufficient funds will be provided by a continuing resolution.

Such a resolution would be likely to allow USDA to continue all of its programs at the same levels as last year, until Congress is able to act on the money bill.

The bill we have reported will permit a higher level of support for the Special Food Assistance Program for Children if that is found to be appropriate.

Given all of these circumstances, there would seem to me to be no basis for the concern now manifested in many city halls about a cut off of money for the summer nutrition program.

The Congress has acted quickly and responsibly on this matter, despite what I consider to be foot dragging by the Administration.

Mr. ALLEN. Mr. President, the amendments provided by H.R. 5257 and the amendments of the Committee on Agriculture and Forestry to H.R. 5257 reach the situation and the problem posed by the article to which I have referred.

The committee amendment to H.R. 5257 extends the school breakfast program and the special food assistance program for children 1 year. The appropriation authorization for the school breakfast program for fiscal 1971 was \$25 million and the bill would authorize the same level of appropriation for fiscal 1972. The appropriation authorization for special food assistance program for children was \$32 million and the bill would authorize the same level of appropriation for fiscal 1972. This is the program under which food is made available for summer camps. Furthermore, the bill would authorize the Secretary of Agriculture to use section 32 funds for the remainder of this fiscal year and for fiscal 1972 in any amount necessary to carry out the provisions of the National School Lunch Act. The summer camp program is carried out under section 13 of that act so that enactment of this bill will provide complete authority to the Secretary and funds to carry out the summer camp program this summer, as well as any other programs authorized by the National School Lunch Act.

In addition, the bill would authorize the Secretary of Agriculture to pay up to 100 percent instead of 80 percent of the operating costs of the school breakfast program in circumstances of severe need. In cases not of severe need the Secretary would continue to be authorized as in the past to pay for the costs of agricultural commodities used in this program.

Further, the bill would apply the requirements of the National School Lunch Act for free and reduced-price meals to the school breakfast program so that the requirements will be the same in each program. The same child that is entitled

to a free lunch should also be entitled to a free breakfast and it does not make sense to have different requirements for these two programs.

Mr. President, the bill would also authorize the Secretary of Agriculture to use up to \$20 million for section 32 funds to carry out the supplemental food program in fiscal 1972. This is the program under which supplemental foods are made available to nursing mothers, pregnant women, and infants.

It is hoped that the other body will accept the Senate amendments to the bill on the next legislative day so that the bill can be sent to the President for his signature in order to meet this critical need.

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Florida (Mr. CHILES), I ask unanimous consent to have a statement by him printed in the RECORD regarding H.R. 5257 on special food service programs, which includes the summer program that would feed hundreds of thousands of poor children.

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

STATEMENT BY MR. CHILES

The Senate Agriculture and Forestry Committee favorably reported H.R. 5257 earlier this week, with amendments that guaranteed funds to support the special food services programs, which includes the summer program that would feed hundreds of thousands of poor children.

During Committee consideration of this Bill I proposed an amendment, which was adopted, to allow the Sect. of Agriculture to utilize Section 32 monies to pay deficits in these feeding programs for this fiscal year. I support an additional to this amendment including deficits for the coming fiscal year as a protection in case the U.S.D.A. had underestimated the extent of the summer feeding program.

Today we learned that programs in 11 cities across the U.S., which would have fed 425,000 poor children this summer, plus other areas including my home State of Florida, will receive little or no funds. The real shame of this is that the U.S.D.A. had told these officials to gear up their program as funds would be forthcoming. The Agriculture Dept. indicated to me that the present allocation for these programs was sufficient to fund them. Obviously, this is not the case.

I urge the Congress to speedily pass this Bill, H.R. 5257, so that these child feeding programs can proceed on the schedule that was promised them. The Congress can do nothing more honorable than seeing to it that these hungry children are fed.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "An act to extend the school breakfast and special food programs."

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SAXBE. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

Mr. TALMADGE subsequently said: Mr. President, the Senate this morning passed H.R. 5227, as amended by the Senate.

I move that the Senate insist upon its amendments and request a conference

with the House on the disagreeing votes thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. TALMADGE, Mr. ELLENDER, Mr. ALLEN, Mr. HUMPHREY, Mr. MILLER, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

#### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with No. 145 and extending through No. 151.

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

#### AUTHORIZATION FOR THE PRINTING OF THE 1970 ANNUAL REPORT OF THE NATIONAL FOREST RESERVATION COMMISSION AS A SENATE DOCUMENT

The resolution (S. Res. 121) authorizing the printing of the 1970 Annual Report of the National Forest Reservation Commission as a Senate document, was considered and agreed to, as follows:

S. Res. 121

*Resolved*, That the annual report of the National Forest Reservation Commission for the fiscal year ended June 30, 1970, be printed with an illustration as a Senate document.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-148), explaining the purposes of the measure.

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

Senate Resolution 121 would provide that the Annual Report of the National Forest Reservation Commission for the fiscal year ended June 30, 1970, be printed with an illustration as a Senate document.

The printing cost estimate, supplied by the Public Printer, is as follows:

#### Printing-cost estimate

To print as a document (1,500 copies) -----	\$2,417.81
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#### AUTHORIZATION FOR THE PRINTING OF THE REPORT ENTITLED "COST OF CLEAN WATER" AS A SENATE DOCUMENT

The resolution (S. Res. 130) authorizing the printing of the report entitled "Cost of Clean Water" as a Senate document, was considered and agreed to, as follows:

*Resolved*, That the annual report of the Administrator of the Environmental Protection Agency to the Congress of the United States (in compliance with section 26(a) of the Federal Water Pollution Control Act, as amended) entitled "Cost of Clean Water", be printed with illustrations as a Senate document.

Sec. 2. There shall be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-149), explaining the purposes of the measure.

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

Senate Resolution 130 would provide (1) that the annual report of the Administrator of the Environmental Protection Agency to the Congress of the United States (in compliance with sec. 26(a) of the Federal Water Pollution Control Act, as amended) entitled "Cost of Clean Water," be printed, with illustrations, as a Senate document; and (2) that there be printed 2,500 additional copies of such document for the use of the Committee on Public Works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

#### Printing-cost estimate

To print as a document (1,500 copies) -----	\$4,026.63
2,500 additional copies, at \$217.54 per thousand -----	543.80

Total estimated cost, S. Res. 130 -----	4,570.43
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#### AUTHORIZATION FOR THE PRINTING OF THE PROCEEDINGS OF THE PUBLIC MEETINGS ON THE DEVELOPMENT OF A UNIFORM CONVENTIONAL MORTGAGE FORM AS A SENATE DOCUMENT

The Senate proceeded to consider the resolution (S. Res. 117) to authorize the printing, as a Senate document, of the proceedings of the public meetings on the development of a uniform conventional mortgage form, which had been reported from the Committee on Rules and Administration with an amendment on page 1, line 9, after the word "of," strike out "1970." and insert "1970, and that there shall be printed two thousand two hundred additional copies of such document for the use of the Committee on Banking, Housing and Urban Affairs."; so as to make the resolution read:

*Resolved*, That there shall be printed as a Senate document the proceedings of the public meetings, held April 5 and 6, 1971, by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, on the development of a uniform conventional mortgage form as an aid to the secondary market operations for conventional mortgages authorized to be carried out by such Association and Corporation under title II and III of the Emergency Home Finance Act of 1970, and that there shall be printed two thousand two hundred additional copies of such document for the use of the Committee on Banking, Housing and Urban Affairs.

The amendment was agreed to. The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-150), explaining the purposes of the measure.

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

Senate Resolution 117 as referred would authorize the printing, as a Senate docu-

ment, of the proceedings of the public meetings held April 5 and 6, 1971, by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, on the development of a uniform conventional mortgage form as an aid to the secondary market operations for conventional mortgages authorized to be carried out by such Association and Corporation under titles II and III of the Emergency Home Finance Act of 1970.

At the request of the Committee on Banking, Housing and Urban Affairs, the Committee on Rules and Administration has amended Senate Resolution 117 to provide the former committee with 2,200 copies of the document.

#### EXTENSION FOR 2 YEARS OF AUTHORITY FOR ERECTION IN THE DISTRICT OF COLUMBIA OF A MEMORIAL TO MARY McLEOD BETHUNE

The joint resolution (S.J. Res. 111) extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That, effective June 1, 1971, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960, as amended (74 Stat. 154, 79 Stat. 822, 84 Stat. 303), is amended by striking out "within eleven years" and inserting in lieu thereof "within thirteen years".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-151), explaining the purposes of the measure.

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

Senate Joint Resolution 111 would extend for 2 additional years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

The original authority for the memorial was granted by House Joint Resolution 502 of the 86th Congress, approved June 1, 1960, which provides that—

(1) The Secretary of the Interior is authorized and directed to grant authority to the National Council of Negro Women to erect, on public grounds in the District of Columbia owned by the United States, a memorial in honor of Mary McLeod Bethune, a prominent Negro educator, and in commemoration of the 100th anniversary of the signing of the Emancipation Proclamation;

(2) The design and location of the memorial shall be approved by the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission;

(3) The United States shall be put to no expense in or by the erection of this memorial; and

(4) Unless funds in an amount which the Secretary of the Interior determines sufficient to insure completion of the memorial are certified available, and the erection of the memorial is begun within 5 years from the date of enactment of this joint resolution, the authorization hereby granted is revoked.

Authority for the memorial, which would have expired May 31, 1965, was continued for 2 additional years, through May 31, 1967, by Senate Joint Resolution 89 of the 89th

Congress approved September 1, 1965. House Joint Resolution 1069 of the 91st Congress, approved June 12, 1970, extended that authority for 4 more years, through May 31, 1971.

Senate Joint Resolution 111, the present proposal, would continue that authority for 2 additional years, through May 31, 1973.

Mary McLeod Bethune was a prominent Negro educator who was born in 1875 and died in 1955. She is possibly best known as a founder of the Bethune-Cookman College for Negroes at Daytona Beach, Fla. In 1930 President Hoover invited her to his White House Conference on Child Health and Protection, and during the administration of Franklin D. Roosevelt she was head of the Negro division of the National Youth Administration. In 1945 President Roosevelt asked her to be a delegate to the San Francisco Conference of the United Nations.

The site for the memorial, Lincoln Park—10 blocks east of the U.S. Capitol—has been approved by the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission. The National Council of Negro Women has indicated that the additional time granted by this joint resolution would be sufficient to obtain, and to have approved, the statue of Mary McLeod Bethune intended to occupy that site.

#### AUTHORIZATION FOR THE PRINTING OF THE STUDY "SOVIET SPACE PROGRAMS, 1966-70" AS A SENATE DOCUMENT

The concurrent resolution (S. Con. Res. 30) authorizing the printing of the study entitled "Soviet Space Programs, 1966-70" as a Senate document was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the study entitled "Soviet Space Programs, 1966-70", prepared for the use of the Senate Committee on Aeronautical and Space Sciences by the Congressional Research Service with the cooperation of the Law Library, Library of Congress, be printed with illustrations as a Senate document, and that there be printed three thousand additional copies of such document for the use of that committee.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-152), explaining the purposes of the measure.

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

Senate Concurrent Resolution 30 would provide (1) that the study entitled "Soviet Space Programs, 1966-70," prepared for the use of the Senate Committee on Aeronautical and Space Sciences by the Congressional Research Service with the cooperation of the Law Library, Library of Congress, be printed with illustrations as a Senate document; and (2) that there be printed 3,000 additional copies of such document for the use of that committee.

This proposal is similar to that contained in Senate Resolution 124, referred to the Committee on Rules and Administration on May 13, 1971. Since the concurrence of the House of Representatives is required on proposals to print additional copies costing in excess of \$1,200 (44 U.S.C. 703), the Committee on Rules and Administration is expressing its approval of this proposal by reporting out this original concurrent resolution in lieu of Senate Resolution 124.

The printing-cost estimate, supplied by the Public Printer, is as follows:

<i>Printing-cost estimate</i>		
To print as a document (1,500 copies) .....		\$23,943
3,000 additional copies, at \$1,421 per thousand .....		4,263
Total estimated cost, S. Con. Res. 30 .....		28,206

#### AUTHORIZATION FOR THE PRINTING OF A VETERANS' BENEFITS CALCULATOR

The concurrent resolution (H. Con. Res. 120) to authorize the printing of a veterans' benefits calculator was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-153), explaining the purposes of the measure.

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

House Concurrent Resolution 120 would provide that after the conclusion of the second session of the 92d Congress there be printed 50,155 copies of a Veterans' Benefits Calculator, prepared by the House Committee on Veterans' Affairs, of which 2,000 copies would be for the use of that committee, 2,000 copies for the use of the Senate Committee on Veterans' Affairs, 37,400 copies for the use of the House of Representatives (85 per Member), and 8,755 copies for the use of the Senate (85 per Member).

The printing cost estimate is as follows:

<i>Printing-cost estimate</i>		
First 1,000 copies .....		\$2,448.51
49,155 additional copies, at \$87.98 per 1,000 .....		4,324.66
Total estimated cost, H. Con. Res. 120 .....		6,773.17

#### AUTHORIZATION FOR REPRINTING BROCHURE ENTITLED "HOW OUR LAWS ARE MADE"

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 206) to reprint brochure entitled "How Our Laws Are Made" which had been reported from the Committee on Rules and Administration with an amendment. On page 2, after line 2, insert the following new section:

SEC. 2. There shall be printed for the use of the Senate fifty-one thousand five hundred additional copies of the document authorized by section 1 of this resolution.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-154), explaining the purposes of the measure.

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

House Concurrent Resolution 206, as referred, would provide (1) that the brochure entitled "How Our Laws Are Made," as set out in House Document 91-127, be printed as a House document, with a suitable paper-back cover of a style, design, and color to be selected by the chairman of the House Committee on the Judiciary, with emendations by Joseph Fischer, Esq., law revision coun-

sel of the House Committee on the Judiciary, and with a foreword by Hon. Emanuel Celler; and (2) that there be printed 98,000 additional copies of such document, of which 10,000 would be for the use of the House Committee on the Judiciary and the balance prorated to the Members of the House of Representatives (200 per Member).

The Senate Committee on Rules and Administration has amended House Concurrent Resolution 206 to authorize the printing of 51,500 additional copies of the document for the use of the Senate. This would provide Members of the Senate with 500 copies each for distribution to their constituents.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider Calendar Nos. 197 and 198 on the Executive Calendar only.

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

The PRESIDENT pro tempore. The two specified nominations on the Executive Calendar will be stated.

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The assistant legislative clerk read the nomination of Merlin K. DuVal, Jr., of Arizona, to be Assistant Secretary of Health, Education, and Welfare.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

#### RAILROAD RETIREMENT BOARD

The assistant legislative clerk read the nomination of Wythe D. Quarles, Jr., of Virginia, to be a member of the Railroad Retirement Board for the remainder of the term expiring August 28, 1973.

Mr. ERVIN. Mr. President, Wythe D. Quarles, Jr., had the good fortune to be born in the great Commonwealth of Virginia. He had the greater fortune to move from the State of Virginia to the State of North Carolina and to marry a very charming North Carolina girl. He now resides in Rocky Mount, N.C., and has devoted his life to railroad work, following, in that respect, in the footsteps of his father, Wythe D. Quarles, Sr.

Wythe D. Quarles, Jr., has risen from a position on the local board of engineers, on which he began to work in November of 1942, to the post of vice chairman of the National Railway Labor Conference.

I should like to read to the Senate an editorial which was published in the Rocky Mount, N.C., Telegram, a newspaper published in his hometown of Rocky Mount, N.C. The editorial is entitled, "New Honor for Quarles," and reads as follows:

#### NEW HONOR FOR QUARLES

Rocky Mount area citizens have a special interest in the appointment of Wythe D. Quarles, Jr. by President Nixon to the Railroad Retirement Board. They are happy that one of our own, a man who did much in his efforts to be a good citizen, won the honor, and at the same time they are con-

ident that the President could not have selected a better man for the post.

The rise of Wythe Quarles from the post of locomotive fireman on the old Coast Line Railroad to the No. 1 railroad position in the country reads like a chapter from Horatio Alger. For not once in his 34-year railroad career has Quarles been content to follow the status quo or let well enough alone. Instead he has been continually interested in doing the very best job possible in the position he held. That intense devotion to work has seen promotion after promotion come to him on his way to the top.

Not only has Wythe Quarles earned the respect of railroad management but at the same time he has been regarded as one of them by the rank and file of railroad employees. While many were genuinely sorry to see Quarles leave his post with the Atlantic Coast Line, now the Seaboard Coast Line, they still rejoiced in the knowledge that he was achieving a higher goal when he went with the Railroad Labor Conference, which he has been serving as vice chairman.

However, Wythe Quarles has not been content just to be the best railroader possible. Even as he attained the heights in his chosen profession, he still found time to be a valuable citizen. Rocky Mount citizens know full well of his contributions to community life—the YMCA, the Methodist Church, Scouting, the Rotary Club, the United Fund and many other endeavors where he rendered invaluable service.

The Telegram believes it goes without saying that President Nixon's choice of Wythe Quarles will be confirmed by the U.S. Senate. Furthermore, there is every reason to believe that this vital three-man Railroad Retirement Board will benefit greatly in its work through the addition of this highly capable man.

Mr. President, I move that the Senate confirm the nomination of Wythe D. Quarles, Jr., for the post to which he has been nominated by President Nixon.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. ERVIN. Mr. President, I ask that the President be notified immediately of the confirmation of the nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

#### LEGISLATIVE SESSION

Mr. ERVIN. Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

#### THE CRISIS IN EAST PAKISTAN

Mr. SAXBE. Mr. President, as the acting minority leader I want to make a statement, though not necessarily reflecting the views of the minority leaders.

I take this opportunity to call to the attention of the Senate and the Nation to the situation fast developing in Pakistan. Mr. President, I have been interested in this situation for some time.

One of the world's great tragedies is taking place at the present time. I raise this matter because the world will not recognize the full extent of this calamity until perhaps as late as September or October of this year.

Mr. President, to review what has happened, in March the elections that had been held were determined by the Punjabi-controlled West Pakistani Army to have been insurgency. The national assembly was suspended and an attack was made upon students, upon the leaders of the moderate generally pro-Western Awami League, upon Hindus, and upon others.

Since that time millions have been driven from their homes and thousands of people have been killed to the extent that there are at the present time in West Bengal almost 6 million refugees. These people are living and trying to survive in the countryside without the benefit of food or medical attention.

At the present time cholera is rampant and will get worse as the monsoons come in and turn the whole countryside into a quagmire. Little medical attention is being given, although our Government has responded and is aiding India in transporting some people to places where they can be better cared for and is trying to clear some of the people out of the terrible conditions existing in Calcutta and the surrounding territory.

There are numerous people—I understand 3 to 4 million people—that are being pushed into the terrible conditions resulting from last year's flood area as a result of the typhoon.

This situation will get worse, because they are unable to plant crops. Now is the planting season. This fall when the crops should come, there will not be enough food to go around.

The PRESIDING OFFICER (Mr. GRAVEL). The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I seek recognition and I yield my 3 minutes to the distinguished acting minority leader.

The PRESIDING OFFICER. The Senator from Ohio is recognized for an additional 3 minutes.

Mr. SAXBE. Mr. President, I thank the distinguished majority leader.

Twenty years ago the situation in West Bengal was quite similar to this, but it was not caused by any political difficulty. It was brought about simply as a result of the failure to get a crop. At that time almost 2.5 million people perished.

We talk worldwide outrage. The only thing that is going to bring the Pakistani Government to its senses is not to extend any assistance to it, because any aid will enable it to divert other resources to this effort. The situation there is an outrage. They are not permitting world health and world relief organizations to come in and distribute their goods.

Senator Church and I have submitted an amendment to the foreign assistance bill presently before the Foreign Relations Committee (amendment No. 159 to S. 1657) that would cut off all economic and military aid to the Pakistani Government until such time as they permit these people to return to their homes and permit world relief organizations to go in and try to help resolve these terrible problems.

If they are intent, as has been alleged, on driving out 10 million Hindus from West Pakistan, it will only result in one of the worst forms of genocide and cause 10 million Hindus to have to leave their farms and make their homes in East Pakistan.

If all the persons who are now in East Pakistan and who do not claim allegiance to the army are going to be victims of the army supplied with American arms, we will be held as partially responsible for this. American arms were sold to Pakistan with the intent that they would be used for the defense of the country and not to be used against their own population.

I believe that this is the prime concern of America at this time. By continuing aid to Pakistan we are taking sides in an internal dispute and our aid perpetuates this terrible situation.

I only regret that our preoccupation with the matter of Vietnam has prevented us from responding to one of the great crises of world population.

Outrage cannot be stated too frequently. Yet, I am afraid that we are very careless (because of our experiences in Vietnam to the point that we cannot properly respond. If the American Government sends relief and supplies for East Pakistan, they will wind up in West Pakistan unless we make certain they are distributed in East Pakistan under supervision.

Food can be a weapon if distributed by an army intent on subduing its own people. Food may be given to Moslems and not Hindus, Punjabis but not Bengalis. This must not be allowed to happen.

If we send boats to haul relief and supplies at the present time, they will be used to haul relief and supplies, perhaps, but they will be hauling more military equipment and ammunition to be used against the population of East Pakistan.

I do not want to wait until September or October when people are dying by the millions. We must respond now.

I think the world is eager to assist in this situation, but it requires a positive response from the East Pakistani Government to say, "We recognize that these people are suffering and are dying from cholera and that they will die from other diseases also."

I hope that we are willing to respond in this situation and I believe strong action as proposed in my amendment is required. I invite my colleagues to co-sponsor this amendment (Amdt. No. 159 to S. 1657).

Mr. GRAVEL subsequently said: Mr. President, I would like to endorse the statement made by the Senator from Ohio during the morning hour with respect to the situation in Pakistan. I think the situation of our having provided arms with the intent of having the arms go to nations in order to provide for their defense and then to have those arms used to suppress insurgencies certainly leaves us in what I consider to be a very embarrassing situation, particularly when we see the scale of fratricide that has taken place.

I think the Senator from Ohio had

very fine advice for the Senate and the Nation, and I would hope we would heed it.

I ask unanimous consent that my comments on this subject appear in the RECORD immediately following the comments of the Senator from Ohio.

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

**ANNOUNCEMENT OF VOTES ON TODAY, MONDAY, AND TUESDAY—CLOTURE MOTION TO BE FILED ON MONDAY WITH VOTE TO BE HAD ON WEDNESDAY**

Mr. MANSFIELD. Mr. President, for the information of the Senate, and this accentuates what the acting majority leader said yesterday, the Senate should be on notice that there will be rollcall votes today, there will be rollcall votes on Monday, and very likely there will be rollcall votes on Tuesday.

On Monday a cloture motion will be filed, and 1 hour after the Senate convenes on Wednesday the vote will be taken on that motion. I would hope that the attachés on both sides would notify all senatorial offices of what the joint leadership—because I am speaking for the Republican leader, as well—has just announced so that Senators will be on notice and hopefully in the Chamber on those days and on other days before the Fourth of July recess begins.

**QUORUM CALL**

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

**EXECUTIVE SESSION**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar beginning with Calendar No. 196.

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

The PRESIDING OFFICER. The nominations on the Executive Calendar, beginning with Calendar No. 196, will be stated.

**U.S. CIRCUIT COURTS**

The assistant legislative clerk read the nomination of Roy L. Stephenson, of Iowa, to be a U.S. Circuit Judge, Eighth Circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

**U.S. DISTRICT COURTS**

The assistant legislative clerk read the nominations of Jack M. Gordon, of Lou-

isiana, and R. Blake West, of Louisiana, to be U.S. District Judges for the Eastern District of Louisiana.

The PRESIDING OFFICER. Without objection, the nominations are confirmed.

**NOMINATION PASSED OVER**

Mr. MANSFIELD. Mr. President, I ask that the next nomination be passed over temporarily. A "hold" has been placed on this nomination.

The PRESIDING OFFICER. The nomination will be passed over.

**U.S. ARMY**

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

**NOMINATIONS PLACED ON THE SECRETARY'S DESK**

The assistant legislative clerk proceeded to read sundry nominations in the Air Force, in the Army, and in the Navy, placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified of the confirmation of these nominations.

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

**LEGISLATIVE SESSION**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

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

**COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.**

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

**REPORT ON TRANSFER OF RESEARCH AND DEVELOPMENT FUNDS**

A letter from the Deputy Administrator of the National Aeronautics and Space Administration transmitting, pursuant to law, a report on the proposed transfer of \$450,000 of research and development funds appropriated to that Administration to funds for construction of facilities (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

**PROSPECTUS OF THE GENERAL SERVICES ADMINISTRATION**

A letter from the Acting Administrator of General Services transmitting, pursuant to law, a prospectus revising the proposal to acquire space in a building to be constructed under a lease arrangement to house the Social Security Administration Payment Center in Birmingham, Ala. (with accompanying papers); to the Committee on Appropriations.

**PROPOSED FACILITIES PROJECTS FOR THE AIR FORCE RESERVE**

A letter from the Deputy Assistant Secretary of Defense submitting, pursuant to law, a report on the facilities projects proposed to be undertaken for the Air Force Reserve (with accompanying papers); to the Committee on Armed Services.

**REPORT OF A COMMITTEE**

The following report of a committee was submitted:

By Mr. HOLLINGS, from the Committee on Appropriations, with amendments:

H.R. 8825. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92-224).

**BILLS AND JOINT RESOLUTIONS INTRODUCED**

The following bills and joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. GOLDWATER:

S. 2094. A bill for the relief of Col. Charles V. Greffet. Referred to the Committee on the Judiciary.

By Mr. YOUNG (for Mr. MUNDT):

S. 2095. A bill to provide for the disposition of funds to pay a judgment in favor of the Yankton Sioux Tribe in Indian Claims Commission docket No. 332-A, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. NELSON:

S. 2096. A bill to amend the Federal Water Pollution Control Act in order to provide for certain regulations with respect to two cycle outboard motors used on the navigable waters of the United States. Referred to the Committee on Commerce.

By Mr. PERCY (for himself, Mr. McCLELLAN, Mr. RIBICOFF, Mr. JAVITS, Mr. SCOTT, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. BEALL, Mr. BROCK, Mr. CHILES, Mr. GURNEY, Mr. JACKSON, Mr. MATHIAS, Mr. MUSKIE, Mr. ROTH, and Mr. SAXBE):

S. 2097. A bill to establish a Special Action Office for Drug Abuse Prevention to concentrate the resources of the Nation in a Crusade Against Drug Abuse. Referred to the Committee on Government Operations.

By Mr. BYRD of West Virginia (for Mr. WILLIAMS):

S. 2098. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit. Referred to the Committee on Finance.

**STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS**

By Mr. NELSON:

S. 2096. A bill to amend the Federal Water Pollution Control Act in order to provide for certain regulations with respect to two cycle outboard motors used on the navigable waters of the United States; referred to the Committee on Commerce.

**OUTBOARD MOTOR POLLUTION CONTROL ACT**

Mr. NELSON. Mr. President, I am introducing today a bill to require fuel emission standards for future and existing two-cycle outboard engines used on the navigable waters of the United States.

Increasing recognition of outboard motor operation as a significant nationwide source of pollution and improved technology to correct the problem make such standards both urgent and feasible.

Studies investigating the effects and the amount of fuel exhausted by two-cycle outboard marine engines began as early as 1961, revealing that outboard motor emissions damage water quality by tainting fish flesh and by producing unpleasant odor and taste. The latest confirmation is a 1970-71 study made for the Environmental Protection Agency which demonstrates that fuel emission from outboard motors is becoming a serious pollution problem in our lakes and river systems.

The quantities of wastes involved in outboard motor operation are shocking. The exhaust to the water has been estimated to range from less than 10 percent to more than 50 percent of the fuel originally put into a two-cycle outboard engine. Within the 1 billion gallons of outboard motor fuel sold annually, it has been estimated that 100 to 160 million gallons of fuel is wasted. By comparison, the Torrey Canyon disaster resulted in an oil spill of only 15 to 30 million gallons. Furthermore, the waste of this unused outboard fuel costs boat owners between \$50 to \$100 million a year in out-of-pocket expense.

The source of the problem is relatively simple and should have been corrected long ago. Because of the design, the engine parts of the two-cycle motor are lubricated by mixing oil with gasoline. During the intake of this fuel mixture into the firing chamber, some of the fuel vapor condenses and accumulates in the crankcase. The unused fuel is evacuated from the crankcase by valves which open up and vent the fuel into the exhaust housing and then into the water. According to a study made by Stillwell & Gladding, Inc. in 1969, the two-cycle engine's open crankcase or "crankcase scavenging" design is "highly inefficient."

Significant steps have been taken recently in the improvement of the two-cycle outboard engine by the designing of a drain free engine which would recycle the unused fuel vented from the crankcase back into the engine as fresh fuel, and a recycling device that can be attached onto two-cycle engines.

The recycling of fuel technique reportedly is already being manufactured in all motor sizes and will be used industrywide in the 1972 models. However, in 1970, there were approximately 7,215,000 outboard motors already in use in this country, and over 98 percent of these are two-cycle motors. These older outboard motors will continue to leave massive fuel residues in our waters regardless of the fuel recycling innovation of the new two-cycle outboard motors.

To cope with existing outboard motor pollution, it is clear that fuel emission standards set under this bill must cover existing as well as future outboard motors, requiring use of the best available technology to reduce or eliminate the pollution in each case.

The bill that I am introducing will accomplish these important objectives through the following: First, direct the

Administrator of the Environmental Protection Agency to study the available technology that could abate fuel emission from two-cycle engines and establish standards for outboard motors accordingly; second, make it unlawful for anyone to operate a two-cycle outboard motor on the navigable waters of the United States after June 30, 1972, without adhering to these standards; third, establish a penalty of not more than \$500 for any violation of these standards, and fourth, allow the Secretary of the department in with the Coast Guard is operating to enforce the provisions of this bill by using law enforcement officers, Federal agencies, or the States.

Mr. President, I ask unanimous consent that immediately following my remarks there be inserted in the RECORD an article from the Jack Anderson column in the Washington Post dated May 15, 1971, which reports the disturbing findings of the 1970-71 EPA study on the amount of fuel deposited into our waters by outboard motors. The article is entitled, "Motorboats: Super Polluters of Lakes."

Also, I ask that the text of the bill be printed following the article.

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

**MOTORBOATS: SUPER-POLLUTERS OF LAKES**

(By Jack Anderson)

With the warming of the weather, the nation's seven million outboard motors have started to pump a seasonal stream of gunk into America's once-sparkling waters.

This is the scientific, if upsetting, conclusion of an unpublished Environmental Protection Agency study.

The study found that a single outboard motor coughs, splutters and spits as much organic carbon pollution into the water in 24 hours as the sewerage from a neighborhood of 400 persons.

Up to 30 per cent of the fuel used in outboards, according to the study, actually is spewed into the water. Multiplying this by the total consumption of outboard motors in this country gives the staggering dimensions of the pollution problem—more than 100 million gallons of oil and gas poured into our streams and lakes and along our coast lines.

Many bodies of water simply don't contain enough bacteria to consume the gush of oil and gas. The residue fouls the shorelines, kills fish, pollutes drinking water and greases the skins of swimmers.

The study has been conducted quietly—if that is the word for an outboard motor test—by Dr. Williams Shuster, head of the Bio-Environmental Engineering Division of famed Rensselaer Polytechnic Institute.

He ran his tests with two engines, one 33 horsepower, the other 5 horsepower. His research team used an 18-foot-long, four-foot-deep swimming pool and took samples of the water for measurements.

As a double check, they also put containers on the fuel vents of the engines to collect the waste.

The lowest amounts of dumpage came from the high horse-power motor when it was tuned and speeding. Then only 4 per cent of the fuel leaked into the water. But at low speed, the motor threw off 27 per cent of its fuel. This increased to 30 per cent when the motor was untuned.

Footnote: The federal government has now given the Boating Industry Association a \$100,000 contract to study the effect of outboard motors on the nation's water. The association includes the manufacturers whose

motors are causing the pollution. Thus, the contract is a little like asking a tubercular cook whether he might infect his customers. Eight years ago, incidentally, the outboard motor makers were offered designs which would have largely prevented pollution.

S. 2096

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Outboard Motor Pollution Control Act of 1971".*

Sec. 2. The Federal Water Pollution Control Act is amended by redesignating sections 21 through 27 as sections 22 through 28 respectively, and by inserting after section 20 a new section as follows:

**"REGULATION OF OUTBOARD MOTORS**

"Sec. 21. (a) The Administrator of the Environmental Protection Agency, after consultation with the Secretary of the department in which the Coast Guard is operating, shall promulgate, not later than June 30, 1972, regulations requiring that two-cycle outboard motors used on vessels or any other water craft on the navigable waters of the United States be equipped or modified in such a manner as will use the latest available technology to prevent such motors from polluting such waters.

"(b) (1) After the effective date of such regulations it shall be unlawful to operate a two-cycle outboard motor on the navigable waters of the United States in violation of such regulations.

"(2) Any person who violates the provisions of this subsection shall be liable to a civil penalty of not more than \$500 for each violation. Each violation shall be a separate offense. The Secretary of the department in which the Coast Guard is operating may assess any such penalty.

"(c) The provisions of this section and regulations established thereunder shall be enforced by the Secretary of the department in which the Coast Guard is operating and he may utilize by agreement, with or without reimbursement, law enforcement officers or other personnel and facilities of the Administrator, other Federal agencies, or the States in carrying out such provisions.

"(d) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section, may except as to public vessels or watercraft, (1) board and inspect any vessel or other watercraft upon the navigable waters of the United States, and (2) execute any warrant or other process issued by an officer or court of competent jurisdiction."

By Mr. PERCY (for himself, Mr. McCLELLAN, Mr. RIBICOFF, Mr. JAVITS, Mr. SCOTT, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. BEALL, Mr. BROCK, Mr. CHILES, Mr. GURNEY, Mr. JACKSON, Mr. MATHIAS, Mr. MUSKIE, Mr. ROTH, and Mr. SAXBE):

S. 2097. A bill to establish a Special Action Office for Drug Abuse Prevention to concentrate the resources of the Nation in a Crusade Against Drug Abuse. Referred to the Committee on Government Operations.

**SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION ACT**

Mr. PERCY. Mr. President, it is with mixed emotions that I appear in the Chamber today. I am, of course, highly pleased to announce a bold, new White House initiative to deal with the agonizing problem of drug abuse in this country. But to even allude to this initiative one must face up to the oppressive facts

that establish the depth and dimensions of this disease that is infecting our society, and especially our youth.

President Nixon, in his message yesterday to Congress, echoed that thought. "We must now candidly recognize," he said—

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.

Noting that "drug addiction destroys lives, destroys families, and destroys communities," the President went on to say:

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.

Calling for a statutory Special Action Office of Drug Abuse Prevention in the White House, the President has asked for \$155 million in new funds for combating drug abuse, bringing to \$371 million the total amount to be spent for this purpose. Of the new funds, \$105 million is to be used solely for treatment and rehabilitation of addicts. Other requests include: \$14 million to enable the Veterans Administration to expand its five drug addiction clinics to 30; \$10 million for education and training in use of dangerous drugs; \$2 million for research on drug detection techniques; \$7.5 million for intensified investigation of large-scale traffickers and \$18-million for customs inspections and pursuit of smugglers; \$1 million to help other nations train enforcement officers; and \$2 million for research on herbicides to destroy narcotics-producing plants.

The President said he would ask Congress to permit drug control assistance to Communist countries that are now ineligible for aid.

#### EXTENT OF THE PROBLEM

The scope of the addiction problem is chilling. The financial costs alone exceed \$2 billion each year, but are inestimable in terms of the human costs—the personal suffering and mental anguish—that the American society is forced to bear:

#### HEROIN

Heroin addiction can be found in cities, in suburban and rural areas. In recent testimony before the Senate Subcommittee on Alcoholism and Narcotics,

Dr. Bertram S. Brown, Director of the National Institute of Mental Health, said:

Affluent suburbs often thought to be free of heroin associated with ghettos are suddenly aware of heroin use among their youth.

Since possession and traffic in heroin is illegal, it is difficult to know precisely the number of heroin addicts in the country. NIMH estimates the total at 250,000. The House Select Committee on Crime puts the figure at 200,000.

About half of the addicts in the country reside in New York State. In New York City, narcotics addiction is the greatest single cause of death of adolescents and young adults between the ages of 15 and 35. In the past 8 years, New York City has lost more lives to drugs than the entire State of New York has lost to the war in Vietnam.

Heroin addicts need from \$20 to \$150 per day to support their habit. If New York City's approximately 100,000 addicts spend an average of \$35 per day on heroin, the total exceeds \$3.5 million per day or \$1.3 billion per year. Most turn to crime to get the money to pay for the heroin, since they ordinarily are unable to earn enough to pay for it. One survey in New York City showed that only 2 percent supported their habit through gainful employment; 98 percent were involved in criminal activity. If addicts steal goods, they must steal five times the cost of their habit, since stolen merchandise brings only 20 percent of its value when fenced. On a yearly basis, an addict must steal \$90,000 worth of merchandise.

According to a recent, authoritative estimate from the provost marshal's office in Saigon, there are between 30,000 and 40,000 American servicemen in Vietnam who are heroin users—close to 15 percent of the troops stationed there. One study showed that the average age of the addicts included in the survey was only 20.5 years and the length of time addicted 5 months. With plenty of cheap heroin available in Vietnam, the servicemen have no trouble supporting their habit. But when they return to this country, their habit becomes more expensive—and most will have to steal to pay for it. They are sentencing themselves to lives of crime.

Mr. President, at this point I would like to recall my own personal experience in Vietnam when in Danang I met with the son of our distinguished colleague from Virginia (Mr. BYRD). Harry Byrd, III, was a marine stationed up in the Danang area. When I asked about his work he indicated he had supervisory responsibilities in a brig. I asked him what the most frequent charge brought against GI's in Vietnam was at that time. This was of course several years ago. He indicated that even at that early time most occupants of the brig were there for drug usage and drug abuse. He indicated that because of the boredom of GI's and the fact that many were protesting against the war and resented being there and fighting a war in which they did not believe, drug addiction, and

particularly, at that time, marihuana smoking was possible because the enemy itself saw to it that it was widely and freely distributed. Trucks would come through villages and when they would see a group of GI's, dump off large quantities of marihuana. And no one knows how many of the harder drugs might have been made similarly accessible.

This problem that I heard about firsthand several years ago in Vietnam has grown until it has now reached the crisis stage.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. IERCY. I yield.

Mr. RIBICOFF. Mr. President, I am pleased to be a cosponsor of this legislation with the distinguished Senator from Illinois. I am confident the legislation will receive prompt hearings by the Committee on Government Operations.

The problem of drug abuse in this country is expanding and now wastes the lives of hundreds of thousands of Americans every year, many of them potentially our most promising young people. The recent disclosures regarding addiction in our Armed Forces in South Vietnam only highlight the pervasive impact drugs have in our society.

The need for a concerted attack on this problem is obvious. Until now, however, the Federal Government's drug abuse prevention and control programs have been fragmented and uncoordinated. Responsibility was unfocused. As late as last year coordination was being handled by an ad hoc committee chaired by a special assistant in the White House with numerous other responsibilities.

Under the President's bill, 10 programs from more than five departments and agencies will be supervised by a Presidential appointee working full time on this matter in the White House. I hope the creation of a new White House office will lead to greater coordination and better results.

An additional \$155 million is to be provided along with the powers needed to oversee Federal drug abuse efforts effectively. The Director of the new White House office will have the authority to prescribe policies, prepare budgets, and set priorities.

I am pleased to cosponsor this legislation for the purposes of introduction and am confident that it will receive prompt and thorough hearings by the Government Operations Committee. Details of this legislation aside, no one can dispute the great need that led to its formulation and introduction.

We must be careful not to deceive ourselves, however. Enforcement needs to be improved. Education and rehabilitation are critical. But ultimately we must address ourselves to the ills of our society if we are to remove the underlying causes of much of the drug addiction in this country.

Why do so many feel the necessity of the drug habit? We need to know, so we can eliminate the causes that lead to drug involvement.

Mr. PERCY. Mr. President, I should like to thank my distinguished colleague, who is chairman of the Government Op-

erations Subcommittee on Executive Reorganization. I would like to express my deep appreciation for his having become the principal cosponsor of this legislation. In fact, I am delighted at the interest and support each of the other cosponsors of this bill has expressed. Also, I should like at the same time to express my appreciation to Senator JAVITS of New York, another cosponsor of the legislation and who, together with Senator RIBICOFF, will be handling some of the major, substantive matters in this area in the Senate Committee on Labor and Public Welfare.

This matter, we would trust, would be referred to the Government Operations Committee, because its essential purpose is to set up a Special Action Office for Drug Abuse Prevention, which falls within the jurisdiction of the Government Operations Committee. By having overlapping jurisdiction in the Government Operations Committee and the Labor and Public Welfare Committee with ranking members in the persons of Senator RIBICOFF and Senator JAVITS who serve on both committees assume very active leadership roles in both. I think we have a coordinated effort which will insure early hearings and prompt action by the Senate in this most urgent area.

I again want to express my deep appreciation to our esteemed colleague.

#### AMPHETAMINES

In 1969, over 8 billion amphetamine pills were produced and consumed in the United States—enough for 40 doses of amphetamines for every man, woman, and child in the United States. According to the National Institute of Mental Health, the total legitimate medical need can be measured in the thousands. NIMH puts the number of persons using oral amphetamines without a medical prescription at about 5 million. Intravenous use of amphetamines or methamphetamine is limited to about 100,000 users. These "speed freaks" face an emergency when their drugs are withdrawn: an abrupt "crash."

#### BARBITURATES

In 1969 over 4 billion barbiturate capsules were produced and consumed in this country—again, far more than would be needed for legitimate medical reasons. NIMH estimates that 2 million people take this drug regularly without medical need. Barbiturates often are used in suicide attempts; accidental overdoses in combination with alcohol constitute another hazard. Barbiturates diminish the physical and mental responses to such an extent that users are endangering the general public when performing such tasks as driving a car.

#### HALLUCINOGENS

Use of hallucinogens, such as LSD, which can cause birth defects, appears to be leveling off. Repetitive use of LTD now is found among a relatively small number of individuals, although experimentation by young drug abusers unfortunately continues to flourish.

#### MARIHUANA

According to NIMH, marihuana usage is increasing rapidly. An estimated 10 to 12 million Americans have used the drug at least once. The recent report

Congress on "Marihuana and Health" from the Secretary of Health, Education, and Welfare determined that by the end of 1970, one college student in seven was using marihuana weekly or even more often. In a substantial number of colleges and high schools, a majority of students used marihuana.

Marihuana is at the center of great national debate. For example, this week witnesses testifying in San Francisco before the National Commission on Marihuana and Drug Abuse contradicted each other on such questions as whether marihuana usage leads to experimentation with harder drugs; whether marihuana produces a toxic reaction in the central nervous system of adolescents; and whether marihuana should be legalized.

We appear to know that marihuana is not physically addictive—though it may be psychologically habituating. We also know that it leads to an alteration of time and space perception, a sense of euphoria, a loss of inhibition, exaggerated laughter and attention loss. And we know that it has relatively minor physiological effects. But, beyond this, we know little in spite of the HEW report and the state of opinions that bombard us regularly. We await next year's report of the National Commission on Marihuana and Drug Abuse before forming a firm judgment on many of the issues concerning marihuana.

#### A NEW OFFENSIVE

To counter the vicious cycle of addiction, the President has proposed a "new all-out offensive," dealing with the sources of supply at home and abroad and proposing the establishment of a central authority within the Executive Office of the President to have overall responsibility for all major Federal programs of drug abuse prevention, education, treatment, rehabilitation, training, and research programs. The authority will be designated at the Special Action Office of Drug Abuse Prevention. It will be headed by a Director accountable to the President.

Because of the emergency nature of this problem, the President has established this Office by Executive order, effective yesterday, pending passage by the Congress of specific enabling legislation which I am introducing today.

I am deeply pleased to see that the President has announced the appointment of Dr. Jerome H. Jaffe, director of the drug abuse control program of the State of Illinois, to head this new office in the temporary capacity of special consultant to the President for narcotics and dangerous drugs.

Dr. Jaffe, 37, has been a leader in developing innovative techniques for the treatment of heroin addiction, including comprehensive approaches involving methadone use. An article appearing in this morning's edition of the New York Times entitled "Drug Abuse Fighter" describes in some detail the admirable efforts of Dr. Jaffe in this area.

Apart from establishing the Special Action Office of Drug Abuse Prevention, the President's message provides for a comprehensive antidrug offensive, aimed at sources of supply and demand with equal force.

To the extent that rehabilitation is required for Vietnam veterans, the President:

Ordered immediate establishment of testing procedures and initial rehabilitation efforts to be taken in Vietnam.

Ordered the Department of Defense to provide rehabilitation services and the rehabilitation of all returning discharged veterans who desire this help.

Announced the request of legislation to permit the military services to retain for treatment narcotic addicts due for discharge.

Described the authority of the Director of the Special Action Office to refer patients to private and Veterans' Administration hospitals as circumstances require.

Described authority to be sought by the Special Action Office to make VA facilities available for drug rehabilitation to all former servicemen regardless of the nature of their discharge.

Asked Congress to increase the present VA budget by \$14 million to permit immediate initiation of the program.

The President also announced a request to Congress to amend the Narcotic Addict Rehabilitation Act of 1966 to broaden the authority for use of methadone maintenance programs under rigid standards.

He also instructed Dr. Jaffe to review immediately all Federal laws pertaining to rehabilitation and announces he will submit any legislation needed to expedite the Federal rehabilitative role and correct overlapping authorities.

#### EDUCATION

An additional \$10 million to increase and improve education and training in the field of dangerous drugs.

#### ENFORCEMENT

To expedite the prosecution of narcotics cases, legislation will be sought permitting the Government to utilize information obtained by foreign police and also will request legislation to permit a chemist to submit written findings of his analysis in drug cases in order to speed the process of criminal justice.

Dangerous drugs and narcotics enforcement are to be stepped up with requests to Congress for: \$2 million for research and development of equipment and detection techniques; authorization and funding of 325 added positions in the Bureau of Narcotics and Dangerous Drugs; supplemental appropriations of \$25.6 million for the Treasury Department—about \$7.5 million for intensified investigation of large-scale traffickers; approximately \$18 million for Bureau of Customs investigation and inspection efforts and for the pursuit and apprehension of smugglers.

#### NARCOTIC-PRODUCING PLANTS

The President announced a request for \$2 million for the Department of Agriculture for research and development of herbicides to destroy growths of natural narcotics-producing plants without adverse ecological effect.

#### INTERNATIONAL EFFORTS

The President initiated a worldwide escalation of existing efforts along with new steps to secure international cooperation to control narcotics traffic.

Measures include; a request to the Director General of the World Health Organization to appoint a study panel on synthetics to replace opiates; a request for \$1 million for assistance to developed nations in training enforcement officers; a request to Congress to amend and approve foreign assistance acts permitting assistance to Communist countries presently ineligible for aid in ending drug trafficking; a request to the Senate to promptly ratify the Convention on Psychotropic Substances recently signed by the United States and 22 other nations; a request to Congress to make additional contributions, as needed, to the United Nations Special Fund on the world drug problem; the urging of multilateral support for amendments to the Single Convention on Narcotics enabling the International Narcotics Control Board to acquire narcotics information, conduct inquiries on drug activities, and requiring signatories to embargo the export and/or import of drugs to or from a particular country failing to meet its obligations under the Convention.

Finally, the President directed that research efforts in the United States be intensified to develop a feasible substitute for codeine.

#### NEED FOR TIMELY ACTION

In introducing this legislation today, I am joined in a totally bipartisan effort with some of my most esteemed colleagues, among them Senators McCLELLAN, RIBICOFF, JAVITS, SCOTT, ALLEN, GURNEY, SAXBE, BYRD of West Virginia, BEALL, BROCK, CHILES, JACKSON, MATHIAS, MUSKIE, and ROTH. I am certain that many other Senators will want to join in this critical effort.

I would also like to point out how grateful I am that the problem of drug abuse has surfaced as a concern of all Americans. No small thanks is due to the tireless efforts of the junior Senator from Iowa (Mr. HUGHES) and the distinguished members of his Subcommittee on Alcoholism and Narcotics who have devoted countless hours to this matter.

I commend the President for his foresight and initiative in addressing this problem. I look forward to quick action in the Government Operations Committee, on which I serve, in reporting out a bill that incorporates whatever refinements or additions are deemed appropriate. As the President stated:

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.

As a final thought, we now are all too aware of the pervasive extent of heroin traffic among our GI's stationed in Vietnam. It is fatuous to speak of the drug problem without alluding to the hellish contribution of that war to the problem. But let us turn now from a war that we do not want, to a segment of society that we do so earnestly want. That we want to help.

We must redirect our attention and our energies and our moneys, let us lose our most cherished asset—lest we lose

our youth not only to the hateful clash of war, but also to the pitiful whimper of despair.

At this time, Mr. President, I ask unanimous consent that the text of this legislation to establish a Special Action Office for Drug Abuse Prevention be printed in the RECORD, to be followed by a section-by-section analysis of its provisions. I also ask unanimous consent that the New York Times article to which I earlier referred, describing the work of Dr. Jaffe, be printed in the RECORD.

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

#### S. 2097

A bill to establish a special action office for drug abuse prevention to concentrate the resources of the Nation in a crusade against drug abuse.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Special Action Office for Drug Abuse Prevention Act."*

#### FINDINGS

SEC. 2. The Congress hereby finds—

- (1) that drug abuse is rapidly increasing in the United States and now afflicts urban, suburban, and rural areas of this Nation;
- (2) that drug abuse contributes to crime, particularly to crimes of violence;
- (3) that the adverse impact of drug abuse inflicts increasing pain and hardship on individuals, families, and communities;
- (4) that for these reasons the increasing rate of drug abuse constitutes a threat to national health and welfare and an emergency requiring immediate and effective Federal Government response.

#### PURPOSE

SEC. 3. (a) It is the purpose of this Act to focus the comprehensive resources of the Federal Government and bring them to bear on drug addiction and drug abuse with the immediate objective of promptly and significantly reducing the incidence of drug addiction and drug abuse in the Nation within the shortest possible period of time.

(b) To accomplish these objectives (1) all Federal drug abuse prevention, treatment, rehabilitation, training, education, and research activities will be placed under the direction and policy-setting of a new Special Action Office for Drug Abuse Prevention, established in the Executive Office of the President; and (2) major drug abuse programs will be centrally developed, funded, managed, and evaluated to achieve maximum effectiveness.

#### SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

SEC. 4. (a) There is hereby established in the Executive Office of the President, an office to be known as the Special Action Office for Drug Abuse Prevention (hereinafter in this Act referred to as the Office).

(b) There shall be at the head of the Office a Director of the Office (hereinafter referred to as the Director). He shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level III of the Executive Schedule (5 U.S.C. 5314).

(c) There shall be in the Office a Deputy Director of the Office who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level IV of the Executive Schedule (5 U.S.C. 5315). The Deputy Director shall perform such functions as the Director from time to time assigns or delegates, and shall act as Director during the

absence or disability of the Director or in the event of a vacancy in the office of the Director.

(d) There shall be in the Office not to exceed three Assistant Directors who shall be appointed by the Director and shall be compensated at the rate now or hereafter provided for Level V of the Executive Schedule (5 U.S.C. 5316). Each Assistant Director shall perform such functions as the Director from time to time assigns or delegates.

#### CONCENTRATION OF FEDERAL EFFORT

SEC. 5. (a) The Director shall provide overall planning and policy, and shall establish objectives and priorities, for all Federal drug abuse training, education, rehabilitation, research, prevention, and treatment programs and activities (exclusive of law enforcement activities and legal proceedings).

(b) In addition, the Director shall provide overall planning, policy, direction, management, and funding for all Federal drug abuse training, education, rehabilitation, research, prevention, and treatment programs and activities (exclusive of law enforcement activities and legal proceedings) conducted pursuant to the authorities described in subsection (c) (1) of this section and programs and activities designated by the President pursuant to subsection (c) (2) of this section.

(c) As used in subsection (b) of this section and all subsequent provisions of this Act, the term "Federal drug abuse training, education, rehabilitation, research, prevention, and treatment programs and activities" means—

(1) All such programs and activities (exclusive of law enforcement activities and legal proceedings) conducted pursuant to the following-described provisions of law:

- (A) The Narcotic Addict Rehabilitation Act of 1966;
- (B) Part D and Part E (to the extent that such Parts pertain to drug abuse) of the Community Mental Health Centers Act;
- (C) Title I of the Comprehensive Drug Abuse Prevention and Control Act of 1970;
- (D) Section 502(a)(1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970, to the extent that it pertains to public education not involving law enforcement;
- (E) The Drug Abuse Education Act of 1970;
- (F) Section 222(a)(9) of the Economic Opportunity Act of 1964 and all other provisions of that Act to the extent that they pertain to drug abuse;
- (G) Section 306(a)(2) of the Omnibus Crime Control and Safe Streets Act of 1968, to the extent that it pertains to drug abuse;
- (H) The Manpower Development and Training Act of 1962, to the extent that it pertains to drug abuse;
- (I) The Public Health Service Act, to the extent it pertains to drug abuse; and
- (J) Title 38 of the United States Code, to the extent it pertains to drug abuse; and

(2) subject to the provisions of subsections (d) and (e) of this section, such other Federal drug abuse related programs and activities (exclusive of law enforcement activities and legal proceedings) as the President may from time to time designate, including those which constitute a part of some larger program or activity.

(d) Whenever a designation is proposed pursuant to subsection (c) (2) of this section, a notice thereof shall be transmitted to the Congress. Such designation shall become effective on the thirtieth day (exclusive of periods of adjournment or recess of either the House or the Senate in excess of three days) following such transmittal, but only to the extent that, between the date of transmittal of the proposed designation and such effective date—

(1) there has not been enacted into law a statute which otherwise deals with the program involved;

(2) neither House of the Congress has enacted legislation which specifically disapproves the designation involved.

(c) Any such designation by the President may, in accordance with the designation notice transmitted to the Congress, be made operative on a date later than the date on which that designation otherwise would have taken effect.

#### AUTHORITY OF DIRECTOR

SEC. 6. (a) In carrying out his functions with respect to the programs and activities covered under section 5(b) of this Act, the Director shall—

(1) prescribe policies, requirements, criteria and standards, regulations, and procedures for the administration and management of such programs and activities;

(2) prepare budget requests for such programs and activities;

(3) determine priorities for the use of funds for such programs and activities;

(4) make funds available for program implementation to Federal departments and agencies and establish an implementation plan for each program setting forth policies, procedures, performance requirements, manpower levels, key personnel qualifications, time schedules, and other requirements;

(5) maintain overall supervision of such programs and activities and evaluate the performance and results achieved by the Federal departments and agencies, and recommend organizational, managerial, personnel, and program changes whenever he deems such changes to be advisable;

(6) take such steps as may be necessary to evaluate and assure the most effective utilization of all drug abuse programs and activities conducted by Federal departments and agencies, and by public or private agencies and organizations engaged in such activities under Federal grants or other assistance; and

(7) strengthen coordination among Federal departments and agencies engaged in non-law enforcement efforts involving drug abuse prevention and control, and assure that those nonlaw enforcement efforts are coordinated with related law enforcement efforts being conducted by other Federal departments and agencies.

(b) (1) The Director may, with the approval of the President (A) exercise any powers or perform any functions conferred by any of the statutory provisions enumerated in section 5(c)(1), or any statutory provisions relating to programs and activities designated by the President pursuant to section 5(c)(2), or (B) provide for their exercise or performance by an officer of any Federal department or agency other than the department or agency on whom such powers or functions are conferred by such provisions.

(2) To the extent that the Director or his designee exercises any powers or performs any function pursuant to paragraph (1) of this subsection, the Director or his designee, as the case may be, may exercise in relation to those powers and functions any related authority or part thereof available by law, including appropriation acts, to the official or agency from which such power or functions were derived.

(c) Except as otherwise provided by the Director, no Federal officer, department or agency shall be deemed to be relieved of any responsibility that such officer, department, or agency may have had on the date of enactment of this Act with respect to Federal drug abuse training, education, rehabilitation, research, prevention, and treatment.

(d) The Director may require departments and agencies engaged in any activity involving Federal drug abuse training, education, rehabilitation, research, prevention, and treatment to provide him with such information and reports, and to conduct on a reimbursable basis such studies and surveys,

as he may deem to be necessary to carry out the purposes of the Act.

(e) Nothing in the foregoing provisions of this Act shall be construed as authorizing or permitting the Director to waive or disregard any requirement, including standards, criteria, or cost-sharing formula, prescribed by law with respect to Federal drug abuse programs or activities.

#### GRANTS AND CONTRACTS FOR DRUG ABUSE PREVENTION AND TREATMENT PROGRAMS

SEC. 7. (a) The Director is authorized to make grants to any public or non-profit private agency, organization, or institution and to enter into contracts with any agency, organization, or institution, or with any individual—

(1) to develop and demonstrate new approaches, techniques, and methods with respect to drug abuse prevention, treatment, and rehabilitation;

(2) to evaluate those new approaches, techniques, and methods;

(3) to foster the establishment of new or expanded drug abuse programs and activities;

(4) to acquire, construct, improve, repair, operate, or maintain facilities, and to acquire and improve real property, necessary to the establishment or maintenance of drug abuse programs and activities; and

(5) to otherwise carry out the purposes of this Act.

(b) To the extent he deems it appropriate, the Director may require the recipients of a grant or contract under this section to contribute money, facilities, or services for carrying out the program and activity for which such grant or contract was made.

(c) Payments under this section pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made over-payments or under-payments) in advance or by way of reimbursement, and in such installments and on such conditions as the Director may determine.

(d) Notwithstanding any other provision of law, any Federal department or agency (including the Veterans Administration) may enter into grant or contractual arrangements with the Director and pursuant to such a grant or contractual arrangement, may exercise any authority or use any personnel or facilities otherwise available to such department or agency for the performance by it of related functions.

#### PERSONNEL—SPECIAL PERSONNEL—EXPERTS AND CONSULTANTS

SEC. 8. (a) The Director may, subject to the civil service and classification laws, select, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in him and to prescribe their functions.

(b) The Director may, without regard to the civil service and classification laws, select, appoint, and employ not to exceed five officers and to fix their compensation at rates not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of Title 5 of the United States Code.

(c) The Director may obtain services as authorized by section 3109 of Title 5 of the United States Code, at rates not to exceed the rate now or hereafter prescribed for GS-18 of the General Schedule by section 5332 of Title 5 of the United States Code.

#### TRANSITIONAL PROVISIONS

SEC. 9. (a) The President may authorize any person who, immediately prior to the date of enactment of this Act, held a position in the executive branch of the Government to act as the Director of the Special Action Office for Drug Abuse Prevention until the Office of Director is for the first time filled pursuant to the provisions of this Act or

by recess appointment, as the case may be.

(b) The President may similarly authorize any such person to act as Deputy Director.

(c) The President may authorize any person who serves in an acting capacity under the foregoing provisions of this section to receive the compensation attached to the office in respect of which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

#### TRANSFER OF FUNDS

SEC. 10. The Director of the Office of Management and Budget is authorized to provide for the transfer to the Office of such unexpended balances of appropriations, and of other funds, available or hereafter made available for Federal drug abuse training, education, rehabilitation, research, prevention, treatment programs and activities, as he may deem to be appropriate to carry out the provisions of this Act.

#### APPROPRIATIONS AUTHORIZED

SEC. 11. There are hereby authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this Act. Any of those sums may be appropriated without regard to fiscal year limitations.

#### JOINT FUNDING

SEC. 12. Notwithstanding any other provision of law, where funds are made available by more than one Federal agency to be used by an agency, organization, institution, or individual to carry out a Federal drug abuse training, education, rehabilitation, research, prevention, or treatment program or activity, any one of the Federal agencies providing funds may be designated by the Director to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined in such regulations) which is inconsistent with the similar requirement of the administering agency or which the administering agency does not impose.

#### VOLUNTARY SERVICE

SEC. 13. The Director is authorized to accept and employ in furtherance of the purpose of the Act or any Federal drug abuse training, education, rehabilitation, research, prevention, or treatment program or activity, voluntary and uncompensated services notwithstanding the provisions of section 3679 (b) of the Revised Statute (31 U.S.C. 665 (b)).

#### EFFECTIVE AND TERMINATION DATE

SEC. 14. (a) The provisions of this Act shall take effect thirty days after the Director or Acting Director first takes office or on such earlier date as the President may prescribe and publish in the Federal Register, except that any of the officers provided for in section 4 of this Act may be nominated and appointed and any of the interim officers provided for by section 9 may be authorized to serve, at any time after the date of enactment of this Act.

(b) This Act shall terminate on June 30, 1974, unless extended by the President, in which case it shall expire on June 30, 1976, or such earlier date after June 30, 1974, as the President may prescribe and publish in the Federal Register.

#### SECTION-BY-SECTION ANALYSIS

A bill to establish a Special Action Office for drug abuse prevention

#### FINDINGS

Sec. 2. Sets forth the reasons for concern about the problems of drug abuse and its threat to National health and safety.

## PURPOSE

Sec. 3. Cites the need for creation of a new project office to plan, fund, manage programs and activities of drug abuse prevention, treatment, rehabilitation, training, education and research.

## SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

Sec. 4. (a) Establishes the Special Action Office for Drug Abuse Prevention.

Sec. 4. (b) Designates a Director to be appointed by the President by and with the advice and consent of the Senate.

Sec. 4. (c) Designates a Deputy Director, also appointed by the President who will be the "alter ego" of the Director.

Sec. 4. (d) Three Assistant Directors are authorized to be appointed by the Director to senior positions in the management of the office.

## CONCENTRATION OF FEDERAL EFFORT

Sec. 5. (a) Establishes the overall authority of the Director for overall planning, policy-setting, objectives and priorities for all Federal domestic programs of drug abuse excluding law enforcement activities. Note the international aspects of drug abuse are also excluded.

Sec. 5. (b) Specifies that in addition to the overall planning and policy role described in 5(a), the Director will also assume direct management authority over certain major drug abuse programs undertaken under the authorities listed in Sec. 5(c)(1). This includes programs now in operation in departments and agencies, plus new programs which may be initiated under these authorities to meet future program needs.

Sec. 5. (b)(2) Establishes general authority to assume management of any other drug abuse programs the President may designate.

Sec. 5. (d) Where a new program not covered by the authorities of Sec. 5(c)(1) is proposed, a notice will be transmitted to the Congress. The designation will become effective after 30 days if neither House of the Congress enacts legislation disapproving the designation.

Sec. 5. (e) Specifies that the actual start of operations of a newly designated program may be delayed beyond the date on which it might otherwise have taken. This assures that transfers of operations can be made when the action office is ready to assume responsibility.

## AUTHORITY OF DIRECTOR

Sec. 6. (a) Details the specific authorities to be exercised by the Director for those programs and activities over which he assumes management authority under the provisions listed in Sec. 5(b) of this Act. By means of an Implementation Plan, the Action Office and each implementing agency will agree on the terms and conditions of operation. The Director can then evaluate the performance of each program to determine whether the implementing agency is successfully meeting the necessary performance criteria. This critical provision is the most important means available to the Director to assure compliance with program objectives.

Sec. 6. (b) Specifies that the Director is authorized to exercise any of the authorities specified in Sec. 5(c)(1) directly or to assign them to any Federal agency. Thus, a program which is not being properly carried out in one agency may be reassigned to another agency for implementation.

Sec. 6. (c) Points out that the existence of the special action office does not relieve other agencies of the need to carry out drug abuse programs which meet their broad responsibilities.

Sec. 6. (d) Allows the Director to obtain necessary reports, surveys, studies or other

information from agencies which have such data of value to the Special Action Office.

Sec. 6. (e) Retains such things as standards, criteria, cost-sharing formulae or other regulations which otherwise govern the conduct of drug abuse activities.

## GRANTS AND CONTRACTS FOR DRUG ABUSE PREVENTION AND TREATMENT PROGRAMS

Sec. 7. (a) Authorizes the Director to give grants and make contracts for drug abuse activities. This authority is in addition to authority to carry out programs by agreement with other agencies as provided in Sec. 5 and 6. It includes authority to let grants to states and local governments and provide the Director with alternative ways of carrying out programs where urgency, cost, special skills or other factors dictate.

Sec. 7. (b) Provides that the Director may require sharing of costs of drug abuse programs.

Sec. 7. (c) Allows for advance payments or installments as matters of administrative convenience in expediting grant or contract business.

Sec. 7. (d) Provides that the Director enter into grant or contract arrangements for necessary drug abuse program activity even where other laws or regulations might otherwise rule out these arrangements. This provision allows other agencies to accept these arrangements under specifications established by the Special Action Office and to use personnel and facilities otherwise available to carry out these arrangements.

## PERSONNEL-SPECIAL PERSONNEL-EXPERTS AND CONSULTANTS

Sec. 8. (a) Allows the Director to employ a staff of civil service personnel under regular civil service laws and regulations.

Sec. 8. (b) Permits the hiring of five key executive people and fixing of their compensation at rates not to exceed that of a GS-18. This permits special flexibility in hiring a small number of special technical or management people.

Sec. 8. (c) Allows the use of consultants at rates not to exceed that for GS-18's.

## TRANSITIONAL PROVISIONS

Sec. 9. (a) (b) Provides for designation of Federal officials as acting Director and deputy director until these offices are filled for the first time.

Sec. 9. (c) Provides full compensation for acting officials.

## TRANSFER OF FUNDS

Sec. 10. Provides for orderly transfer of funds to the Special Action Office on assumption of program and budget responsibility.

## APPROPRIATIONS AUTHORIZED

Sec. 11. Provides for authorization of appropriations and for the appropriation of "no year" funds as an important element of budget flexibility for the office.

## JOINT FUNDING

Sec. 12. Permits joint funding by more than one agency of drug abuse programs and activities, including a portion of non-Federal funds, and permits waiver of inconsistent technical regulations and requirements.

## VOLUNTARY SERVICE

Sec. 13. Allows the Director to accept the services of volunteers.

## EFFECTIVE AND TERMINATION DATE

Sec. 14. (a) Provides for the office to start operations 30 days after the Director takes office. This precludes the office being forced to operate without a head, and allows the Director some time to make appropriate preparations.

Sec. 14. (b) Provides that the office will be temporary, operating for a period of three years unless the President chooses to extend its life for an additional two years at his discretion.

[From the New York Times, June 18, 1971]

DRUG ABUSE FIGHTER: JEROME HERBERT JAFFE

WASHINGTON.—"How do you expect to deal with Washington bureaucracy?" Dr. Jerome Herbert Jaffe was asked today just after President Nixon named him to head a new White House office on drug abuse control. "With the same unrealistic optimism with which I dealt with Illinois bureaucracy," the doctor replied. When he arrived in Illinois in 1966 from the Bronx, there wasn't a single state-supported bed for the treatment of drug addicts in Illinois. The first year he got 300 beds. Now there are 1,800.

Thirty-seven years old and even younger in appearance, Dr. Jaffe is an unpretentious, humorous man who affects outrageous ties, including the psychedelic one he wore to the White House today. He takes on big jobs in a cool, offhand way.

His wife, the former Faith Kessel of Philadelphia, likes to tell how he got into medicine. In high school in Philadelphia, he recalls, he was surrounded by so many bright and ambitious boys that he decided that, given the heavy competition, he would become a car mechanic.

"But his family decided otherwise," she said. "They persuaded him to apply for admission at Temple University, and he says he agreed because the application was only one page long and the college was only two stops away on the streetcar."

Four years later he graduated first in a class of a thousand, although he had to finance his medical studies with two jobs, as a short order cook in a diner and playing the string bass in a band.

Throughout his earlier school years he had worked during his spare time in the grocery on the Lower East Side of New York run by his father, an immigrant from Lithuania.

From college days until the present, Jerome Jaffe has been working overtime. He has no hobbies, takes no exercise, brings work home with him at night, never smokes, and takes a drink only out of social courtesy.

Dr. Jaffe spent five years at the Albert Einstein College of Medicine in New York, first as postdoctoral fellow, later as resident in psychiatry, assistant professor of pharmacology and instructor in the department of psychiatry. Then he was invited to become assistant professor in the department of psychiatry of the University of Chicago.

"I was looking forward to some quiet laboratory work and animal research," he recalls. But the lab was not ready yet, and he filled in the time by drawing up a program for drug abuse control in the State of Illinois. To his surprise Gov. Otto Kerner asked him to put the program into effect.

Today he takes no individual patients, but "I began directly taking care of people, and I didn't forget," he observes. "Every day, I talk to people who have been through our program—drivers, stockmen, all kinds, many of whom want to get relatives into treatment."

"Above all," his wife says, "he is a humane man. He keeps up with friends who date back to high school."

In Chicago the Jaffes live in a big, comfortable, old Tudor house on the South Side because it is only five minutes from the University of Chicago and he has never lived farther than that from his place of work.

By Mr. BYRD of West Virginia  
(for Mr. WILLIAMS):

S. 2098. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit. Referred to the Committee on Finance.

COMPUTATION OF SOCIAL SECURITY BENEFITS  
BASED UPON COMBINED EARNINGS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to introduce a bill on behalf of the junior Senator from New Jersey (Mr. WILLIAMS) and to have a statement by the distinguished Senator from New Jersey with regard thereto printed in the RECORD.

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

COMPUTATION OF SOCIAL SECURITY BENEFITS  
BASED UPON COMBINED EARNINGS

Mr. WILLIAMS. Mr. President, I introduce for appropriate reference, a bill to amend the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher total amount.

Under present law, a wife who is at least 65 years old is entitled to receive Social Security benefits equal to 50 percent of her husband's primary amount. This is true even though the wife never worked under covered Social Security employment.

In the case of a working wife, she may elect to receive benefits based upon her own earnings record or 50 percent of the primary amount received by her husband, whichever method produces the higher payments. This may sound generous. But, there are still instances where a couple with a working wife may receive lower Social Security benefits than a family where only the husband worked, even though both couples had identical total earnings.

As an example of the unfairness under present law, consider the benefit levels of two family units with average yearly earnings of \$5,000. In the first case, the entire income is earned by the husband. This family would receive \$337.10 in total monthly Social Security benefits. The husband would be entitled to \$224.70 based on his earnings record, and the wife would receive \$112.40—50 percent of the husband's benefits.

The second family also has \$6,000 average annual earnings, but \$4,000 is derived from the husband and \$2,000 from the wife. In this case the husband would be entitled to \$171.50 in monthly benefits and the wife \$118.00, for a total of \$289.50. However, in this particular example the couple with the working wife would receive \$47.60 less per month than the family where only the husband worked. Yet, both couples had identical average earnings and contributed the same amount in Social Security taxes.

The bill that I introduce today would help to correct this long-standing inequity for families with working wives. In such cases, under my proposal, the husband and wife could elect to combine their earnings, with each spouse receiving an amount equal to 75 percent of the benefits based upon their combined earnings. Applying this new formula, both couples in the example cited earlier would receive the same total benefits, approximately \$337.00 per month.

The reasons for making this change are compelling. First, fundamental fairness demands that couples with identical earnings records and contributions to the Social Security system should receive the same amount in benefits. Moreover, the existing formula works a hardship on low or moderate-income families in which the standard of living has been based on two incomes.

In addition, the existing inequity is not a transitional problem. Today 40 percent of married women work, compared with only 24 percent in the United States in 1940. And these figures are projected to increase with

more and more women joining the labor force. Unless remedial action is taken soon, more elderly couples will be affected by this inequity.

S. 2098

A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that Section 202(a) of the Social Security Act is amended to read as follows:

"(a) (1) Every individual who—  
"(A) is a fully insured individual (as defined in section 214(a)),

"(B) has attained age 62, and  
"(C) has filed application for old-age insurance benefits or was entitled to disability insurance benefits for the month preceding the month in which he attained age 65,

shall be entitled to an old-age insurance benefit for each month beginning with the first month in which such individual becomes so entitled to such insurance benefits and ending with the month preceding the month in which he dies.

"(2) Except as provided in subsection (q), such individual's old-age insurance benefit for any month shall be equal to his primary insurance amount for such month as determined under section 215(a), or as determined under paragraph (3) of this subsection if such paragraph is applicable and its application increases the total of the monthly insurance benefits payable for such month to such individual and his spouse. If the primary insurance amount of an individual for any month is determined under paragraph (3), the primary insurance amount of his spouse for such month shall, notwithstanding the preceding sentence, be determined only under paragraph (3).

"(3) If both an individual and his spouse are entitled to benefits under this subsection (or section 223), or one of them is so entitled and the other would upon satisfying subparagraphs (A) and (C) of paragraph (1) be entitled to benefits under this subsection, then (subject to paragraph (4)) the primary insurance amount of such individual, and the primary insurance amount of such spouse (who shall be deemed to be entitled to benefits under this subsection, whether or not satisfying such subparagraphs, beginning with the later of the month in which such spouse attains age 62 or the month in which such individual became entitled to benefits under this subsection), for any month, shall each be equal to the amount derived by—

"(A) adding together such individual's average monthly wage and such spouse's average monthly wage, as determined under section 215(b),

"(B) applying section 215(a)(1) to their combined average monthly wage determined under subparagraph (A) (subject to the next sentence) as though such combined average monthly wage were such individual's average monthly wage determined under section 215(b), and

"(C) multiplying the amount determined under subparagraph (B) by 75 percent. If the combined average monthly wage resulting under subparagraph (A) exceeds the average monthly wage (hereinafter referred to as the 'maximum individual average monthly wage') that would result under section 215(b) with respect to a person who became entitled to benefits under this subsection (without having established a period of disability) in the calendar year in which the primary insurance amounts of such individual and spouse are determined under this paragraph, and who had the maximum

wages and self-employment income that can be counted, pursuant to section 215(e), in all his benefit computation years, then the determination under subparagraph (B) shall take into account only that part of such combined average monthly wage which is equal to the maximum individual average monthly wage but the amount determined under such subparagraph shall be increased by 25.88 percent of the difference between such combined average monthly wage (or so much thereof as does not exceed 150 percent of the maximum individual average monthly wage) and such maximum individual average monthly wage before applying subparagraph (C). The primary insurance amount of an individual and his spouse determined under this paragraph shall not be increased unless there is an increase in the primary insurance amount of either of them pursuant to provisions of this title other than this paragraph.

"(4) Paragraph (3) shall not apply—  
"(A) with respect to any individual for any month unless, prior to such month, such individual and his spouse shall have each acquired, after attainment of age 50, not less than 20 quarters of coverage (counting as a quarter of coverage for purposes of this subparagraph any quarter all of which was included in a period of disability, as defined in section 216(1)),

"(B) with respect to any individual for any month unless there is in effect with respect to such month a request filed (in such form and manner as the Secretary shall by regulations prescribe) by such individual and his spouse that their primary insurance amounts be determined under paragraph (3),

"(C) with respect to any individual or his spouse for any month if such individual or his spouse shall have indicated, in such manner and form as the Secretary shall by regulations prescribe, that he or she does not desire a request filed pursuant to subparagraph (B) to be effective with respect to such month, or

"(D) for purposes of determining the amount of any monthly benefits which (without regard to section 203(a)) are payable under the provisions of this section other than this subsection on the basis of the wages and self-employment income of an individual or his spouse."

SEC. 2. (a) Section 202(e)(2) of the Social Security Act is amended by striking out "shall be equal to 82½ percent of the primary insurance amount of such deceased individual" and inserting in lieu thereof "shall be equal to the larger of (A) 82½ percent of the primary insurance amount of such deceased individual for such month as determined under section 215(a), or (B) 110 percent of the primary insurance amount of such individual as determined under subsection (a)(3) of this section (assuming for purposes of this clause that such subsection was applicable) for the month preceding the month in which he died".

(b) Section 202(f)(3) of such Act is amended by striking out "shall be equal to 82½ percent of the primary insurance amount of his deceased wife" and inserting in lieu thereof "shall be equal to the larger of (A) 82½ percent of the primary insurance amount of his deceased wife for such month as determined under section 215(a), or (B) 110 percent of the primary insurance amount of his deceased wife as determined under subsection (a)(3) of this section (assuming for purposes of this clause that such subsection was applicable) for the month preceding the month in which she died".

SEC. 3. Section 203(a) of the Social Security Act is amended by striking out the period at the end of paragraph (3) and inserting in lieu thereof ", or", and by insert-

ing after paragraph (3) the following new paragraph:

"(4) when the primary insurance amount of the insured individual is determined under section 202(a)(3), such total of benefits for any month shall not be reduced to less than the larger of—

"(A) the amount determined under this subsection without regard to this paragraph, or

"(B) (i) the amount appearing in column V of the table in section 215(a) on the line on which appears in column IV the amount determined under subparagraph (B) of such section 202(a)(3) for such individual and his spouse, or

"(ii) if the amount so determined under such subparagraph (B) does not appear in column IV—

"(I) the amount appearing in Column V on the line on which appears in column IV the next higher amount, if the amount so determined under such subparagraph (B) is less than the last figure in column IV, or

"(II) an amount which bears the same ratio to the amount appearing on the last line of column V as the amount determined under such subparagraph (B) bears to the amount appearing on the last line of column IV, if the amount so determined under such subparagraph (B) is greater than the last figure in column IV."

SEC. 4. (a) Section 215(f)(1) of the Social Security Act is amended by inserting "(or section 202(a)(3))" after "determined under this section".

(b) The second sentence of section 215(f)(2) of such Act is amended by inserting before the period at the end thereof the following: ", or as provided in paragraph (3) of section 202(a) if such paragraph is applicable (but disregarding any increase which might result under the second sentence of such paragraph solely from changes in the maximum wages and self-employment income that can be counted in the years involved)".

SEC. 5. Section 223(a)(2) of the Social Security Act is amended by inserting after "section 215" the following: "or under section 202(a)(3)".

SEC. 6. (a) The amendments made by the first three sections of this Act shall apply only with respect to monthly insurance benefits under title II of the Social Security Act for and after the second month following the month in which this Act is enacted.

(b) In the case of an individual or his spouse who became entitled to benefits under section 202(a) or section 223 of the Social Security Act prior to the second month following the month in which this Act is enacted (but without regard to section 202(j)(1) or section 223(b)(2) of the Social Security Act), the average monthly wage of such individual or spouse, as the case may be, for purposes of section 202(a)(3)(A) of the Social Security Act, shall be the figure in the column headed "But not more than" in column III of the table in section 215(a)(1) of the Social Security Act in effect immediately prior to the enactment of this Act on the line on which in column IV of such table appears the primary insurance amount of such individual or spouse, as the case may be, for the month in which this Act is enacted, unless the average monthly wage of such individual or such spouse, as the case may be, is, after the enactment of this Act, redetermined under section 215(b) of the Social Security Act.

#### ADDITIONAL COSPONSOR OF A BILL

S. 986

At the request of Mr. MANSFIELD, for Mr. MAGNUSON, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 986, a bill to provide disclosure standards for written consumer

product warranties against defect or malfunction; to define Federal content standards for such warranties; and to amend the Federal Trade Commission Act in order to improve its consumer protection activities; and for other purposes.

#### SENATE RESOLUTION 140—SUBMISSION OF A RESOLUTION RELATING TO U.S. INVOLVEMENT IN SOUTHEAST ASIA

(Referred to the Committee for Foreign Relations.)

Mr. SYMINGTON submitted the following resolution:

S. Res. 140

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Foreign Relations, or any subcommittee thereof, is authorized from the date this resolution is agreed to, through June 30, 1973, for the purpose stated in section 2 and within the limitations hereinafter imposed in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The Committee on Foreign Relations, or any subcommittee thereof, is authorized from the date this resolution is agreed to through June 30, 1973, to expend not to exceed the sum of \$250,000 to examine, investigate, and make a complete study of any and all matters pertaining to the making of policy relating to United States involvement in Southeast Asia. Of such \$250,000, not to exceed \$100,000 may be expended for the procurement of individual consultants or organizations thereof. Such sum is in addition to the amount specified in section 2 of Senate Resolution 26, Ninety-second Congress, agreed to March 1, 1971, and was not included in that resolution because at the time at which that resolution was considered there was insufficient information to determine the scope of, and the total amount of expenditures required by, the study to be undertaken pursuant to this resolution.

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to the study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than June 30, 1973.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

#### SENATE RESOLUTION 141—SUBMISSION OF A RESOLUTION RELATING TO BENEFITS OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1970

(Referred to the Committee on Banking, Housing and Urban Affairs.)

PAYMENT OF THE INTEREST DIFFERENTIAL FOR PUBLIC DEVELOPERS OF NEW COMMUNITIES

Mr. HUMPHREY. Mr. President, I am today introducing a resolution designed to assure that the administration understands the full opportunities available to

it under the newly enacted Urban Growth and New Community Development Act of 1970.

Previous to 1970, Federal long-term financing and loan guarantees were available only to private developers. With this aid, developers have built new towns and restored old towns.

Now with the enactment of the 1970 law, our country has embarked on an even more exciting program.

For the first time, the full range of Federal financial assistance—interest subsidies, loans, technical assistance, planning grants, supplements to existing Federal programs, and extended term financial arrangements—are available to State-created public new community developers.

Public new community developers will be able to sell bonds to help finance the acquisition of land and the construction of facilities. But the success of a project undertaken by these State agencies is directly related to the rate paid on its obligations and the condition of the market at the time of sale.

Sound financial banking requires the public developer to sell bonds on the taxable market. This bond market is wider, deeper, and more stable than the tax-exempt market. Yet, public developers must have an interest subsidy to make up the difference between the rate they would pay on a taxable security and the rate they would normally pay if all their obligations were tax exempt. Title VII of the Housing and Urban Development Act of 1970—the New Communities title—recognized this fact by providing a revolving fund to pay the interest differential between the two types of bonds.

Mr. President, it is timely that we discuss the role of the public new community developers because, at this very moment, the administration is considering whether or not to extend all the benefits of the 1970 act to these developers by completely funding the interest differential payment.

I believe that a decision to exclude the public new community developer by approving only the applications of private developers and by not funding this interest differential would be a serious error.

It would be a deliberate affront to the intent of Congress.

And, it would seriously hamper the efforts of Governors and State legislatures to create State development corporations.

Rather than exclude any particular development groups, I believe it would be in the public interest to make the benefits of the act available to all developers, public and private, and then award grants entirely on the merits of each application.

This is the only fair way. It is the only progressive way to build these new communities.

Mr. President, I ask unanimous consent that a briefing paper by the staff of the National Governor's Conference be printed at this time, and I also ask unanimous consent that the text of the resolution be printed at this time.

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

**PUBLIC NEW COMMUNITY DEVELOPERS: WHAT THEY ARE, WHY THEY ARE NEEDED, AND WHY THEY DESERVE FEDERAL SUPPORT**

**I. WHAT ARE PUBLIC NEW COMMUNITY DEVELOPERS?**

- A. Created by state legislatures and owned by the state or locality.
- B. Authorized to sell obligations to finance land acquisition, development and construction.
- C. Appropriate money for an initial revolving fund for land acquisition.
- D. Sell obligations on the tax-exempt market and re-lend that money to banks, developers or directly to construction firms at a somewhat higher rate (but usually less than the going market rate). The difference between the rate on their obligations and the rate at which they lend money (usually .5%) pays for administrative costs.
- E. The full faith and credit of the state is usually not pledged to the payment of their obligations.
- F. May be authorized to acquire land by condemnation, and override local building code and zoning restrictions.

**II. WHY ARE PUBLIC NEW COMMUNITY DEVELOPERS NEEDED?**

- A. They can borrow money cheaper than private developers and thus are able to "subsidize" their projects with more low- and moderate-income housing of high quality.
- B. They can assemble land easier and at a lower total cost than private developers by using the power of condemnation. A private developer will usually acquire a new community site by bits and pieces. The last acreage acquired usually costs more than the first because people hear about the developer's plans.
- C. They have a stronger base from which to negotiate with other public agencies for the timely introduction of essential public services.
- D. They can control growth so as not to create an adverse ecological impact on the region surrounding a new community project.
- E. Only public new community developers will be able to amalgamate the land and construction subsidies needed to make new towns-in-town economically feasible.
- F. Public developers are not placed in the position of trading off design and construction quality for increased profits.
- G. For most private developers the seven or eight percent rate of return on their investments (based on past new community projects) is not enough incentive to attract large manufacturing corporations into the new community market. (They can make a ten to fifteen percent profit on their manufactured goods). To a public developer a seven percent rate is a very good return and they are more easily attracted to sponsoring new community projects.

**III. WHY DO PUBLIC NEW COMMUNITY DEVELOPERS NEED FEDERAL SUPPORT?**

- A. The bonds of a public developer must be self-financing—just like a private developer they cannot afford to lose money. Therefore, the success of a project undertaken by a public new community developer is directly related to the rate paid on its obligations and the condition of the market at the time of the sale.
- B. Generally, the taxable bond market is a "wider and deeper" market than the tax-exempt market. But in order to enter the taxable market and not pay a higher rate on their obligations, public developers must receive an interest subsidy to make up the difference between the rate they would pay on a taxable security and the rate they would normally pay if their obligations were tax-exempt. Section 713 of the Housing Act of 1970 provides for the payment of this type of interest differential subsidy from a revolving fund.
- C. Public new community developers must

bear the same costs as an urban renewal agency when undertaking projects in deteriorated areas of inner cities. Urban renewal agencies receive substantial federal subsidies in the form of "land write-down." Public new community developers must be able to receive the same subsidies if their projects are to be economical.

D. Public new community developers must be able to "tap" federal housing subsidy programs, especially the "235", "236" and "Rent Supplement" programs.

E. New communities, properly planned and executed, can help solve pressing national problems: increased ghettoization of the poor, growing population pressures on existing metropolitan areas, and deteriorating ecological systems associated with poorly regulated developments.

**S. Res. 141**

*Resolved*, Whereas, Congress has enacted Title VII of the Housing and Urban Development Act of 1970, the Urban Growth and New Communities Title, and

Whereas, before this act, long term federal financing was only available to private developers, and

Whereas, private developers have done a commendable job building new communities, and

Whereas, under Title VII, the Urban Growth and New Communities Act of 1970, Congress mandated that the full range of federal assistance be made available to state created public new community developers, and

Whereas, the success of these public new community developers depends upon financial obligations they can sell on the security market, and

Whereas, the taxable bond market is more attractive to public developers because it is a more stable market, and

Whereas, to actively participate in this market, public new community developers require the Federal Government to pay an interest subsidy for the rate differential between a taxable security and a tax-exempt security, and

Whereas, the Administration is presently considering whether or not to extend the full benefits of the Urban Growth and New Communities Act of 1970 to public developers by funding this interest differential as provided in that law, and

Whereas, it would be in the public interest to increase the development of new communities,

Therefore, be it resolved that it is the sense of the Senate that it should be a policy of the Executive Branch to make available to public new community developers all of the financial assistance authorized under Title VII of the Housing and Urban Development Act of 1970, and specifically the benefits available to public New Community Developers as authorized by Sections 713, 714, 715, 717, 718, 719 and 720 of that act.

**PRESERVATION OF THE RESOURCES OF THE CONNECTICUT RIVER VALLEY—AMENDMENT**

**AMENDMENT NO. 199**

(Ordered to be printed and referred to the Committee on Interior and Insular Affairs.)

**MT. HOLYOKE UNIT OF THE CONNECTICUT HISTORIC RIVERWAY**

Mr. KENNEDY. Mr. President, I am introducing today an amendment in the nature of a substitute for S. 318. S. 318 introduced by Senator RIBICOFF creates a three-unit Connecticut Historic Riverway. This amendment establishes and outlines provisions for the Mount Hol-

yoke unit of the Connecticut Historic Riverway.

This legislation is the result of the recommendations of the Bureau of Outdoor Recreation's 2-year study of the area and the arduous, detailed, and most valuable efforts of the Citizens Advisory Committee in Massachusetts. I think the most significant aspect of this legislation is that it is truly the product of the thoughts and concerns of the citizens who live within this beautiful and historic area. In every detail local residents have contributed their thoughts, and throughout the entire lengthy process of drawing up this legislation they have contributed their time and efforts.

There has never been any question that the people of western Massachusetts want the Connecticut River restored, that they want the water returned to an unpolluted state, that they want the land preserved for their use and enjoyment and that of their children. But the citizens in the past have disagreed on which specific means would be most beneficial to achieving these ends. We have held public hearings within the area to hear opposing views. And it is from these hearings, from the tremendous volume of mail from this area, and from the diligence of the citizens' advisory committee in testing their ideas on the community that we have today a piece of legislation that is most likely to serve the needs of the community. In addition we expect that a public hearing after the introduction of this legislation will give these citizens another chance to express their views on the final draft.

The concerns of people living within a proposed national park area tend to fall into the following categories; that Federal land acquisition will interfere with landowners' rights; that there will be significant erosion of the community tax base; that too much land will be developed for recreation at the expense of natural beauty; or the reverse, that too much land will be preserved for esthetic reasons while the community lacks recreational facilities.

While this legislation will of course not satisfy every individual desire, I feel it achieves as nearly as possible the delicate balance between preservation and recreation; between continued waste of natural resources and loss of tax revenues; between individual property rights and the greater community welfare.

This legislation is designed to leave untouched the most valuable farmlands which have been worked for over 300 years; to develop for recreational purposes those areas with the greatest potential for camping, fishing, hunting, boating, swimming, and hiking, and to preserve and restore the great natural wonders of the river, the land, the forests, and the air.

In recent years we have all become acutely aware of the loss of clean water and fresh air. We have learned that often in the name of technological progress, we have poisoned our streams and the air we breathe. In those areas of our Nation of particular beauty, the trend toward devastation of our resources has been particularly disturbing to the residents.

There are many approaches to solving

the problems of our environment—Federal assistance, regional planning, and the local public works project approach. In this case we have an example of several towns and cities, several concerned citizen groups, more than one State and the Congress of the United States working with the Federal departments to achieve the preservation of one of the most beautiful areas of the United States.

The objectives of this legislation are:

First, to provide for limited Federal acquisition of land with a minimum amount of condemnation rights.

Second, to provide for specific areas of recreational development with a minimum infringement on residential rights and maximum consideration of their concerns.

Third, to provide for the preservation of areas of esthetic natural beauty for the enjoyment of surrounding communities and future generations.

Fourth, to protect the rights of owners of homesteads and farmlands and at the same time assure the future of these lands against encroachment or overdevelopment.

But in the minds of some, recreation means hordes of visitors in the summer months, noise, traffic jams, gaudy concessions, selling overpriced items, and rampant overdevelopment. Ironically recreation area often carried the connotation of accelerated and federally financed devastation of national resources.

The historic riverway we envision conjures none of these images. It is the opposite of an unplanned and unstructured development. It outlines a well-planned, coordinated, and balanced approach to the needs of the community. While it includes recreational facilities, it also preserves the most beautiful spots for the enjoyment of nature and the peace and solitude which it often brings.

The New England Heritage Report pointed out that—

Because of the existing highway network, its land would be accessible to nearby colleges and universities, as well as to more distant urban centers.

This need not be looked upon as a threat, but a potential. But it clearly shows the necessity for planning.

The Mount Holyoke unit comprises approximately 12,000 acres of the east side of the Connecticut River—north of Springfield. The river flows between the Mount Holyoke Range and Mount Tom Range. This unit of the historic riverway embraces the bulk of the Mount Holyoke Range. For 2 years field teams, planning agencies, local officials, and private citizens collected data and worked together on the New England Heritage Report on the Connecticut River National Recreation Area. Since the publication of that report, another 2 years have gone into study and refining the specific proposals put before the local communities.

This legislation establishes three types of land areas within the Mount Holyoke unit:

First. Public use and development zone—land may be acquired by donation, purchase, transfer, or condemnation but in no event can more than 1,500 acres be acquired by condemnation.

Second. Preservation and conservation

zone—will be maintained in its natural state with only the development of trails.

Third. Private use and development zone—land within this zone shall be limited to noncommercial, residential development except for business areas already in existence.

The legislation also provides for the Mount Holyoke Riverway Advisory Committee composed of members representing the State government, regional planning commissions, towns and municipalities, and the Federal Government. And it establishes a clear and concise policy of cooperation between State and local agencies to provide safeguards against pollution of the Connecticut River.

Victor Hugo once said:

Nature, like a kind and smiling mother, lends herself to our dreams and cherishes our fancies.

We know that if we are to begin saving our resources, we must begin now or it will be too late. The people of western Massachusetts sense the urgency that saving of this area demands. They understand that what we do in the next few years is decisive for this area's future. This bill represents a coordinated effort by the Federal Government and the local municipalities working with the citizens who live there to plan their own course for the preservation of this area.

The people of western Massachusetts have taught us all a great lesson in representative government. They have worked long hours and with great vigilance in developing and expressing their views on this legislation. And the people of Massachusetts have for many years provided a mecca for tourists and travelers by providing the finest in recreational facilities in the most scenic of natural settings. While time has taken its toll on the land and the water, these citizens have sought local, State, and Federal assistance in an attempt to preserve their precious gift. Today for them I introduce this legislation to assure them that the Congress is aware of their heritage, their work, and their concerns for the future of their environment. They have made themselves heard and the passage of this legislation will be the triumph of their love and concern for their land and their river.

#### THE MILITARY SELECTIVE SERVICE ACT—AMENDMENTS

AMENDMENTS NOS. 200 THROUGH 206

(Ordered to be printed and to lie on the table.)

Mr. GRAVEL submitted seven amendments intended to be proposed by him to the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

AMENDMENT NO. 207

(Ordered to be printed and to lie on the table.)

Mr. BAYH submitted an amendment intended to be proposed by him to H.R. 6531, *supra*.

#### ANNOUNCEMENT OF HEARINGS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have

printed in the RECORD an announcement of hearings before the Public Health, Education, Welfare, and Safety Subcommittee of the Senate District Committee.

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

#### ANNOUNCEMENT OF HEARINGS BEFORE THE PUBLIC HEALTH, EDUCATION, WELFARE AND SAFETY SUBCOMMITTEE OF THE SENATE DISTRICT COMMITTEE

Mr. TUNNEY. Mr. President I would like to announce hearings on Thursday, June 24, 1971, at 9:00 a.m. in Room 6226, New Senate Office Building on eight bills pending before the Public Health, Education, Welfare and Safety Subcommittee of the Senate District Committee. These bills are as follows:

S. 1348 and H.R. 8794—Relating to medical services for disabled police and firemen  
S. 1386 and H.R. 8589—Regulating the Practice of the Healing Art

S. 1996 and H.R. 2592—Amendments to employment of Minors within the District of Columbia

H.R. 2598—Authorizing members of the District of Columbia Fire Department, United States Park Police force and Executive Protective Service to participate in the Metropolitan Police Department Band

H.R. 2600—Equalize retirement benefits for Metropolitan Police and Firemen retired for permanent total disability

Any interested person who wants to file a statement or appear as a witness on these matters should notify Mr. Gene Godley, General Counsel of the District of Columbia Committee, in Room 6222, New Senate Office Building.

#### ANNOUNCEMENT OF ADDITIONAL HEARING ON INTERNATIONAL WHEAT AGREEMENT

Mr. MANSFIELD. Mr. President, on behalf of Senator SPARKMAN, the chairman of the Ad Hoc Subcommittee on the International Wheat Agreement of the Committee on Foreign Relations, I wish to announce that the subcommittee has scheduled an additional hearing on the wheat agreement on Tuesday, June 29, 1971. The hearing will be held in room 4221 of the New Senate Office Building beginning at 2 p.m.

Interested parties should communicate with Mr. Arthur Kuhl, chief clerk of the committee.

#### ADDITIONAL STATEMENTS

##### EPIDEMICS AHEAD?

Mr. KENNEDY. Mr. President, two recent articles, one in the March 19 issue of Medical World News titled, "Epidemics Ahead?" and one on March 30 in the Washington Post by Mr. Stuart Auerbach, deal with the alarming rise in measles, diphtheria, and polio cases in America.

The most serious threat is the current outbreak of common measles. Measles incidence fell dramatically after mass immunization campaigns were launched in 1966. According to Dr. John J. Witte, chief of the immunization branch of the Center for Disease Control in Atlanta, 47,363 cases of measles were reported in the United States last year, an increase of 83 percent over the 1969 figures. The cases this year are expected to go even higher, perhaps reaching 70,000.

Dr. Witte noted that last year 500 cases of diphtheria were reported, twice the

number of cases in 1969. Miami and San Antonio suffered large-scale epidemics of diphtheria last year, and it is feared that similar epidemics may occur in other areas.

Immunization against the crippling disease, polio, has fallen to dangerous levels. In 1966, 79 percent of children aged 1 to 4 were adequately immunized. Last year, the figure was less than 66 percent. Dr. Witte is particularly concerned about many of the children who live in rural and urban poverty pockets. The number of immunizations in these areas is much lower than the national average.

It is estimated that 10 to 12 million children in the United States remain unvaccinated and thus susceptible to measles, diphtheria and polio. Vaccine for measles is fairly expensive—as much as \$1.30 for a single dose. A combined tetanus, diphtheria and whooping cough vaccine costs about 25 cents. Dr. Lyle Conrad, assistant chief of the immunization branch at the Center for Disease Control, estimated that to run an active immunization program would cost only \$12 to \$15 million a year. Yet, for this small sum, the benefits in terms of lives saved and health expenses avoided would be enormous.

I ask unanimous consent that the two articles, "Epidemics Ahead?" and "Measles on the Rise Again; Believed Eradicated in 1968," be printed in the RECORD.

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

#### EPIDEMICS AHEAD?

Seven-plus years after the Vaccination Assistance Act started the U.S. on a national program to eradicate polio, diphtheria, rubella and other communicable diseases, the immunization goal may be slipping beyond grasp. Experts who a few years ago were talking confidently of eradication are now pinning their hopes on better control methods—and crossing their fingers at that.

Large segments of the population remain unimmunized, jeopardizing the herd immunity goal. Either epidemics of eradicable disease have occurred—diphtheria is a case in point (MWN, June 26, '70)—or else there have been threats of an epidemic, as with polio.

Worst of all is measles, says Dr. John J. Witte, chief of the immunization branch of the Center for Disease Control in Atlanta. Speaking at the Eighth Annual Immunization Conference in Kansas City, Dr. Witte said: "Today, measles is out of control."

Measles incidence fell dramatically after mass immunization campaigns were launched in 1966. Cases numbered 62,000 in the 1966-1967 epidemiologic year (roughly October to October) and kept falling. Yet in the winter of 1969, 16,000 were hit by the disease as compared with 7,500 the previous winter. And for the 1970-1971 year, the total may reach 70,000 cases, far above 1969-1970's total of 44,701. In some areas, the rise has been manifold (see pages following page 54 in most MWN editions). Between last October and this January, 11,929 cases turned up—46% over the same period last year and 176% over 1968-1969 figures. Says Dr. Witte: "We're back where we started five years ago. I'm ashamed of the way we've neglected measles."

Since measles encephalitis occurs in about one case per thousand measles cases, and permanent disability occurs in about one out of three encephalitis cases, this epidemic year could see 2,500 children condemned to

handicaps ranging from mental retardation—requiring permanent institutional care—to learning disabilities. The failure is not in the vaccine but in delivering it to the needy, says Dr. Witte. Asked Dr. William Schaffner II, assistant professor of medicine at Vanderbilt University, "How good is the vaccine?" Answering his own question, he said, "It's no damn good in the vial."

Turning to diphtheria, Dr. Witte noted that last year's 500 cases are double the 241 reported in 1969 and the highest incidence in the past eight years. There were outbreaks in six states. And, warned Dr. Witte, "unless we improve our preschool vaccination efforts, we can expect epidemics of polio again." He added: "The time for complacency has run out. We must face up to some difficult professional challenges. We need to find the funds to purchase vaccines, the personnel to plan and administer programs, the methods to get at hard-to-reach groups."

The expert noted that DPT vaccine costs 3c a dose and every health department should be able to afford the cost. And another warning: "Prior to the diphtheria epidemic in San Antonio, Tex., immunization levels of schoolchildren and preschoolers there didn't differ significantly from national averages from urban areas. What happened in San Antonio could have occurred in a score of other cities."

And polio immunization levels are declining, too. In 1966, 79% of children aged one to four were adequately immunized. Last year, the figure was less than 66%. Dr. Witte is particularly worried about poverty areas of cities. "Some are ripe for a polio epidemic," he declared.

"This 66% figure may represent the national average, but let's not forget that there are pockets of susceptible individuals around the country where levels are much lower."

#### MEASLES ON THE RISE AGAIN; BELIEVED ERADICATED IN 1968

(By Stuart Auerbach)

Measles, supposed to be eradicated three years ago with the development of a vaccine, is running rampant again, U.S. Public Health Service figures show.

Communicable disease experts estimate that at least 65,000 American children will catch measles this school year, as many as in 1966 before the vaccine was in wide use. As many as 60 children are expected to die from complications of measles, mainly from pneumonia and encephalitis (a brain ailment).

On top of the increase in measles cases, the National Center for Disease Control in Atlanta reported there were twice as many cases of diphtheria last year as in 1969. And the number of children adequately protected against polio has dropped 13 per cent since 1966.

Government officials blamed a slowdown in local and state immunization programs for the increase in cases of diphtheria and measles and the lowered number of children protected against polio.

But direct federal funds for these programs ran out in June, 1969. Local governments, though, can get indirect federal money for immunizations from such programs as maternal and child health.

"The answer is once again convincing state health departments and local medical societies that good preventive medicine includes immunizing at least 90 percent of the children against diphtheria, whooping cough, polio and measles," said Dr. Lyle Conrad, assistant chief of the immunization branch of the Center for Disease Control.

The value of immunization programs was strikingly demonstrated during an epidemic in Texarkana, a city of 50,000 divided by the Texas-Arkansas state line.

CDC reported 637 cases of measles there between June 1970 and last January.

The part of the city in Texas, which has

never had a measles immunization program, accounted for 97.5 per cent of the cases. Only 16 cases occurred in the Arkansas section of the city, which had an extensive immunization program.

Nationally, the Center for Disease Control recorded 47,363 cases of measles last year. That was an 83 per cent increase over the 25,826 cases reported in 1969 and a 113 per cent increase over the 22,231 cases reported in 1968.

The number of cases continued to grow this year. For the first 11 weeks of 1971, there were 20,300 cases of measles reported compared to 12,000 for the same time span last year and 5,000 for 1969.

But these official figures do not indicate the true extent of measles in the United States. For every case reported, Dr. Conrad estimated that 8 to 10 are not counted.

Although measles is generally an innocuous childhood disease, its complications lead to death in about one out of every 1,000 cases.

(In Washington, Dr. Michael W. Rosen, a Public Health Service expert assigned to the Health Services Administration, said there had been an outbreak of measles in this area last year, but only a few cases so far in 1971.)

The Center for Disease Control reported the largest number of cases of diphtheria last year since 1962. With outbreaks in six states—including large scale epidemics in Miami and San Antonio—there were 500 cases of diphtheria reported last year compared to 241 cases in 1969.

Government experts also estimated a decrease in polio immunization levels. In 1966, the Center for Disease Control said 79 per cent of American children 1 to 4 years old, had an adequate immunization.

Last year the figure dropped to 66 per cent, with many of the unprotected children living in rural and urban poverty pockets of the nation.

Dr. Conrad estimated it would cost between \$12 million and \$15 million a year to run an active immunization program.

Vaccine for measles is fairly expensive—as much as \$1.30 for a single dose. But smallpox vaccine costs a penny a dose, a combined tetanus, diphtheria and whooping cough vaccine costs 5 cents a dose and polio vaccine costs about 25 cents.

#### THE GYPSY MOTH

Mr. BEALL. Mr. President, the gypsy moth is a growing menace to the Nation's woodlands. I have asked the Senate Appropriations Committee to provide \$275,000 so that we might accelerate the Nation's research effort against these pests. I ask unanimous consent that my statement in support of an increased appropriation which was submitted to the Senate Appropriations Committee be printed in the RECORD.

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

#### STATEMENT OF SENATOR J. GLENN BEALL, JR., TO THE APPROPRIATIONS COMMITTEE, U.S. SENATE, REGARDING THE GYPSY MOTH

Mr. Chairman, I strongly urge that the appropriations for the Agriculture Forest Service Research Program be increased by \$275 thousand to accelerate the nation's research against the Gypsy Moth, an insect which is threatening destruction of millions of acres of our prime eastern woodland. It has been estimated that within the next ten years that over 200 million acres of hardwood forests may be damaged as a result of the repeated defoliation by the Gypsy Moth. To indicate the seriousness of the problem, it

is well to point out the damage that has already been done by these devouring insects. In the summer of 1970, the Gypsy Moth defoliated 800 thousand acres of trees. This figure is more than triple the area stripped by these insects in 1969 and more than six times that denoted in 1968. At the present time it is estimated that over 50 million acres of woodland are known to be infested.

In recent years the Gypsy Moth has spread from the New England States and Eastern New York, throughout New Jersey and Eastern Pennsylvania. In 1970 over 800 thousand acres were defoliated in Connecticut, New York, New Jersey, and Pennsylvania. It is predicted that over one million acres will be affected in these states alone in 1971.

For the first time the insect's invasion path has led it to Delaware, Maryland, and Virginia.

These invaders are voracious eaters of leaves. They will feast on foliage of ornamental shrubs, shade and fruit trees, as well as from the forest. Although certain hardwood trees—oak, grey and river birch, willows, poplars and apple—are the moth's favorite hosts, the ravagers also may be found on cherry, paper birch, yellow birch, sassafras, maple, black tupelo, and larch. The older of the pests may reluctantly eat pine, spruce, white cedar, and hemlock needles. Altogether 500 known species of trees are known prey of the Gypsy Moth. Experts tell us that a single defoliation has been known to kill white pines, spruce, and hemlock; and two defoliations can kill most hardwood.

The Gypsy Moth is not a newcomer to our forests. Brought to this country in 1869 for the purpose of silkmaking experiments, the moth managed to escape from a naturalist's laboratory in Massachusetts. Without substantial opposition from its natural enemies, the destroyer spread rapidly across the Northeast. Federal and State programs to control the Gypsy Moth were first instituted in 1905, but the pest has not yet been conquered.

Until about ten years ago, when the Federal Government began to phase out the use of DDT, the moth was prevented from spreading to the area south of New Jersey. The use of DDT has since been completely replaced by that of a less persistent pesticide, which has not proven effective in controlling these pests.

The result, as I indicated, is that the Gypsy Moth has spread from the New England States, New York, and New Jersey, into Pennsylvania, Delaware, Maryland, and Virginia.

In 1969 for the first time the moth was found in a small area of Central Pennsylvania. Several males were trapped in Delaware and Maryland, and a single male moth was trapped as far south as Free Union, Virginia, on the Skyland Drive. The trapping of a single moth does not mean there is a major infestation. The moths trapped were all males which can fly. The females are fat and loaded with eggs and cannot fly. However, a single female deposits about 400 eggs in a cluster. It is this ability to multiply fast that is alarming entomologists.

The impact of the Gypsy Moth has been especially damaging to New Jersey. In that state the number of defoliated acres is mounting astronomically from 5,000 in 1968 to well over 100,000 in 1970. More than a million trees have been lost in a Newark, New Jersey, watershed over the last three years.

New Jersey's State Agricultural Department is predicting the loss of one million oak trees in 1971 from damage by the Gypsy Moth. At a recent meeting of the Maryland Office of Entomology held in College Park, Maryland, a New Jersey entomologist cited data indicating that without proper controls New Jersey may lose more than 20 million oak trees by the end of the decade.

A similar fate may be in store for Maryland and Virginia. Male moths have been found in

Maryland in traps erected along the Mason-Dixon line between Maryland, Pennsylvania and Delaware. The first Maryland moth was caught in a trap in Cecil County in 1969. In 1970 there were 21 incidents of Gypsy Moth trappings in seven Maryland counties. Also, egg masses of the moth were found on a house trailer in Anne Arundel County. The trailer was from Connecticut. This summer, Maryland will set out 7,005 traps to determine the growth of the problem.

The problem is growing also in Virginia where one moth was caught in 1969. In 1970, Gypsies were found in Virginia in four locations. One area was a trailer park at Dumfries, two were in Southwestern Virginia, in and along the Shenandoah National Park, and one in Accomac County, on the Eastern Shore. Thomas McIntyre, spokesman for the Department of Agriculture, expressed doubt of our present ability to limit the moth's further spread. In an interview with the *New York Times* he said, "All we can do now is to delay further its spread to the Allegheny, Appalachian, and Ozark Mountain regions where much of the nation's hardwood timberland is located."

Damage by the Gypsy Moth to timber and other natural resources has been considerable. The American Forest Institute estimates that the "tree killing moth already did . . . from \$2 million to \$4 million a year in damage to timber stocks, including the cost of control measures." In terms of finished products these figures could be adjusted up to \$50 million and \$100 million respectively. But this cost represents only the immediate damage. The defoliation and destruction of trees have increased the occurrence of forest fires, multiplied erosion hazards, destroyed wildlife habitats, and reduced land and recreational values. Much income from State Parks and other tourist expenditures is lost when trees are denuded during the summer. Moreover, the defoliation of woodland has caused a mass migration of copperheads and rattlesnakes to lower, shadier ground.

The Department of Agriculture has repeatedly pointed out that "available tools cannot effectively control this destructive pest." However, certain natural factors have had a restraining effect on its spread. Lack of food, low winter temperatures that may kill eggs, birds and small animals, such as mice, parasitic insects, predators and diseases, such as wilt—all have helped to slow the growth of the problem. But nature's resistance to the destruction of her forests has been meager and inadequate.

Consequently, homeowners have joined in the battle against the Gypsy Moth. Homeowners paint and scrape the egg masses. They hand pick caterpillars, trap them with tangle-foot, spray them with carbaryl (Sevin), hand pick pupa cases, and trap the male moths. In some cases in New England, whole towns have banded together to present a united front against the Gypsy Moth plague. Sometimes they have been successful in ridding themselves of the pest. After persistent spraying and the resulting destruction of birds and beneficial insects, some towns have managed to drive the moth away—often into neighboring towns. Such "beggar-my-neighbor" policies are never desirable if only because they are never entirely successful.

On a larger scale, State Governments have joined the Federal Government in an effort to contain the moth. The Plant Protection Division of the Department of Agriculture, with the cooperation of the States, regulates the movement of trees, shrubs, stone and timber products, Christmas trees and greenery, and camping equipment and mobile homes to contain the Gypsy Moth. Despite these precautions, the moth has been found to have been transported as far as Texas.

Attempts to control the moth with pesticides have been unsuccessful. Insecticides are at best temporary tools. Because the fem-

ale Gypsy Moth lays huge numbers of eggs, and because the insect's life is very short, those that survive pesticide spraying reproduce and replace those killed with more and more resistant populations. Paul Alampy, New Jersey Commissioner of Agriculture, concludes that "eradication of the Gypsy Moth is unattainable as matters now stand."

Recent research related to the life cycle of the moth has uncovered information that has led scientists to be hopeful that an answer to the Gypsy Moth problem may be near at hand.

The insect's life passes through four stages: egg, larvae or caterpillar, pupa, and adult moth. When the female reaches the adult stage between mid-July and mid-August, it releases an odor which the male can detect from a great distance. The male, a strong flier, is then drawn to the relatively immobile female for mating.

This information, said Dr. Morton Beroza, head of the Agriculture Department's Pesticide Chemicals Research Branch, has led to the development of a synthetic Gypsy Moth sex lure. The new lure, disparture, is more persistent than the natural extract and attracts males for three months after the bait has been set. Using disparture to detect the location of moths, insecticides are then used only in areas where the Gypsy Moth is found. The lure can also be used to entice male moths into areas covered with an insecticide that is deadly to them but harmless to other wildlife. Or, sprayed over an infested forest, "the lure sets the males flapping off in search of females and kills them through sheer frustration and exhaustion." Such procedures keep environmental pollution at a minimum and prove to be very efficient.

The sex lure has other, more far-ranging uses. Research has also discovered that male Gypsy Moths can be sterilized without affecting their mating ability. Scientists believe that this information can be used to develop a program whereby the Gypsy Moth will be induced to destroy itself. Sterile male moths released during July and August can mate with females that will consequently lay eggs which will never develop. For every sterile male released there could be as much as a 400-fold reduction in the population of the succeeding generation of Gypsy Moths.

Sterilization programs have been successfully used against other pests. As the result of the release of sterile male flies, the screw-worm was completely eradicated in Florida. To deal with the boll weevil, there is presently underway a sterilization program that utilizes techniques similar to those proposed to cope with the Gypsy Moth. The Department of Agriculture is optimistic that if enough sexually sterile male boll weevils can be released next spring, the boll weevil population will cease to exist. These results have led scientists to be optimistic about the use of sterilization to control the Gypsy Moth.

Last November the Technical Committee of the National Gypsy Moth Advisory Council met here in Washington and proposed an accelerated research and development program against the Gypsy Moth. They envisioned a coordinative venture combining the efforts of the Forest Service, Agriculture Research Service, State Departments of Agriculture, and State Conservation organizations. The proposed research program would provide: (1) accurate forecasts or prediction techniques; (2) develop an understanding of the ecological processes associated with Gypsy Moth population changes; (3) develop and evaluate control techniques including use of microbial pesticides, parasites and predators, sterile male releases, forest site manipulation, specific, nonpersistent chemical pesticides, feeding repellents/deterrents and sex attractants; and (4) integrate prediction, understanding, and control techniques to provide the most effective control combination(s).

It is obvious from the above that the program to eliminate the Gypsy Moth will have to be a multilateral approach. The program should include sterilization, selective spraying, and the enlistment of the moth's natural enemies in the fight.

Before beginning such a program we need some basic information such as dosage levels, timing and other key elements in the application of the various control methods. The answers to such questions I believe are close at hand.

Agriculture officials at the Federal and State levels have expressed confidence that if our research program is accelerated, the Gypsy Moth problem could be solved and thus save many of our trees from destruction. With the prohibition of the use of DDT, we desperately need new answers.

The National Gypsy Moth Advisory Council called for an additional \$275 million in appropriations to accelerate our attack against these enemies of the forest. I strongly urge the Committee to provide these funds for I am convinced that a major headway will be forthcoming in a short period from such a directed effort. If we delay, Mr. Chairman, and continue research at the present pace, we will probably achieve the insect's control at a later date, but too late to save countless acres of valuable woodlands from these destructive creatures which, as I have indicated, have already caused an estimated \$2 million to \$4 million a year damage in timber stocks and in terms of finished products, \$50 million to \$100 million. The stakes are thus high and a crash-type varied research effort is urgently needed if we are to prevent these pests from becoming an epidemic in the State of Maryland, Virginia and Delaware as well as to stop their present voracious eating of the trees in the northeastern states. Both our inadequate existing knowledge and the value of our forest resources cogently call for a stepped-up research effort.

I hope that the Committee will approve the necessary sums to get this job done.

Mrs. Chairman, I ask unanimous consent that a letter I received from the State Forester, Mr. A. R. Bond, who called this matter to my attention and who supports an accelerated research program be printed in the *Record*. In addition, I ask unanimous consent that two articles from the *Washington Star* be printed in the *Record* also.

STATE OF MARYLAND, DEPARTMENT  
OF FORESTS AND PARKS,

Annapolis, Md., February 3, 1971.

HON. J. GLENN BEALL, JR.,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR BEALL: The State of Maryland is in the path of a destroyer of hardwood trees. Gypsy moths have been found in Maryland in 1969 and 1970. They are moving into our State from Delaware and Pennsylvania. In the very near future they are expected to move through Virginia and West Virginia into the entire Appalachian hardwood forests and beyond.

Gypsy moths are voracious eaters of leaves. They can strip entire trees in a short time. Several successive defoliations of hardwood trees and only one of conifers can cause death. For example, more than a million trees have been lost in a Newark, New Jersey watershed over the last three years. In addition, homeowners in New Jersey, New York, and elsewhere are up in arms because the gypsy moth has invaded their backyards and city streets and parks. Trees are defoliated by the caterpillars, which cover lawns and sidewalks, the sides of homes, and even drop down onto children playing under the trees. Moreover, much income from our State Parks and from other tourist expenditures will be lost when trees in our State are denuded during the summer vacation season.

Gypsy moth is now a serious problem because we can no longer use DDT to control it, and no other safe chemical or biological controls are available. Our only resort is a crash research program by the Department of Agriculture before the pest becomes an epidemic in the State of Maryland, as it is in New York, New Jersey, Pennsylvania, and elsewhere.

The National Gypsy Moth Council has recommended that Congress fund the comprehensive and ecologically sound research and control program of the Forest Service and Agricultural Research Service, which will develop an integrated control system for gypsy moth.

The citizens of Maryland need protection against the gypsy moth. I urge your full support before the House and Senate Appropriations Subcommittees of Interior and Related Agencies (Forest Service) and Agriculture and Related Agencies (Agricultural Research Service). You will hear from me again before the Appropriation Hearings. Meanwhile, if I can provide further information, please let me know.

Sincerely yours,

A. R. BOND,  
State Forester.

MARYLAND, VIRGINIA IN PATH OF INVASION BY  
GYPSY MOTHS

(By Lee Flor)

A great victory for conservationists, the ban on use of DDT, is turning out to have its somber side. Gypsy moths are starting to invade Maryland and Virginia.

"We're right in the invasion path," Dr. Charles McComb of the Maryland Office of Entomology warned at a meeting in College Park last week.

McComb and other entomologists from federal and state agencies gathered to discuss the problem in Maryland and Virginia, and to try to find ways to combat it.

Gypsy moths, in their caterpillar stage, have a keen appetite for the leaves of trees and ornamental shrubs. They have been known in past years to lay waste vast stretches of forests in New England.

DDT USE ONCE PLANNED

With use of DDT, the Department of Agriculture and state agencies had hoped to hold the line against gypsy moths. Michigan's forests, for example, were believed to have been saved from destruction by gypsy moths by use of DDT.

But several years ago the Agriculture Department and state agencies, deciding DDT was too harmful to other wildlife and endured too long in the soil, stopped using it in the gypsy moth program.

After the use of DDT was stopped, the moths started spreading. The first Maryland moth was caught in a trap in Cecil County in 1969. Then last year there were 21 incidents of moth trapping in seven Maryland counties.

In Virginia, moths were trapped in four locations last year. One was a trailer park at Dumfries in Prince William County. Two were in southwestern Virginia, in and along the Shenandoah National Park, and one was in Accomac County, on the Eastern Shore.

MORE TRAPPING PLANNED

Dr. George F. Lankford, Maryland state entomologist, told last week's meeting that Maryland would set out 7,005 traps this summer to see if the problem is growing.

"If we can cut down on the scattered sites," said W. H. Matheny, Virginia state entomologist, "we may have a few years in which to develop other ways to control the gypsy moth."

Dr. McComb and other officials said the biggest need now is to get Congress to appropriate around \$1 million a year, for the next five years, so the Agriculture Depart-

ment and other agencies could carry out research. The scientists are testing parasites that might control the moths, and are experimenting with several other programs.

None of the scientists at the College Park meeting advocated use of DDT. There was just a sense of mourning about the loss of an old and trusted ally in the fight against the moth.

The trapping of a single moth does not automatically mean there is a major infestation. Most of the moths captured so far are males, which can fly.

The females have wings but are too fat and loaded with eggs to fly. A single female deposits around 400 eggs in a cluster, and it is this ability to multiply fast which is alarming entomologists.

Based on recent data, it is estimated that, without chemical controls, New Jersey may lose more than 20 million oak trees before the end of the decade, a New Jersey entomologist told the meeting.

CHEMICAL SEX LURES TO AID WAR ON BOLL  
WEEVIL

(By Roberta Hornig)

Chemicals that sexually attract boll weevils and lure them into traps will get their largest practical tryout to date in the most comprehensive experiment ever attempted by the government to eradicate the pests.

The Department of Agriculture will use the sex attractants, developed after 10 years of research, in an attempt to sharply reduce the use of harmful persistent pesticides on cotton crops.

A greater variety and quantity of pesticides are used on cotton than on any other domestic crop. Until now the major pesticide being used is a combination including the controversial DDT. Scientists are looking for an alternative to the DDT combination.

"It is the greatest contribution that we can make in the near future to prevent environmental pollution," Dr. Edward A. Knipping, of Agriculture's research station in Beltsville, Md., said yesterday of the plan.

The government will wage its two-year war on the boll weevil beginning in August by treating 30,000 acres in southern Mississippi and adjacent parts of Alabama and Louisiana.

The primary area involved is a 4,000-acre section near Columbus, Miss. A 50-mile wide buffer zone also will be treated to prevent reinfestation.

The \$2 million program, of which the federal share is more than \$1.5 million, will be in three stages, using three different attacks on the boll weevil.

In the first stage, during August, department employes will spray the area with the non-persistent pesticides malathion and Guthion.

In the second stage, the sex attractant traps will be used. They will be set out in the autumn to monitor the weevil population, and then again in the spring, after the weevils emerge from hibernation, in hopes of trapping large numbers and reducing their numbers.

The final stage of the offensive will come in late May of 1972, when millions of sexually sterile male boll weevils will be unleashed into the area, in hopes that they will mate with normal females, thus producing only infertile eggs.

Agriculture scientists believe that if enough sterile males are released, boll weevil population will cease.

If the plan is successful, Agriculture says, cotton growers can save \$275 million annually.

Dr. Knipping said if the pilot project works, the coordinated biological and non-persistent chemical techniques will pave the way for a greatly expanded nationwide pro-

gram in all cotton growing states from the Carolinas to the plains of Texas.

#### INTERNATIONAL OCEAN TRANSPORTATION

Mr. INOUE, Mr. President, Commissioner George E. Hearn of the Federal Maritime Commission recently delivered a thoughtful speech appraising the status of international ocean transportation today. Commissioner Hearn delivered his remarks before the American Cotton Shippers Association in New Orleans, La., on May 28, 1971.

Evaluating the conference system which presently constitutes the keystone of ocean commerce, Commissioner Hearn suggested the creation of a self-policing system to regulate carrier service in the ocean transportation industry. Briefly, Commissioner Hearn compared his proposal with the similar system which exists within the International Air Transportation Association, IATA.

Commissioner Hearn's proposal deserves serious consideration from all those who are interested in improving existing conditions in the international ocean transportation industry. Mr. President, I ask unanimous consent that this speech and commentary be printed in the RECORD.

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

It is a pleasure to be in New Orleans speaking before the annual meeting of the American Cotton Shippers Association. I was most appreciative of being extended the invitation by my old friend and your Washington representative, Neal Gillen. And of course it is always good to renew associations with your own Charles Wisler and one of the deans of shipping, Alex Cocke.

Before coming to New Orleans I read of some of the problems you gentlemen of the ACSA are having with your cotton exports. These problems are not unlike those of other American exporters and fit within the scope of comments I have made publicly on several occasions and also my remarks of today.

Conferences are a vital element in modern ocean transportation. As such they must act in a responsible manner, offering the best possible service as suits the needs of the users of that service. When, as in the case of cotton exports, conference service falls out of tune with current shipper needs, you have a right to be dismayed and to demand a re-assessment of your relationship with the carriers. But these problems are arising worldwide and need to be dealt with also on that basis.

International ocean transportation is today experiencing a period of crisis. And unless something is done soon to turn events for the better, the current system may fall into complete disrepair.

Most of us connected with international waterborne shipping are aware of some symptoms of the crisis, but we may not place each such piece of evidence in an overall picture of a critical situation.

I will try in the next few minutes to put this picture together for you and offer my views on the subject.

The source of today's problems in ocean shipping is unfortunately to be found partially in what is the keystone of modern ocean transportation. That is the conference system and the way it functions.

It has long been recognized that ocean carriers acting in concert to establish rates and shipping practices are vital to financial

stability in the industry. However, it appears that this conference system may carry the seeds of its own destruction.

Waterborne transportation has been a rapidly changing industry. And each change has heralded a new period of progress for the supplier and user of ocean shipping services.

But the existing conference framework seems no longer able to bear the weight of the expansion and reshaping of the industry. The time has come, therefore, to alter that framework.

Recently in Washington, D.C. I spoke about the need for the United States to re-examine and in some cases amend its shipping statutes to make them current with shipping conditions. Today I offer the same comment with respect to practices in the international sphere of ocean transportation. Both law and international practice in ocean shipping must be flexible enough to adapt to changed conditions. And this endeavor must be the project of not one but all nations working together.

Ocean transportation is not the exclusive province of any one country or group of countries. It is an industry born of international needs and dependent on international cooperation.

Further, it is an industry based not only on the interworkings of nation states, but also of substantial and diverse commercial interests. And because governmental and commercial interests are often mutually dependent, the realm of ocean transportation requires a high degree of integration of its various components.

That such an integrated system prevailed, at least in some respects, until recently I do not believe can be denied. But when the system ceases to remain in tune with the times, the integration becomes disintegration. And that, in my opinion, has begun to happen in international ocean transportation.

You gentlemen of the American Cotton Shippers Association have first-hand knowledge of this. Your problems with the trans-Pacific conferences and the cotton pool to the Far East are examples of the failure of old systems to adjust to changed conditions in a particular trade.

You are not alone with these or other difficulties. Shippers in the North Atlantic trades, for example, have stood by while the carriers disputed each other's rights and obligations. For many months North Atlantic conferences and their members contested the validity of through intermodal tariffs filed by one carrier and the failure of the conferences to establish similar tariffs. I thought the matter had been brought to a successful conclusion with the recent termination of a case involving the principal protagonists, Container Marine Lines and the North Atlantic Westbound Freight Association. But the dispute has just flared anew with the exchange of charges and countercharges among various parties.

Another problem, and one of long standing, concerns rate disparities. Without going into the complexities of the problem, I can say that United States regulatory shipping policy takes a dim view of a situation in which our shippers pay more for the same services provided foreign shippers. And when a rate disparity is apparent on the face of the tariffs, we demand that they be justified by the responsible rate setting conferences and carriers. Our efforts have apparently born fruit in several pending Federal Maritime Commission cases concerning the North Atlantic trades. The carriers there have indicated a desire to offer rate adjustments to remedy the disparate rate situation.

I am not here singling out the North Atlantic trades for special criticism; but these trades do exhibit several symptoms on the dark side of the crisis now confronting ocean transportation. The Federal Mari-

time Commission is, of course, exerting every effort within its authority to resolve the difficulties in these trades and elsewhere.

So, again, in the North Atlantic we find further interneccine difficulties. Overtonnaging may by now be a tired expression and a poor excuse for some problems; but an excess of cargo space is advanced as the cause of conflicts which threaten the disintegration of North Atlantic shipping service.

When ship operators cannot fill their cargo space, the temptation is great to engage in sub rosa deals to attract the necessary cargo. Once this practice begins it can quickly get out of control with consequences debilitating to efficient service.

A few carriers have abandoned North Atlantic trade routes; competitive forces have been strained by a spate of carrier consolidations and consortia producing much contentiousness among competing interests. The existence of a North Atlantic conference has been endangered by the resignation of some members and the threatened resignation of others. And none of these conditions bodes well for reliable service in the trades.

These several problems I have mentioned may seem unrelated, to be dealt with on an individual basis. Yet there is a common element in them all—cargo. In ocean transportation cargo is the key to success, and more, to survival.

Vessel operators are always seeking ways to improve their efficiency and attractiveness to shippers and consignees. Innovations in technology which can produce this result are eagerly sought after. But when operational improvements fail in their intended purpose, carriers may resort to whatever method will put cargo in their ships.

Once begun this chain of events is hard to break. Confidence in the existing structure is severely diminished in the eyes of the users of shipping services. Cargo is rerouted or discouraged from moving. Capital investment in modern transportation systems is withheld for a lack of profitable cargoes now and in the future.

It is obvious that a solution must be found which will break this chain and restore ocean transportation to a healthy condition. Failure to do so now will permit chaotic conditions to develop in international transportation. The result will be a staggering increase in the cost of transportation and an oppressive inhibition on world trade.

I do not wish to appear a prophet of doom, but I strongly believe that the causes and effects which I have described are in the making. And I believe there are many in the industry who share my fears at least to some extent. Thus, for me, the overriding issue in ocean transportation today is how to halt the creeping disintegration of international waterborne commerce.

First we must look to that element which is both the keystone of ocean transportation and also a source of its difficulties. It is there—in the conference system—that the solution must originate.

The remedy for the problems in ocean transportation should be provided by commercial action. It would be most undesirable to have a solution imposed through governmental intervention. That does not mean that there should be no role for government to play in the remedial process. However, the initiative must come from the carriers through managerial decisions made by those in the trade.

In determining what sort of remedy to develop, one word should guide the deliberations. That word is self-regulation. By way of explaining any use of this term, I should first indicate what it does not mean in this context.

I am not advocating de-regulation of ocean commerce by any government or elimination of government participation in ocean shipping matters. In fact I firmly believe

government surveillance, supervision, advice or other possible government participation in commercial maritime matters is necessary and desirable.

But what is needed, above all, in the ocean transportation industry is stronger policing of carrier service through self-regulation.

This cannot be accomplished within the established structure of ocean transportation, but requires the creation of a new entity. The new body would be a self-regulatory policing organization established by the carriers. It could be created on a regional basis such as for the North Atlantic trades where it would function as an Institute of Trans-Atlantic Ocean Services.

The basic purpose of such an organization would be to police the activities of conference and perhaps even independent carriers who subscribed to an established international code of fair practices, and to enforce adherence to such a code.

The important aspect of this self-regulatory system is not so much the code as the policing and enforcement body. It is easy enough to formulate a code of fair practices. The difficult job is to catch malfactors and punish them.

There is at present a self-policing system in all conferences which serve United States trades. Our shipping laws require its inclusion in all such conference agreements. But for one reason or another the actual results of this self-policing system have not matched the anticipated results. The basic flaw may be that the policing system does not extend beyond the scope of the individual conference, thus overemphasizing the narrow economic position of each carrier. The self-policing body proposed here would have authority over all conferences within its region as a minimal jurisdictional scope.

Renewed confidence in the conference system as fair, open and nondiscriminatory will come about not because of an international code honored more in the breach. The system requires strict enforcement of the code by a completely independent body with plenary jurisdiction over those who created it and having the acceptance and cooperation of national governmental authorities.

And this last point is very important. There are a variety of practices among the maritime nations with respect to ocean commerce. And unless all these nations coordinate their practices with the functioning of the new self-regulatory body it will not work. No system established for self-policing and enforcement can succeed if the governments of some carriers are antagonistically disposed toward it. There must be compromise and understanding by each country of the attitude of other countries in maritime matters. I believe the proposed system can be made to work with all the national maritime laws of which I have knowledge.

A self-policing system such as I have outlined would not be unique in international transportation. There is an existing and similar system within the International Air Transport Association, or IATA. Under the IATA rules the organization has investigatory, decisional and enforcement authority relating to breaches of the association's governing rules. The IATA system has worked well, and the ocean transportation industry ought to examine the air industry's experience.

Reliable service, stable rates and responsible carrier practices are three of the most important elements of ocean transportation. Their maintenance is necessary to inspire public confidence in ocean commerce as founded on the conference system. Without such confidence ocean transportation will cease to be profitable and carriers will seek cargo by even unfair means so as to make effective use of their new cargo systems. Failing that, the flow of capital investment into ocean transport will substantially diminish.

To forestall this possibility we must begin

to think now in terms of 21st Century transportation and prepare ourselves at least for the intervening thirty years.

We must modify or do away with old forms which no longer fit the design of modern transportation systems. And we must adopt new means and new methods of meeting the changing needs of our industry. Flexibility is a vital element of the commercial and governmental framework of waterborne commerce.

The independent self-regulatory policing body which I have proposed is an attempt to serve these requirements not only of today but also of tomorrow in ocean transportation.

#### DR. MUNRO PROCTOR TO SERVE WITH PROJECT HOPE

Mr. McINTYRE. Mr. President, Project HOPE has proved, through the years of its existence, to be exactly what its name implies—"hope" for the poor and disadvantaged in many areas of the world. The project has received national and international acclaim for the humanitarian work it has done in the field of health.

Those who do the magnificent work for Project HOPE are mostly volunteers, giving of their time and talent to help those who cannot help themselves or do not have the facilities to protect their health. The contribution of these volunteers is a magnificent gift to the underprivileged.

It is for this reason, Mr. President, that I want to take a moment to pay tribute to Dr. Munro Howe Proctor, of Concord, N.H., who has just signed up for a tour of service with HOPE's domestic health program on the 16-million-acre Navajo Indian Reservation in Arizona.

Dr. Proctor is a graduate of the Columbia University College of Physicians and Surgeons. He has been in private practice in Concord, N.H., and is affiliated with the Concord and the New Hampshire State hospitals. He brings this wealth of knowledge and expertise to the HOPE-run hospital and teaching complex at Ganado, Ariz., where he will be treating the sick among the Navajo and helping train the Navajo's for careers in health.

The Ganado program is Project HOPE's second domestic medical education and training project, the first having begun a few months earlier in the Mexican-American community of Laredo, Tex. The program site is the 60-bed Sage Memorial Hospital located in the heart of the Navajo Indian Reservation at Ganado, Ariz.

The program is designed to introduce the Navajo and other resident Indian groups to career opportunities in the medical and health fields. The overall purpose of the program is the development and implementation of teaching programs for nurses, nurse auxiliaries, laboratory and X-ray technicians, dental assistants, community health workers, and many others.

Once trained, the Navajos will gradually assume positions of responsibility. Ultimately, the Indian nation will take over operation of the hospital and its supportive complex. Long-range plans call for the establishment of a system that will extend the health care facilities of the central hospital out into the 16-

million-acre Navajoland, where they will be available to the greatest number of people.

I compliment Dr. Proctor for his contribution to his Nation.

#### DEATH OF LT. GOV. J. SARGEANT REYNOLDS, OF VIRGINIA

Mr. KENNEDY. Mr. President, the untimely death of Lt. Gov. J. Sargeant Reynolds last Sunday is a deep and tragic loss for his family and his friends, and for the people of the Commonwealth of Virginia he served and loved so well.

But it is also a deep and tragic loss for the Nation as a whole, which can ill afford to lose so young a leader. None who knew his enormous energy, the extraordinary talent and vitality he brought to public life, could fail to be impressed by his capacity for leadership of the emerging generation of Americans.

We deplore the devastating illness that took him from us so quickly, at a time when his star had only just begun to shine so brightly. But we also praise the courage he showed in his private struggle to overcome and conquer the disease—the same sort of courage he showed time and again in public life in every stand he took.

Long ago, in "Lycidas," Milton's immortal elegy mourning the death of a young college friend drowned at sea, the poet expressed the sense of loss we feel at the untimely death of young men as full of promise as Sargeant Reynolds. In the words of Milton:

For Lycidas is dead, dead ere his prime  
Young Lycidas, and hath not left his peer.  
Who would not sing for Lycidas? He knew  
Himself to sing. . . .

In the blest Kingdoms meek of joy and love  
There entertain him all the Saints above,  
In solemn troops, and sweet Societies  
That sing, and singing in their glory move,  
And wipe the tears forever from his eyes.

#### CUT OFF FOREIGN AID TO ALL COUNTRIES SENDING HEROIN TO UNITED STATES

Mr. PROXMIER. Mr. President, I have read the President's message on drug-abuse control and I find that the proposals to control, limit, or end the international drug trade are wholly inadequate.

While the President asserts that the only effective way to end heroin production is to end opium production and the growing of poppies, I see little in the message to bring that condition about. His major method is to seek substitutes for morphine and codeine so that opium production through the growing of poppies may end.

That is the long way around. Furthermore, it does not guarantee that the illicit drug trade will end. Even if substitutes for needed drugs are found, there is nothing in this approach to force the end to the highly lucrative illicit drug trade.

Therefore, as chairman of the Foreign Operations Subcommittee which has authority in the Senate over all U.S. economic aid and about half of the military aid we send abroad, I intend to use the

full authority of that position to stop all aid—military and economic—to all countries which fail to stop the shipment of illicit drugs to the United States.

There is no greater or more insidious threat to our country than the staggering increase in the international illicit narcotics trade. Of concern to the subcommittee is the fact that practically all—the estimate is over 85 percent—of the drug traffic originates in or flows through countries for which well over a billion dollars of U.S. military and economic assistance has been requested for fiscal year 1972. These requests will come before the subcommittee.

In the realm of international relations, the real clout we have to stop the narcotics traffic into the United States is the hundreds of millions of dollars of U.S. aid going to these trafficking countries.

There will be outcries from the State Department, from the producing countries of Turkey, Burma, Thailand, and Laos, and of South Vietnam where much of the Far Eastern supply is now funneled through Saigon, against cutting off aid. But any possible gain in military security or improvement in international relations for the United States is dwarfed by the appalling consequences of letting this illicit drug traffic continue.

Everything I have read or heard leads me to the conclusion that the countries of origin are doing far less than they are able to do to stop this evil menace which is polluting the very lifeblood of our youth.

The White House proposal of trying to meet the problem by giving more money to the producing countries for enforcement activities is a panty-waist approach. It has not worked. It will not work. It is trying to buy off the drug pushers. And the new approach of producing a substitute is at best a long-term solution.

I intend to press for the complete cut-off in all AID to those countries shipping illicit drugs to the United States both in the Appropriations Committee and with rollcall votes on the floor of the Senate. That, in my view, is a vastly superior approach to the present policy of rewarding countries where the narcotics trade flourishes by giving them tens of thousands of dollars of added aid funds. Let those Senators who favor continued handouts to these international drug pushers stand up and be counted.

The time to act is now. We can wait no longer.

#### CONGRESS AND THE WAR

Mr. McGOVERN. Mr. President, today the New York Times, in an editorial, discusses the votes on the McGovern-Hatfield and Nedzi-Whalen amendments. The editorial says:

There is little question that a majority of both houses is in sympathy with the purposes of the McGovern-Hatfield and Nedzi-Whalen proposals. But many cling to the belief that their symbolic goal—early withdrawal—is also the objective of the President's policies and therefore are still reluctant to force the issue.

But the editorial concludes:

The answer is that Congress cannot, in fact, escape its share of that heavy burden.

Here is a lucid argument in favor of clear action by the Congress and the re-assumption by the Congress of its full constitutional role.

Mr. President, I ask unanimous consent that the New York Times editorial "Congress and the War" be printed at this point in the RECORD.

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

#### CONGRESS AND THE WAR

President Nixon has won more time for his Vietnamization policy this week with the defeat in Senate and House of separate proposals designed to speed the end of the American military involvement in Indochina.

But the Administration must find little comfort in the mere eight-vote margin in the Senate by which it managed to beat back a modified McGovern-Hatfield amendment to the Selective Service Act, calling for withdrawal of all American forces from Indochina by June 1, 1972. There are warning signals for the Administration also in the 158 votes that were cast in the House on behalf of a move by Representatives Nedzi of Michigan and Whalen of Ohio to bar the use of funds from a defense procurement bill in Indochina after Dec. 31. Administration supporters mustered a comfortable majority in this first recorded House vote on the war issue. But now that the ground has been broken there will be further challenges to the President's war policies in the House, which can be expected to become increasingly responsive to shifting public sentiment against the war.

There is little question that a majority of both houses is in sympathy with the purposes of the McGovern-Hatfield and Nedzi-Whalen proposals. But many cling to the belief that their symbolic goal—early withdrawal—is also the objective of the President's policies and therefore are still reluctant to force the issue. There is also a lingering propensity among some members of Congress to try to evade the Constitutional responsibilities of the legislative branch. "The basic question," Senator Stennis declared, "is: do we really want to relieve the President of his responsibility in the handling of the war?"

The answer is that Congress cannot, in fact, escape its share of that heavy burden. By rejecting proposals that could hasten United States disengagement, both houses have in effect allied themselves with the existing Presidential policy of Vietnamization. As fresh occasions arise for the expression of Congressional sentiment on the war, it will be the responsibility of every member to take a searching look at the implications of that policy.

In our view, Vietnamization has proved to be based on unrealistic expectations in regard to the development of South Vietnamese self-sufficiency. It amounts to a formula for indefinite United States military involvement in Indochina, with diminishing prospects for a negotiated settlement and for return of the prisoners.

#### SITUATION IN EAST PAKISTAN

Mr. KENNEDY. Mr. President, I have long been distressed over the critical situation that has developed in East Pakistan and India. Today I released correspondence I have had with Secretary of State William P. Rogers on the problem in South Asia, as well as comments I made during a press conference this morning.

I would like to share this correspondence and other information on the condition of the people in East Pakistan and India with my colleagues, and ask unanimous consent that this correspondence, my press release, as well as other press reports on the situation in East Pakistan, be printed in the RECORD.

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

#### SENATOR KENNEDY COMMENTS ON INDIA/PAKISTAN AND RELEASES CORRESPONDENCE WITH SECRETARY ROGERS

Senator Edward M. Kennedy, Chairman of the Judiciary Subcommittee on Refugees, said today "the Administration's high level silence over developments in East Pakistan is whitewashing a great human tragedy and contributing to the suffering of millions.

"Contrary to many official public statements that the situation in East Pakistan is returning to normal, field reports to our government and international agencies continue to report much violence and rapidly deteriorating conditions among the people. Unless stronger efforts are made to bring peace and relief, we appear to stand on the brink of a sharp escalation in human tragedy—which threatens needless war, instability and economic disruption of the entire area, and Great Power confrontation."

Senator Kennedy made his comments in releasing an exchange of correspondence with Secretary of State Rogers on the Pakistan civil war and the flow of refugees into India. Senator Kennedy said that "the latest figures available from U.S. government sources show upwards to 130,000 new refugees per day, the bulk of them Hindus. The total, since early April, now stands at more than 6,000,000.

"The reasons for the continuing refugee flow," said Senator Kennedy, "lie in the chaos of East Pakistan and the policy of violence which apparently governs the activities of the Pakistan army."

Interviews with refugees sound a theme of looting, burned villages, and indiscriminate killing.

There is a breakdown of civil administration and government services in the countryside.

A preliminary report to the World Bank describes the situation as extremely serious, as does limited information available to other public and private agencies.

Deteriorating conditions are seen especially in areas affected by the cyclone last fall, where at least 2,000,000 persons will surely face starvation and death unless a relief program is organized now.

Senator Kennedy said: "Belated steps currently underway in Pakistan to bring about political reconciliation and an international relief program are encouraging—but they are far from being implemented. The State Department's response to my letter of May 27 outlines some of these steps.

"So the fact remains that a heavy refugee flow continues, as of now. And, apart from much rhetoric and tokenism and paper plans, our government has not really responded promptly and positively and strong to the requirements of peace and humanitarian relief in the area.

"Especially distressing to me, is our government's continued silence, and apparent indifference, over the actions of the American supplied Pakistan army toward the people of East Bengal. Until the army is restrained, the refugee flow will continue beyond its already massive dimensions. It is unconscionable for our government, and the President himself, to remain silent any longer."

Attached is the exchange of correspondence between Senator Kennedy and the Department of State. Senator Kennedy's letter of

May 27 contained a four point proposal for action.

TEXT OF LETTER SENT TO SECRETARY ROGERS BY SENATOR KENNEDY ON FLOW OF EAST PAKISTANI REFUGEES INTO INDIA

MAY 27, 1971.

DEAR MR. SECRETARY: Congressional and public concern continues over the situation in East Pakistan and the heavy flow of refugees into India. As you know, I share this concern, and since the early days of the tragedy I have strongly advocated and supported efforts by our government and others to ameliorate political tensions in the area and to initiate emergency relief operations under international auspices, preferably the United Nations.

The record indicates that little substantive progress has been made. The situation continues to deteriorate. Nearly all reports, including those to our government, tell of growing human need, sporadic military conflict, lack of government services, and deepening divisions between the central government and the people of East Pakistan. Political tensions between the governments of India and Pakistan escalate daily, and threatens the peace and stability of the area, and Great Power confrontation. The flow of refugees into India reportedly continues at a rate approaching 100,000 persons a day. The cumulative total already exceeds 3,500,000. India's appeal on April 23 for international humanitarian assistance has received only a token response, as individual governments and the United Nations stand immobilized in the face of great tragedy.

Steps are urgently needed on at least four fronts.

First, stronger efforts must be made by individual governments and the United Nations to encourage and facilitate political accommodations between the central Pakistan government and political forces within East Pakistan, so as to stop the flow of refugees into India and facilitate the return of those who have already fled the civilian conflict.

Secondly, our government must place higher priority on urgently needed emergency relief operations within East Pakistan, as a condition for any normalization of general American economic assistance to the central government. In this connection, our government should immediately respond to Pakistan's stated need for food and medical supplies and water transport for the distribution of relief commodities by Pakistani authorities and international personnel.

Thirdly, immediate initiatives by our government and others must be taken through appropriate diplomatic channels to ameliorate the escalating tensions between Pakistan and India—tensions which threaten the peace and stability of the region and needless Great Power confrontation in South Asia.

And fourthly our government must not stand idle because of the United Nations continuing immobilization in responding substantially to India's appeal for international assistance on April 23rd. As of today, no United Nations relief operation is being implemented in India. Until this is done, our government should respond to India's appeal on a bilateral basis. India has stated its requirements to meet human need, and our allocation of funds to an immobilized international organization only aggravates the immediate crisis of people confronting the Indian government.

I am extremely hopeful that our government will view the plight of the people in East Pakistan and the refugees in India with deep compassion, and, with a strong sense of urgency, will join with others in responding immediately to the requirements of peace and relief throughout the entire area.

Sincerely,

EDWARD M. KENNEDY,  
Chairman, Subcommittee on Refugees.

DEPARTMENT OF STATE RESPONSE TO SENATOR KENNEDY'S LETTER

JUNE 15, 1971.

DEAR MR. CHAIRMAN: Thank you for your further letter, dated May 27, on the situation in East Pakistan and the heavy flow of refugees into India, and for the suggestions you have made for U.S. bilateral and multilateral action on these very pressing and serious problems.

At the outset, I wish to reassure you that the United States Government views, with the same compassion you do, the plight of the people in East Pakistan and the refugees in India. We have responded directly and in cooperation with other countries to the requirements of peace and humanitarian relief in this area. We shall continue to do so.

I am enclosing a Department of State Press Release of June 12 which sets forth our recent actions to support relief efforts for East Pakistan and for the refugees in India and which also describes the three basic elements of U.S. policy regarding the East Pakistan situation. It demonstrates that we have responded promptly and positively to the emergency needs of both countries when requested. The following additional comments bring our actions up to date and respond to specific points you have raised.

In your letter you speak first of the need for individual governments and the United Nations to encourage and facilitate a political accommodation in East Pakistan. We have been urging such an accommodation publicly, and privately in discussions with the Government of Pakistan and have noted that President Yahya, in his May 24 press conference in Karachi, affirmed his intention to return power to the elected representatives. While the United Nations, as you know, cannot intervene in the political aspects of this situation, its participation in the humanitarian relief efforts both in East Pakistan and in India could be helpful in promoting peace and conciliation in the area.

We also recognize the imperative need to stem the flight of refugees into India and facilitate the return of those who have already fled from East Pakistan. We have discussed these issues as well with the Government of Pakistan and have been encouraged to note that it has publicly welcomed the return of the refugees, has offered amnesty, and is setting up reception centers along the border for the returnees. We are also pleased to note that Prince Sadruddin Aga Khan, the United Nations High Commissioner for Refugees, is visiting both Pakistan and India and that there are reports that the first groups of refugees are returning to East Pakistan.

In the meantime, we are giving high priority to emergency relief efforts in East Pakistan which you cite as your second suggestion. We agree that such a program is a necessary prelude for normalization of general economic assistance. Pakistan has sought assistance, as you state, in the form of foodgrains and water transport. Pending the launching of a coordinated international relief program under United Nations auspices, we have taken direct action relevant to these requirements as described in the enclosure. No request has yet been received from the Pakistan Government for medical supplies.

Thirdly, you refer to diplomatic action to ameliorate the escalation of tensions between Pakistan and India. We have made and continue to make appropriate diplomatic representations to both the governments, urging them to exercise restraint toward each other in the present tense atmosphere.

Finally, with regard to the refugee relief problem in India, we have been responding promptly to meet the needs as they develop. There have been no delays in our efforts which have been initiated within the frame-

work of the international assistance effort but on a preliminary basis while that effort was being formally organized. In the interim, we released Title II foodstocks to various voluntary agencies operating in India for refugee feeding in mid-April. We have since extended our assistance to provide enough food to feed 1,250,000 refugees daily. Similarly, we have sent four C-130 aircraft to airlift refugees from Tripura to Assam and to bring relief supplies from Assam to Tripura in response to an Indian request which came to us through the United Nations High Commissioner for Refugees. These planes carried 1,000,000 doses of U.S.-produced cholera vaccine to help combat the epidemic that has broken out among the refugees. In recognition of the continuing emergency, we have now authorized a further allocation for food and cash aid of \$15 million, bringing our total assistance to \$17.5 million.

As you know, \$500,000 of the \$2.5 million initially allocated by the U.S. government for refugee relief in India was allocated to the UNHCR immediately after the UN Secretary General's appeal was made. We will continue to assist the High Commissioner in funding some of his organization's activities and expenses but we will also continue to extend relief directly through U.S. voluntary agencies within the framework of the international program.

Likewise, in East Pakistan, we are extending assistance bilaterally, pending the organization of an international relief operation. Most importantly, we have offered the Government of Pakistan a grant of \$1 million to finance the chartering of coastal and river vessels to carry needed food and other relief supplies from the ports to inland distribution points. And we are prepared to move ahead quickly with more shipments of foodgrains when they can be received at the ports and utilized.

Responsive to the Pakistan Government's formal request to the UN for relief assistance on May 22, the Secretary General has sent a special envoy to Islamabad to arrange for the international effort. We understand that the necessary arrangements have been made and that a special UN representative is being stationed in Dacca to plan and coordinate international relief assistance.

Our purposes, like yours, are to ensure effective relief for both the people of East Pakistan and the refugees who have fled to India. I wish to assure you that the United States Government is actively moving to employ all appropriate resources, both bilaterally and through international organizations, to achieve these humanitarian purposes.

Recognizing your understandable and real interest in the refugee and relief situation in South Asia, we will continue to keep you advised of significant developments as they occur.

Sincerely yours,

DAVID M. ABSHIRE,  
Assistant Secretary for Congressional Relations.

[From the New York Times, June 12, 1971]

AMERICA AND THE WORLD: I  
(By Anthony Lewis)

LONDON, June 11.—All over England this week children are coming home from school asking their parents for a few pence to give for relief of the East Pakistan refugees. In the newspapers the refugee tragedy has been the dominant story for many days; the largest-circulation tabloid has spread a relief appeal over page one. The House of Commons has been debating how Britain can do more to help.

In the United States, by contrast, the flight of five million refugees into impoverished India, with disease and starvation threatening, has evidently had no great public impact. A news agency manager re-

marked the other day that the stories from India were getting little play in most U.S. papers.

President Nixon has made no public statement on the disaster since it began three months ago with the intervention of Pakistani troops in East Pakistan. But then no reporter has asked him a question on the subject at a press conference.

Why? The United States does not have Britain's historical relationship with India, but that is not a sufficient answer. Americans have traditionally been generous in helping at times of great human disaster, whatever the historical or political context.

A major reason must be Vietnam—the wounding effect of the war on American attitudes toward the world. "It is part of the turning inward after Vietnam," a wise U.S. official said of the limited public reaction to the Pakistan disaster.

Looking at it another way, the present episode shows the distortion in American values that has occurred because of Vietnam, the disproportion in our weighing of political and human interests. If our sense of proportion were more balanced, how would we compare our relative interest in South Vietnam and India?

South Vietnam has a population of 18 million. Historically, its society has had little connection with Western law or political ideas. The country is governed by a general who jalled the runner-up in the election, the peace candidate, and who is now busy rigging the terms of the next election.

Until John Foster Dulles staked out an American responsibility there in 1954, hardly anyone would have conceived of South Vietnam as of particular strategic interest to the U.S.

India is the world's second most populous country, with 554 million people at last count. No one who has read E. M. Forster would make the mistake of equating Indians with Englishmen, but the legal and political systems of independent India remain recognizably like those we know in Britain and the United States. The Prime Minister is in office as the result of a free election and is trying to deal with terrible problems by democratic means. The stability of a continent depends on her success.

On behalf of Nguyen Van Thieu and his colleagues in Saigon we have spent 45,000 American lives and many billions of dollars, and still we are not ready to put a terminal date on our involvement. We cannot do that, President Nixon says, until we are sure Saigon has a reasonable chance of keeping the Communists out after we leave; otherwise there might be a "bloodbath" in South Vietnam.

Well, there has just been a bloodbath in East Pakistan, one of the largest and most blatant in a very long time, and the sounds of protest from Washington have not been audible. President Yahya Khan sent his army in to wipe out the results of a free election. Tens, probably hundreds, of thousands were massacred directly; millions have fled; now epidemic and famine threaten both the refugees in India and those who remain in East Pakistan.

A reporter for the British Broadcasting Corporation, Alan Hart, said a few days ago that unless the situation is stabilized in East Pakistan sufficiently to get the rice planted in the next few weeks, "It is possible, probable, that 20 million or more East Bengalis will be starving by September and October." Mr. Hart added: "All my instincts tell me that it may already be too late . . . unless the outside world imposes its will and its aid on Yahya Khan."

Officials in Washington must know all that as well as Mr. Hart. The reality is that Yahya Khan will have to be pressed hard to allow effective, internationally supervised aid in

East Pakistan—and that the only solution imaginable to stabilize life in Pakistan and get the refugees back is some form of independence, with Yahya's army out.

But there is no sign of willingness in Washington to press Yahya Khan. The attitude there is, as one close observer put it: this is an awful situation, but we'd better not get our hands in too deep or we'll get burned again.

There is no pretending that any outside government can easily bring about a decent solution in East Pakistan. But it would be reassuring if one felt the United States had a sense of proportion about the interests involved. The State Department took pride this week in the amount of American aid authorized for relief of the growing disaster. In fact that sum, \$17.5 million, is a little more than half what we now spend on the Vietnam war every day.

#### A TRAGIC HORDE WITHOUT FOOD OR SHELTER

CALCUTTA.—The cholera epidemic came to eastern India with a column of 100,000 refugees who had trekked 60 gruelling miles westward from East Pakistan in the third week of May. Exhausted, hungry and without adequate shelter, the refugees were easy prey for the particularly virulent strain of the disease they had brought with them.

By last week, the epidemic had spread all along the border of the Indian state of West Bengal. The Indian Government had an estimated 68,000 cholera cases on its hands, almost all of them refugees. And the cholera scare did in the West what eight weeks of Indian pleading for help to cope with the refugee flood had failed to do. The Western community was shaken out of its lethargy, and relief supplies poured into Calcutta in such amounts that the local aid agencies weren't able to handle the volume.

With the aid cargo piling up at Calcutta's international airport and cramming the city's dilapidated warehouses, India has begun to turn back some new offers of help and British experts on the scene are urging efforts to reduce the head of steam created in Britain on the cholera issue.

Paradoxically, the international aid that flowed so generously last week came after the worst of the epidemic may have passed as a result of India's own efforts. By employing locally manufactured vaccine, saline solutions and antibiotics and diverting medical personnel from all over India, the local authorities appear to have stemmed the cholera tide. Although perhaps crude by Western standards, these methods have been largely effective. The death rate has fallen from 50 per cent to 10 per cent of those infected, and the rate of spread seems stabilized.

What the Indians fear now is that the world community could quickly revert to its previous indifference, satisfied that in the drama of the moment it stepped in and did the job. Yet, two or three months hence India will still be facing a herculean task caring for the refugees. Pneumonia, dysentery and malnutrition will remain in the refugee camps even if the cholera threat is brought under control. The financial burden will still be far beyond India's capacity.

There are now 5 million refugees from East Pakistan in India. Half of them at most enjoy the relative shelter and security of the 500 or so temporary camps. Some of the others have found accommodation with Bengali relations and friends along the frontier, but this has placed an intolerable strain on family budgets. The rest are left to wander the flat lowlands of West Bengal without hardly a trace of food or shelter.

And still the refugees flow across the border—at a rate of 100,000 a day, according to a report to Parliament last week by the Deputy Minister for Rehabilitation, Balgovind Verma. The Minister predicted that the num-

ber of refugees would grow to 7 or 8 million before the flood was spent.

Last week, the monsoon rains began sweeping in from the Bay of Bengal, and within minutes of the first lashing onslaughts the camps were reduced to mud-choked wildernesses. Pathetic rush matting under which families huddled from the deluge disintegrated in the wind.

Bedraggled refugees are drifting toward the streets of Calcutta, where upward of 30,000 homeless peasants nightly jostle with cattle, dogs, cats and goats for the choicest sleeping positions on the pavements.

The initial refuge influx was a mixed bunch of Moslems and Hindus fleeing the Pakistani Army crackdown against the autonomy movement of East Pakistan. The overwhelming majority since then have been Hindus. Whether or not it reflects the policies of Pakistani President Yahya Khan, the signs are that the army is moving against minority groups—Hindus, Christians and Buddhists—with the intention of driving these problems next door.

President Yahya has broadcast appeals for the refugees to return to their homeland. He has promised amnesty for political leaders and security for their followers. But none of his promises has prompted the slightest movement back across the frontier.

#### NONLIMITS OF DISASTER

(By C. L. Sulzberger)

PARIS.—When the ancient Greeks said "multiple death is not death" they meant that death's qualitative agony could be drowned in quantitative shock. The hecatomb loses poignancy compared to the single succumbing marathon victor's pain.

Classical times never comprehend, from the sheer absence of mass, the ultimate meaning of multiple death as it was to become known in a later era of instant communication. Yet even in recent times, dying is not acutely understood when its scope transcends certain limits.

The leaden horror of Hitlerite and Stalinist concentration camps recedes into a calm of human incomprehension unless regarded through the innocent eyes of Anne Frank or Solzhenitsyn's famous Ivan Denisovich.

Hiroshima and Nagasaki are vividly remembered by the mind's eye primarily because of the novel means that brought holocaust to those cities. Statistically comparable disasters in Hamburg and Dresden are more easily forgotten; they were produced by what we already then conceived of as "conventional" methods.

Against this background one must view the appalling catastrophe of East Pakistan whose scale is so immense that it exceeds the dolorimeter capacity by which human sympathy is measured. No one can hope to count the dead, wounded, missing, homeless or stricken whose number grows each day.

Bengal has traditionally been an area of suffering and overpopulation. The gifted Bengali people have had little luck in guiding their own destinies along a hopeful road and the partition of India twenty-four years ago marked no great turning point.

What it achieved, in fact, was the artificial division of the Bengalis according to religion. The predominantly Moslem population of East Bengal was placed under the control of another Moslem state in the Punjab and the predominantly Hindu population of West Bengal was placed under the control of a Delhi regime far to the north.

The fish-eating, Bengali-speaking, rice-growing overpopulated area that became East Pakistan represented, in fact, the westernmost stretch of Southeast Asia. It had nothing but religion in common with the meat-eating Urdu-speaking, wheat-growing underpopulated area one thousand miles away that became West Pakistan and represented the fringe of the Middle East.

This was the genesis of today's continuing tragedy, a tragedy that aimed toward secession, developed into civil war, and resulted in mass slaughter, mass emigration, mass epidemics and multiple death. The world at large is appalled by the disaster which, thanks nowadays to the single eye of television, can at least dimly be comprehended.

Yet there is a limit to what the world at large can do to help. Funds, medicines, doctors, aircraft have been rushed to India to care for the rising tide of refugees and offered to a Pakistani Government whose writ in East Bengal seems to alternate between brutality and chaos. However, unless there is proper organization at the receiving end, charity and outside aid can glut facilities available to use them.

Neither the United Nations nor the great powers have shown themselves able to halt the killing, to curb the flood of refugees, or to insure that Bengal's apocalyptic horsemen may not ultimately embroil the entire Indian subcontinent.

Even if cholera can be restrained and even if civil conflict can be halted, the poison of hatred seems fated to spread. It is almost inconceivable that Hindus of East Pakistan who have been able to escape to India will easily be induced to return and one can imagine the anxiety of India's own Moslems.

Moreover, not only will East Bengal remain a sullen satellite so long as the martial Punjabis of the west govern that province; the whole concept of Bengali nationalism, not bounded by religion but by language, again stirs in India itself. One wonders whether West Bengal and its huge capital of Calcutta can avoid the emotional consequences.

The Bengalis of East Pakistan may have lost their first battle but they may also have started another partition of the enormous Indian subcontinent, a development whose historic consequences are even harder to forecast than those of the first partition in 1947.

The world's heart is already almost paralyzed by the multiple death that has stricken Bengal; the world's mind may soon be even more hopelessly bewildered by the problems spewed up by this hecatomb.

[From the Washington Post, June 13, 1971]

#### WHAT PRICE PAKISTAN?

(By Anthony Mascarenhas)

NOTE.—Mascarenhas is a Goan who was until recently a correspondent for the Karachi Morning News, a member of a newspaper group under Pakistani government control. He wrote the following article for the London Sunday Times following a 10-day tour of the East Bengal countryside with an army escort; it was filed from outside Pakistan, and is reprinted here by permission.

It was Friday the 16th, not quite Black Friday but still unlucky enough for Abdul Bari. Like thousands of people in East Bengal, he had made the mistake of running within the sight of a West Pakistani army patrol.

Now he was about to be shot.

"Normally we would have killed him as he ran," I was chattily informed by Maj. Rathore, the paunchy operations officer of the 9th Division, as we stood on the outskirts of a tiny village near Mudafarganj, about 20 miles south of Comilla. "But we are checking him out for your sake. You are new here and I see you have a squeamish stomach."

"Why kill him?" I asked with mounting concern.

"Because he might be a Hindu or he might be a rebel, perhaps a student or an Awami Leaguer. They know we are sorting them out and they betray themselves by running."

"But why are you killing them? And why pick on the Hindus?" I persisted.

"Must I remind you," Rathore said rather severely, "how they have tried to destroy Pakistan? Now with the cover of the fighting

we have an excellent opportunity of finishing them off.

"Of course," he added hastily, "we are only killing the Hindu men. We are soldiers, not cowards like the rebels. They kill our women and children."

I was getting my first glimpse of the campaign of genocide that has spread a red stain of blood over the otherwise verdant land of East Bengal. First it was the massacre of the non-Bengalis in a savage outburst of Bengali hatred. Now it was deliberate genocide, carried out by the West Pakistan army.

The program's victims are not only the Hindus of East Bengal—who constitute about 12 per cent of the 70 million population—but also thousands of Bengali Moslems. These include university and college students, teachers, Awami League and left-wing political cadres and every one the army can catch of the 176,000 Bengali soldiers and police who mutinied on March 26 in a spectacular, though untimely and ill-starred bid to create the independent Republic of Bangla Desh.

#### ORDERS FROM THE TOP

What I saw and heard with unbelieving eyes and ears during my 10 days in East Bengal during April made it terribly clear that the killings are not the isolated acts of military commanders in the field. They are the result of deliberate, vengeful orders from the top.

Unnerved by the almost successful break-away of the province, which has more than half the country's population, Gen. Yahya Khan's military government is engaged in its own "final solution" of the East Bengal problem.

We had been racing against the setting sun after a visit to Chandpur (the West Pakistan army prudently stays indoors at night in East Bengal) when one of the *jawans* (privates) crouched in the back of the Land Cruiser called out sharply: "There's a man running, Sahib."

Maj. Rathore brought the vehicle to an abrupt halt simultaneously reaching for the Chinese-made light machine gun propped against the door. Less than 200 yards away a man could be seen loping through the knee-high paddy. Rathore fired a warning burst.

As the man sank to a crouch in the lush carpet of green, two *jawans* were already on their way to drag him in.

The thud of a rifle butt across the shoulders preceded the questioning.

"Who are you?"

"Mercy, Sahib! My name is Abdul Bari. I'm a tailor from the New Market in Dacca."

"Don't lie to me. You're a Hindu. Why were you running?"

"It's almost curfew time, Sahib, and I was going to my village."

"Tell me the truth. Why were you running?"

Before the man could answer he was quickly frisked for weapons by a *jawan* while another quickly snatched away his *lungi*. The skinny body that was bared revealed the distinctive traces of circumcision, which is obligatory for Moslems. At least it could be plainly seen that he was not a Hindu.

Abdul Bari was clouted several times with the butt end of a rifle, then ominously pushed against a wall. Mercifully his screams brought a bearded old man out of a nearby hut. Rathore pounced on him.

"Do you know this man?"

"Yes, Sahib. He is Abdul Bari."

"Is he a *fuaifi* [rebel soldier]?"

"No, Sahib, he is a tailor from Dacca."

"Tell me the truth."

"Khuda Kassam (God's oath), Sahib, he is a tailor."

There was a sudden silence. Rathore looked abashed as I said, "For God's sake, let him go. What more proof do you want of his innocence?"

But the *jawans* were apparently uncon-

vinced and kept milling around Bari. It was only after I had once more interceded on his behalf that Rathore ordered Bari to be released. By that time he was a crumpled, speechless heap of terror. But his life had been saved.

Others have not been as fortunate. Driving through the countryside one could see bodies of both Hindus and Moslems twisted grotesquely beside the charred remains of huts and between the coconut palms.

For six spine-chilling days as I traveled with the officers of the 9th Division headquarters at Comilla, I witnessed at close quarters the terrifying extent of the genocide. I saw Hindus, hunted from village to village and door to door, shot offhand after a cursory "short-arm inspection" showed they were uncircumcised. I have heard the screams of men bludgeoned to death in the compound of the Circuit House (civil administrative headquarters) in Comilla. I have seen truckloads of other human targets and those who had the humanity to try to help them hauled off "for disposal" under the cover of darkness and curfew. I have witnessed the screaming brutality of "kill-and-burn missions" as the army units, after clearing out the rebels, relentlessly pursued the pogrom in the towns and the villages.

I have seen whole villages devastated by "punitive action."

And in the officers' mess at night I have listened incredulously as otherwise brave and honorable men proudly chewed over the day's kill—"How many did you get?"

All this is being done, as any West Pakistani officer will tell you, for the "preservation of the unity, the integrity and the ideology of Pakistan." It is, of course, too late for that. The very military action that is designed to hold together the two wings of the country, separated by a thousand miles of India, has confirmed the ideological and emotional break. East Bengal can only be kept in Pakistan by the heavy hand of the Punjab-dominated army.

The bone-crushing military operation has two distinctive features. One is what the authorities like to call the "cleansing process"—a euphemism for genocide. The other is the "rehabilitation effort." This again is another way of describing the blatant moves to turn East Bengal into a docile colony of West Pakistan. These commonly used expressions and the repeated official references to "miscreants" and "infiltrators" are part of the charade which is being enacted for the benefit of the world. Strip away the propaganda, and the reality is colonization—and killing.

#### JUSTIFYING THE CARNAGE

The justification for the annihilation of the Hindus was paraphrased by Lt. Gen. Tikka Khan, the military governor of East Pakistan, in a radio broadcast on April 18. He said: "The Moslems of East Pakistan, who had played a leading part in the creation of Pakistan, are determined to keep it alive. However, the voice of the vast majority had been suppressed through coercion, threats to life and property by a vocal violent and aggressive minority, which forced the Awami League to adopt the destructive course."

Others, speaking privately, were more blunt in seeking justification.

"The Hindus had completely undermined the Moslem masses with their money," Col. Naim, of 9th Division headquarters, said.

"They bled the province white. Money, food and produce flowed across the borders to India. In some cases they made up more than half the teaching staff in the colleges and schools, and sent their own children to be educated in Calcutta. It had reached the point where Bengali culture was in fact Hindu culture, and East Pakistan was virtually under the control of the Marwari businessmen in Calcutta. We have to sort them out ["fix" them] to restore the land to the people, and the people to their faith."

Maj. Bashir, who came up from the ranks, boasts of a personal body count of 28. He had his own reasons for what has happened. "This is a war between the pure and the impure," he informed me over a cup of tea. "The people here may have Moslem names and call themselves Moslems, but they are Hindus at heart. You won't believe that the mulla of the Cantonment mosque here issued an edict during Friday prayers that the people would attain *janat* (paradise) if they killed West Pakistanis. We sorted the bastard out and we are now sorting out the others. Those who are left will be real Moslems. We will even teach them Urdu."

Everywhere I found officers and men fashioning imaginative garments of justification from the arbitrary fabric of their own prejudices. Scapegoats had to be found to legitimize, even for their own consciences, the dreadful Nazi-style solution to what in essence was a political problem: the Bengalis won the election and wanted to rule. The Punjabis, whose ambitions and interests have dominated governmental policies since the founding of Pakistan in 1947, would brook no erosion of their power. And they had the army to back them up.

#### A PLANNED OPERATION

Officials privately justify what has been done as a retaliation for the massacre of the non-Bengalis before the army moved in. But events suggest that the pogrom was not the result of a snap decision when the Bengali forces mutinied but rather the product of careful planning.

It is clear that Lt. Gen. Tikka Khan played the pivotal role. I was privately informed that Tikka Khan began planning the "sort-out" when he took over the governorship from the gentle, self-effacing Adm. Ahsan, and the military command from the scholarly Lt. Gen. Shaibzada Khan. That was at the beginning of March, when Sheikh Mujibur Rahman's civil disobedience movement was gathering momentum. President Yahya Khan, it is said, went along with Tikka Khan rather than buck the tide of resentment caused in the top echelons of the military establishment by the increasing humiliation of the West Pakistani troops stationed in East Bengal.

When the army units fanned out in Dacca in pre-emptive strikes against the rebels on the evening of March 25, many of them carried lists of people to be liquidated. These included the Hindus and large numbers of Moslems; students, Awami Leaguers, professors, journalists and those who had been prominent in Sheikh Mujib's movement. The charge, now publicly made, that the army was subjected to mortar attack from the Jaganath Hall, where the Hindu university students lived; hardly justifies the obliteration of two Hindu colonies in the heart of the old city. Nor does it explain why the sizeable Hindu populations of Dacca and the neighboring industrial town of Narayanganj should have vanished so completely during the round-the-clock curfew on March 26-27. There is similarly no trace of scores of Moslems who were rounded up during the curfew hours.

Touring Dacca on April 15, I found the heads of four students lying rotting on the roof of the Iqbal Hall hostel. The caretaker said they had been killed on the night of March 25. I also found heavy traces of blood on the two staircases and in four of the rooms. Behind Iqbal Hall a large residential building seemed to have been singled out for special attention by the army. The walls were pitted with bullet holes and a foul smell still lingered on the staircase, although it had been heavily powdered with DDT. Neighbors said the bodies of 23 women and children had been carted away only hours before. They had been decomposing on the roof since March 25. It was only after much questioning that I was able to ascertain that the victims belonged to the nearby Hindu

shanties. They had sought shelter in the building as the army closed in.

Sitting in the office of Maj. Agha, martial law administrator of Comilla city, on the morning of April 19, I saw the off-hand manner in which sentences were meted out. A Bihar sub-inspector of police had walked in with a list of prisoners being held in the police lock-up. Agha looked it over. Then, with a flick of his pencil, he casually ticked off four names on the list. "Bring these four to me this evening for disposal," he said. He looked at the list again. The pencil flicked once more. "... and bring this thief along with them."

The death sentence had been pronounced over a glass of coconut milk. I was informed that two of the prisoners were Hindus, the third a "student," and the fourth an Awami League organizer. The "thief," it transpired, was a lad named Sebastian who had been caught moving the household effects of his Hindu friend to his own house.

Later that evening I saw these men, their hands and legs tied loosely with a single rope, being led down the road to the Circuit House compound. A little after curfew, which was at 6 o'clock, a flock of squawking mynah birds were disturbed in their play by the thwacking sound of wood meeting bone and flesh.

#### AN EMPTY GARDEN

It is hard to imagine so much brutality in the midst of so much beauty. Comilla was blooming when I went there toward the end of April. The rich green carpet of rice paddies spreading to the horizon on both sides of the road was broken here and there by bright splashes of red. That was the *Gol Mohor*, aptly dubbed the "Flame of the Forest," coming to full bloom. Mango and coconut trees in the villages dotting the countryside were heavy with fruit.

Even the terrier-sized goats skipping across the road gave evidence of the abundance of nature in Bengal. "The only way you can tell the male from the female," they told me, "is that all she-goats are pregnant."

Only man was missing. In what is certainly one of the most crowded areas of the world—Comilla district has a population density of 1,900 to the square mile—people were eerily nowhere to be seen.

"Where are the Bengalis?" I had asked my escorts in the strangely uncrowded streets of Dacca a few days earlier. "They have gone to the villages" was the stock reply. Now, in the countryside, there were still no Bengalis. Comilla town, like Dacca, was heavily shuttered. And in 10 miles on the road to Laksham, past curiously silent villages, the peasants I saw could have been counted on the fingers of both hands.

There were, of course, soldiers—hundreds of unsmiling men in khaki, each with an automatic rifle. According to orders, the rifles never left their hands. But there were no Bengalis to be seen, even in the distance.

The Bengalis have good reason to be afraid. The roads are constantly patrolled by rough, trigger-happy men during the daylight hours. Wherever the army is, you won't find Bengalis.

Martial law orders, constantly repeated on the radio and in the press, proclaim the death penalty for anyone caught in the act of sabotage. If a road is obstructed or a bridge damaged or destroyed, all houses within 100 yards of the spot are liable to be demolished and their inhabitants rounded up. "Punitive action" is something that the Bengalis have come to dread.

Grim evidence of this was available when we were approaching Hajiganj, which straddles the road to Chandpur, on the morning of April 17. A few miles before Hajiganj, a 15-foot bridge had been damaged the previous night by rebels who were still active in the area. According to Maj. Rathore, an army unit had immediately been sent out to

take punitive action. Long spirals of smoke could be seen on all sides up to a distance of a quarter of a mile from the damaged bridge. And as we carefully drove over a bed of wooden boards, with which it had been hastily repaired, we could see houses in the village on the right beginning to catch fire.

On the other side of the road, another village in the rice paddies showed evidence of the fire that had gutted more than a dozen bamboo and mat huts. Hundreds of villagers had escaped before the army came. Others, like a dead man sprawled among the coconut trees, were slow to get away.

As we drove on, Maj. Rathore said, "They brought it on themselves." I said it was surely too terrible a vengeance on innocent people for the acts of a handful of rebels. He did not answer.

#### A GRISLY TALE

A few hours later when we were again passing through Hajiganj on the way back from Chandpur, I had my first exposure to the savagery of a "kill and burn mission."

We turned a corner and found a convoy of trucks parked outside the mosque. I counted seven, all filled with *javans* in battle dress. At the head of the column was a jeep. Across the road two men, supervised by a third, were trying to batter down the door of one of more than a hundred shuttered shops lining the road. The studded teak wood door was beginning to give under the combined assault of two axes as Maj. Rathore brought the Land Crusier to a halt.

"What the hell are you doing?"

The tallest of the trio, who was supervising the break-in, turned and peered at us, "Mota," (Fatty) he shouted, "what the hell do you think we are doing?"

Recognizing the voice, Rathore grew a watermelon smile. It was, he informed me, his old friend "Ifty"—Maj. Iftikhar of the 12th Frontier Force Rifles.

Rathore: "I thought someone was looting."

Iftikhar: "Looting? No. We are on kill and burn." Waving his hand to take in the shops, he said he was going to destroy the lot.

Rathore: "How many did you get?"

Iftikhar smiled bashfully.

Rathore: "Come on. How many did you get?"

Iftikhar: "Only 12. And, by God, we were lucky to get them. We would have lost those, too, if I hadn't sent my men from the back."

Prodded by Maj. Rathore, Iftikhar then went on to describe vividly how after much searching in Hajiganj he had discovered 12 Hindus hiding in a house on the outskirts of the town. These had been "disposed of." Now Maj. Iftikhar was on the second part of his mission: burn.

Iftikhar soon had a fire going. He threw burning jute bags into one corner of the shop, a bolt of cloth into another. The shop began to blaze. Within minutes we could hear the crackle of flames behind shuttered doors as the fire spread to the shop on the left, then on to the next one.

When I chanced to meet Maj. Iftikhar the next day, he ruefully told me, "I burned only 60 houses. If it hadn't rained I would have got the whole bloody lot."

This lanky Punjabi officer was proud of his job. And he liked to talk about it. Riding with Iftikhar to the Circuit House in Comilla on another occasion, he told me about his latest exploit.

"We got an old one," he said. "The ——— had grown a beard and was posing as a devout Moslem. Even called himself Abdul Manan. But we gave him a medical inspection and the game was up."

Iftikhar continued: "I wanted to finish him there and then, but my men told me such a ——— deserved three shots. So I gave him one in the ———, then one in the stomach. Then I finished him off with a shot in the head."

## FLIGHT OR SERVITUDE

Overwhelmed with terror, the Bengalis have one of two reactions. Those who can run away just seem to vanish. Whole towns have been abandoned as the army approached. Those who can't run adopt a cringing servility which only adds humiliation to their plight.

Chandpur was an example of the first. In the past this key river port on the Meghna was noted for its thriving business houses and gay life. At night thousands of small country boats anchored on the river's edge made it a fairyland of lights. On April 18, Chandpur was deserted. No people, no boats. Barely one per cent of the population had remained. The rest, particularly the Hindus who constituted nearly half the population, had fled.

But they had left behind thousands of Pakistani flags fluttering from every house, shop and rooftop. The effect was like a national day celebration without the crowds. It only served to emphasize the haunted look.

The flags were by way of insurance. Somehow the word had got around that the army considered any structure without a Pakistani flag to be hostile and consequently to be destroyed. The idea was perhaps a pendulum swing from the time, just weeks before, when the army saw in the ubiquitous Bangla Desh flag the symbol of its growing humiliation at the hands of the Bengalis.

It did not matter how the Pakistani flags were made, so long as they were adorned with the crescent and star. So they came in all sizes, shapes and colors. Some flaunted blue fields, instead of the regulation green. Obviously they had been hastily put together with the same material that had been used for the Bangla Desh flag. The scene in Chandpur was repeated in Hajiganj, Mudafarganj, Kasba, Brahmanbaria—all ghost towns gay with flags.

Laksham was an example of the other reaction. When I drove into the town the morning after it had been cleared of the rebels, all I could see was the army and literally thousands of Pakistani flags. The major in charge there had camped in the police station, and it was there that Maj. Rathore took us. My colleague, a Pakistani TV cameraman, had to make a propaganda film about the "return to normalcy" in Laksham—one of an endless series broadcast daily showing welcome parades and "peace meetings."

Lt. Javed of the 39th Baluch was assigned the task of rounding up a crowd. He called out to an elderly bearded man who had apparently been brought in for questioning. The man, who later gave his name as Moulana Said Mohammad Saidul Huq, insisted he was a "staunch Moslem Leaguer and not from the Awami League." He was all too eager to please. "I will very definitely get you at least 60 men in 20 minutes," he told Javed. "But if you give me two hours I will bring 200."

Moulana Saidul Huq was true to his word. We had hardly drunk our fill of the deliciously refreshing coconut milk that had been thoughtfully supplied by the major when we heard shouts in the distance. "Pakistan zindabad!" "Pakistan army zindabad!" "Moslem League zindabad!" they were chanting. (Zindabad is Urdu for "Long live!") Moments later they marched into view, a motley crowd of about 50 old and decrepit men and knee-high children, all waving Pakistani flags and shouting at the top of their voices. Lt. Javed gave me a knowing wink.

Within minutes the "parade" had grown into a "public meeting" complete with a makeshift public address system and a rapidly multiplying group of would-be speakers.

Mahbut Ur Rahman was pushed forward to make the address of welcome to the army.

He introduced himself as a professor of English and Arabic "and a lifetime member of the great Moslem League Party." Introductions over, Mahbut Ur Rahman gave forth with gusto.

"Punjabis and Bengalis," he said, "had united for Pakistan and we had our own traditions and culture. But we were terrorized by the Hindus and the Awami Leaguers and led astray. Now we thank God that the Punjabi soldiers have saved us. They are the best soldiers in the world and heroes of humanity. We love and respect them from the bottom of our hearts."

After the "meeting" I asked the major what he thought about the speech. "Serves the purpose," he said, "but I don't trust that bastard. I'll put him on my list."

## FINISHING THE JOB

The agony of East Bengal is not over. Perhaps the worst is yet to come. The army is determined to go on until the "cleanup" is complete. So far the job is only half done.

Two divisions of the Pakistan Army, the 9th and the 16th, were flown out from West Pakistan to "sort out" the Bengali rebels and the Hindus. This was a considerable logistical feat for a country of Pakistan's resources. More than 25,000 men were moved from the west to the east. Carrying only light bed rolls and battle packs (their equipment was to follow by sea) the troops were flown out to Dacca by PIA, the national airline. Its fleet of seven Boeings was taken off international and domestic routes and flew the long haul via Ceylon continuously for 14 days. A few Air Force transport aircraft helped.

There is also the grim prospect of famine, because of the breakdown of the distribution system. Seventeen of the 23 districts of East Pakistan are normally short of food and have to be supplied by massive imports of rice and wheat. This will not be possible because of the ravages of the civil war. Six major bridges and thousands of smaller ones have been destroyed, making the roads impassable in many places. The railway system has been similarly disrupted, though the government claims it is "almost normal."

Two other factors must be added. One is large-scale hoarding of grain by people who have begun to anticipate the famine. This makes a tight position infinitely more difficult. The other is the government of Pakistan's insidious refusal to acknowledge the danger of famine publicly.

Lt. Gen. Tikka Khan, the military governor of East Bengal, acknowledged in the April 18 radio broadcast that he was gravely concerned about the food situation. Since then the entire government machinery has been used to suppress the fact of the food shortage. The reason is that a famine like the cyclone before it, could result in a massive outpouring of foreign aid—and with it the prospect of external inspection of distribution methods. This would bring the "foreign interference" that the government does not want. So the hungry will be left to die until the cleanup is complete.

Discussing the problem in his plush air-conditioned office in Karachi recently the chairman of the Agricultural Development Bank said bluntly: "The famine is the result of their acts of sabotage. So let them die. Perhaps then the Bengalis will come to their senses."

The crucial question now is, Will the killing stop?

I was given the army's answer by Maj. Gen. Shaikat Raza commanding officer of the 9th Division, during our first meeting at Comilla on April 16.

"You must be absolutely sure," he said, "that we have not undertaken such a drastic and expensive operation—expensive both in men and money—for nothing. We've undertaken a job. We are going to finish it, not hand it over half done to the politicians so

that they can mess it up again. The army can't keep coming back like this every three or four years. It has a more important task. I assure you that when we have got through with what we are doing there will never be need again for such an operation."

Raza is one of the three divisional commanders in the field. He is in a pivotal position. And President Yahya Khan knows that the men who lead the troops on the ground are the de facto arbiters of Pakistan's destiny.

The single-mindedness of the army is underscored by the military operation itself. By any standard, it is a major venture. It is not something that can be switched on and off without the most grave consequences.

In one sentence, the government is too far committed militarily to abandon the East Bengal operation, which it would have to do if it sincerely wanted a political solution. President Yahya Khan is riding on the back of a tiger. But he took a calculated decision to climb up there.

[From the Christian Science Monitor,  
June 15, 1971]

## BEHIND THE EXODUS

The world has only awakened in recent days to the enormity of the problem posed by the influx of East Pakistani refugees into India.

It is nearly three months since the refugee flow began after the Pakistan Army cracked down on the East Bengalis' bid for autonomy. Instead of slackening off, it has swollen to huge proportions. Three weeks ago the number of refugees was given as 3,000,000. Now it is 5,000,000.

What has prompted this mass exodus? Hitherto only scrappy pieces of information have been coming out of East Pakistan, and we could only guess what was happening there.

Now a correspondent of the London Sunday Times, himself a West Pakistani, has given a detailed account of what he saw in East Pakistan, and he makes these charges; that the Army has killed thousands of civilians and burned down villages, that the toll includes both Muslim supporters of East Pakistani independence and Hindus who have been deliberately killed just because they are Hindu.

The correspondent, Anthony Mascarenhas, has left Pakistan for London, taking with him his wife and children, in order to give his story to the world. There seems little reason to doubt the authenticity of his dispatch, and that the tragedy of East Pakistan is being compounded by the ruthless methods of the West Pakistani soldiers. President Yahya Khan must at all costs see that such excesses as Mr. Mascarenhas reports are stopped.

The Pakistani President has offered to take back "genuine refugees" but very few are likely to want to go back at least until there are assurances that the repression has ceased.

In the meantime the influx of refugees has imposed an enormous burden on India, and added to the emotional and volatile situation on the border.

Officially India's policy towards the East Pakistani crisis is nonintervention, but pressures on Prime Minister Indira Gandhi for direct action are mounting.

Both the United States and Britain, the two Western powers most directly concerned, have warned of the danger of the situation's degenerating into war and have urged on India and Pakistan the utmost restraint.

Indian Foreign Minister Swaran Singh is visiting Washington this week and the Nixon administration will discuss with him what diplomatic measures can be taken to calm things down.

In the meantime, mercifully international relief is now reaching the refugees in good measure. This is the only way the world can give immediate help.

[From the Evening Star, June 10, 1971]

#### RAIN OF DEATH

Any day now the leaden clouds which have been building up over West Bengal for weeks will burst and a deadly torrent will drench the 5 million East Pakistanis who have fled to India to escape the aftermath of Bangla Desh's abortive attempt at secession in March. Deadly because the coming of the monsoon means cholera; and cholera spells death for tens of thousands of homeless Bengalis (an estimated 8,000 already have died of the disease).

The symptoms of cholera are not pleasant. Carved in stone on a Gujarati temple wall in western India is this ancient description of the disease, which is contracted by drinking contaminated water: "The lips blue, the face haggard, the eyes hollow, the stomach sunk in, the limbs contracted and sunk in as if by fire." The Thai word for cholera, more explicitly, means "the intestines being passed out."

West Bengal is the classical home of cholera (centuries ago, temples were built for the worship of Oola Beebee, "the lady of the flux") and the disease claims the lives of 2,000 Indians annually. But the massive influx of half-starving refugees, coming at a rate of 100,000 daily, forecasts a tragedy of soul-searing dimensions.

Not much is being done either to alleviate the misery of the refugees or to solve the long-term problem which they pose for both India and Pakistan. The United States plans to add an additional \$15 million to an original allocation of \$2.5 million for relief. But that is about enough to care for the refugees for a week and most of them have sworn they will never return to East Pakistan. Nor can India refuse them sanctuary: At least 2 million of them are Hindus, approximately 20 percent of East Pakistan's Hindu population, a special target of the 70,000 Punjabi troops in the rebellious province.

The pitiful horde poses a grave social, economic and political problem for India. There has been talk of war and Prime Minister Indra Gandhi has warned that India will "take all measures as may be necessary to insure our own security and the preservation and development of the structure of our social and economic life." But even if India could sweep Yahya Khan's army out of East Pakistan (the attitude of Communist China toward such an eventuality is uncertain), that would only mean a renewal of the slaughter of the Province's 2 million Bihari Moslems, who have been cooperating with the Pakistani army.

The important thing now is that a massive international relief operation should be launched to alleviate the plight of the 5 million refugees now in India. Such pressure as can be applied to Yahya Khan's government should be both discreet and limited to persuading him to instruct his military commanders to end their persecution of East Pakistan's Hindus and Moslem separatists.

The fundamental question of the political future of East Pakistan is one which only the Pakistanis themselves can determine, although slaughter and rapine are curious means for forging national unity. But that can wait. Help must be sent to West Bengal now before the rains come, or millions may die.

[From the Economist, May 29, 1971]

#### HOW NOT TO FACE FACTS IN PAKISTAN

It is a standard practice of governments, especially those which are fighting wars, to put out self-justifying propaganda. This propaganda may fail to convince, which is troublesome. Or it may convince so well that the propagandists themselves are taken in, which is positively dangerous. The government of Pakistan has clearly dug itself a credibility gap. The question now is whether it has also buried its head in the sand.

President Yahya Khan's press conference on Monday—his first public appearance since he ordered his army to take over East Pakistan two months ago—did not resolve the issue either way. The president showed some statesmanship when he refused to rise to Mrs. Gandhi's hints earlier in the day that the Indians might be forced to intervene militarily in East Bengal. He showed some realism when he admitted that the state of Pakistan's economy "is so bad that I cannot tell you." And he showed some flexibility when he modified the total ban on the Awami League and agreed to accept back a number of refugees. But he went on to load his offers with conditions and to repeat some of his spokesmen's familiar nonsense.

It is logically consistent, if nothing else, that a government which has not acknowledged that it is fighting a civil war should not recognise refugees from that war. Accordingly, Pakistan radio refers to "an imaginary influx" and labels the refugees "Hindu fifth columnists" and "Indian infiltrators." Not until last week did the government finally concede that the fleeing millions might include any innocent victims at all. President Yahya seemed to be opening the way to a solution last Friday when he declared that "bona fide Pakistani citizens who left their homes due to disturbed conditions" would be welcomed back to East Pakistan. But who are bona fide citizens? On Sunday Pakistan radio insisted that these are only a tiny fraction of the refugees, while the vast majority are "miscreants" and Indians. And on Monday the president himself vowed not to "open the floodgates for Indian destitutes."

The most charitable explanation for this kind of language is that the Pakistanis have got themselves hooked on a fable of Indian iniquity which they cannot abandon without intolerable loss of face. But they also appear to be using this propaganda line to justify a policy which will prevent significant numbers of East Bengalis from ever returning home. One group of refugees that is likely to be excluded altogether under this selective approach are the east Bengali Hindus. The migration of Hindus is a classic case of how propaganda can become self-fulfilling. Just after the March action, West Pakistani newspapers began accusing the Hindus in East Bengal of having illicit links with the Indians. The army then made the Hindus a special target for revenge, forcing them to flee to India in disproportionate numbers. This is now taken as proof that the Hindus were Indian saboteurs all along.

The prospect that great numbers of refugees will become permanent residents of India—either by their own choice or as a result of Pakistani exclusion—is the most terrifying aspect of the current crisis for the Indian government. When Mrs. Gandhi verges on the intemperate these days it is no longer to denounce Pakistani genocide but to threaten "measures" to ensure the eventual repatriation of all the refugees. On Monday Mrs. Gandhi appealed to the rest of the world and particularly to the great powers to make such measures unnecessary by putting pressure on Pakistan.

In fact the Indians have good cause for decrying "the unconscionably long time which the world is taking to react to this stark tragedy." Two months and three and a half million refugees after the killing began in East Pakistan, foreign governments have uttered scarcely a cautionary word to the Pakistanis and have contributed nothing very impressive to the maintenance of the 335 refugee camps in India. The Indians estimate that just keeping the current total of refugees alive for six months (disregarding the 60,000 more who are streaming in every day) may cost over £100 million.

Clearly the Indians cannot be expected to bear this financial burden on top of the all but intolerable political strains which the refugee influx has imposed. Tensions are ris-

ing every day—in parliament, in the border states and along the frontier where Indian and Pakistani troops had several shoot-outs this week. Foreign relief funds—in huge quantities—would relieve certain pressures. But the danger of conflict will continue to mount so long as the refugees keep streaming over the border. And the only government that can break this vicious cycle is Pakistan's.

President Yahya raised a glimmer of hope for such a breakthrough on Monday when he promised to produce a plan for a return to civilian government within two to three weeks. But his more important promise that day was to relax the blanket ban on political activity by members of the Awami League. Like his offer to the refugees, the value of this selective amnesty will depend on how widely he defines the "genuinely misled" as opposed to those who must be punished for their crimes. Sheikh Mujib, the imprisoned Awami leader, clearly belongs to the second category, for the president repeated the story about a Mujib secessionist plot. But unless the president actively welcomes back Mujib's lieutenants—including at least some of those who sought refuge in India—he will find that no plan for civilian rule in the east—or indeed at the centre—can get off the ground.

[From the Times (London), June 5, 1971]

#### HALF HINDU POPULATION FLEES FROM EAST BENGAL FEARING PERSECUTION BY MUSLIM TROOPS

An estimated three million Hindus, almost half the entire minority religious community of East Pakistan, have been driven across the border into India by Pakistani troops and Muslim zealots, Indian officials at the refugee reception camps alleged today.

The allegation is based on a rough breakdown of the 4,500,000 Bengalis who have flocked into West Bengal and other border states in the past two months. According to the Indians, about a third are Muslims and the remainder Hindus.

Checks taken with border police and with groups of refugees crossing the river at Hasnabad, south east of Calcutta, make it clear that the number of Muslim refugees has dwindled to a trickle. At the earlier stage of the exodus it appeared that as many Muslims were fleeing as Hindus.

This trend was evident at all border entry points which are accessible to journalists. At Hasnabad I discovered Hindu migrants who had fled from the Khustia district alleging that the army swept through their villages burning the houses of Hindus.

Others said that they had escaped to India after local Muslim zealots, encouraged by non-Bengali Muslims, had persecuted them during the past few weeks. A few claimed that Pakistan Army troops had given them a week to leave the country.

These people are simple peasants, too unsophisticated to concoct propaganda stories. One labourer from Khustia told me that from their hiding place in the fields he and other villagers saw troops burning down all their houses.

Others, possessing nothing but the clothes on their backs, said the army had combed the district of Jessore and had asked local non-Bengalis to point out houses of Hindus and members of the Awami League. Entire villages had been razed to the ground, they claimed.

Further to the north where almost 100,000 Hindus are still crossing into the cholera-affected Nadia district in India every day, the latest arrivals claim that the army and local Muslims have given them one week to leave the country.

"The Army men are giving our property to the Bengali Muslims", a farmer, Mr. Rishikesh Choudhury said.

During a recent tour of the refugee camps in Tripura I discovered further evidence

which suggests that the initial reports of the Army's acts of persecution have been overtaken by Hindu-Muslim tensions.

Dr. S. Battacharya, a medical practitioner of Chittagong, told me that he had been living in a section of the town predominantly inhabited by Muslims.

"On April 29 about 15 attacked my house and burnt it down. They kidnapped two of my sisters-in-law and took them away. I managed to flee to India with the rest of my family."

Other accounts, taken at random, corroborate these reports and while their reasons for leaving Pakistan might vary, every Hindu is adamant on one single point; he will not return to Pakistan on any account and it would therefore appear that India will be saddled with a permanent refugee problem.

Mr. Cornelius Gallagher, member of the United States House of Representatives foreign affairs committee, who toured the Indian border today told journalists he was convinced that "genocide of no small magnitude" had been committed in East Bengal.

"When I came here I came with an open mind. But after meeting some of the evacuees I am now convinced that terrorism and other barbarities have been committed."

Mr. Gallagher said he was returning to the United States to mobilize a massive relief programme.

[From The Times (London), June 9, 1971]

#### UN FACES GIANT RELIEF TASK

(By Alan McGregor)

With contributions from governments now past the £12m mark and the certainty of more to come, United Nations aid for East Pakistan refugees is steadily gathering momentum—being coordinated by what amounts to a disaster relief unit set up within the office in Geneva of the United Nations High Commissioner for Refugees.

Officials are unable to estimate at the moment how much money may be needed altogether. On the basis of three million refugees, the Indian Government had earlier put forward a figure of approximately £70m.

For once, the United Nations had side-stepped its own red tape and gone ahead with establishing a "special body to organize disaster relief." This is being done by a six-man planning team, directed by Mr. Charles Mace, the Deputy High Commissioner. The team is backed by the considerable administrative resources of UNHCR headquarters.

The High Commissioner himself, Prince Sadruddin Aga Khan, has been in Pakistan since Sunday on what is undoubtedly the most difficult assignment of his career. His aim is twofold: to ensure "the humanitarian aspects" of relief, unhampered by political hitches; and, in the longer term, to work out with the Pakistan Government a programme for repatriation of all the refugees.

Events have thrust on Prince Sadruddin the responsibility of ensuring the success of the largest humanitarian action ever undertaken by United Nations agencies. The UNHCR emergency unit is registering Government contributions, in cash or in kind, obtaining precise details of what is needed, and informing the India Government what is available. A senior official, Mr. Thomas Jamieson, has been attached temporarily to the Delhi office of UNHCR.

One problem is obtaining the hundreds of thousands of tents needed to shelter the refugees during the monsoon. The slow-moving airlift of medical supplies by the World Health Organization will be given a boost tomorrow when an RAF Hercules will pick up nine tons at Geneva airport. The aircraft will already have a quantity of British supplies on board, including 14,000 litres of saline rehydration fluid—regarded by WHO as the most important item of all, for saving the lives of persons already infected by the cholera vibrio.

An RAF VC10 will load 14 tons of supplies here on Thursday or Friday and American Air Force transports are expected within the next day or two. This will enable WHO to clear the backlog of supplies; only two and a half tons have gone out so far.

A Staff Reporter writes: British charities, who are working around the clock to mount their relief programmes to combat the cholera epidemic, are worried that the disease may gain an even firmer hold across the border in East Pakistan.

The Rev. Wilfred Kerr, international director of War on Want, said yesterday: "I assume it must be the same on the other side of the border. Cholera does not stop just because someone draws a line across a map."

War on Want has already dispatched aid to the value of £78,000. A medical team is leaving for Calcutta today with a 14-ton consignment of 1,500,000 antibiotic tablets, half a million vaccine shots and 5 vaccine guns.

Oxfam said that more than 23 tons of medical supplies and equipment will arrive in Calcutta by today. The organization has also cabled £40,000 in cash for provision of local medical teams and for local purchase of tents and medicines. Oxfam has made a total commitment to date of £140,000, and on Saturday is launching a giant appeal.

The British Red Cross Society, which has sent £10,000 to the League of Red Cross Societies for the relief operation, is dispatching five tons of supplies, including saline and cholera vaccine, today.

[From the Times (London), May 19, 1971]

#### ROAD OF DEATH FOR BENGALI REFUGEES

(By Peter Hazelhurst)

Thousands of terrified and impoverished Bengalis who have attempted to flee to India during the past fortnight have collapsed and died of exhaustion and starvation on the roadside.

Many others on the grim 75-mile march from the Chittagong district to the small Indian border state of Tripura are expected to meet with the same fate refugees told me today.

As many as 500,000 Muslim and Hindu refugees have already poured into the state of Tripura, and most of them crossed here at Sabrum, where the River Feni demarcates the Indo-Pakistan border.

Penniless, exhausted and in a stupor many of the refugees described the tragic flight from their homes in the Chittagong district, about 60 miles to the south.

Shamsuddin Ahmad, a farmer, aged 40, who has lost his wife and five children, fled Chittagong with his youngest daughter, three-year-old Robina, when West Pakistani troops fired on his village. He said his wife was killed by a bullet as the family fled.

Speaking through a Bengali interpreter, he said: "I was separated from the rest of my family as we fled. I don't know what has happened to them. After searching for them I started to walk to the Indian border with Robina."

"We had no food and no money. She collapsed after six days of walking. I carried her for a long time but she died in my arms. I buried her on the way. I have no one now."

The bewildered farmer said he saw hundreds of other refugees dying on the road. The stronger members of the families would huddle next to the exhausted and dying men, women and children. When they died, they buried them in nearby fields and marched on to India.

The tragic stories of many other refugees are similar. Mr. A. Z. B. Raha, a 48-year-old supervisor at Chittagong port, fled when Pakistani tanks moved in on his village, four miles from the centre of the city, last month.

"We started to walk north towards the Indian border. We saw people dying all along the way. Others were lying on the ground

exhausted. The first to die were the babies, then further along the road the old and children collapsed, and then the women," he said.

We found Dr. Choudhury, a medical practitioner from Shulteepur village near Chittagong, among the 200,000 homeless migrants who have flocked into the southern districts of Tripura. He was in a stupor.

Dr. Choudhury claimed that he marched towards India in a daze after the army encircled his village and killed 19 members of his family last month. "There is nothing left," he said.

Dr. Rattin Datta, supervisor of the general hospital in the border town of Agartala. North of Sabrum, has so far treated 300 East Pakistanis who had bullet and shrapnel wounds.

"These people were lucky," he said. "Most of them live near the border and managed to get through to us for treatment. But I fear that thousands have died and are dying from their wounds, starvation and exhaustion on the road from Chittagong."

His 267-bed hospital is now overcrowded with an additional 300 wounded refugees. All the refugees claim they were deliberately shot by Pakistani troops.

Two sisters, Rohina Begum, aged 16, and Jinat Begum, aged five, have bullet wounds in their legs and arms. Rohina said her entire family was wiped out when Pakistani troops fired on their small boat as they attempted to cross the River Feni into India last week.

Dr. Datta asked: "What do I do with these children when I have to discharge them? They have no one."

A railway engineer from the nearby junction of Akaura had a bullet wound in his head. He cannot believe what has happened.

"Why should they shoot me? I have never been in politics and I am an important government servant. I told them this when they were looting my office and house. But a soldier said, 'Kill the bastard', and when they shot at me I fell to the ground and pretended to be dead."

"They burnt my house and all I have. What am I to do? I am 55 with a family of 10, and I have nothing now."

The road from Agartala is as tragic and sorrowful as the overcrowded refugee camps. With fixed stares and utter hopelessness written on their faces the frail Bengalis march northwards in search of shelter and food. The stream is never ending.

Schools and Government offices have been turned into huge dormitories but space is limited and most families are in the open. A great number of women and children have constructed pathetic grass huts.

Sanitation is non-existent, the heat is stifling and the stench is unbearable. Pools of stagnant water are seen everywhere and an epidemic could break out at any moment.

[From the Economist, May 15, 1971]

#### RIDING A STARVING TIGER

Pakistan is very close to a national disaster for which, if it happens, the western countries will be held partly responsible. The situation amounts to this: millions of people may die in the next few months in East Pakistan unless the army turns its attention from policing the region to shifting food; there is not enough transport to do both. Secondly, Pakistan's economy, west and east, will soon come to a stop through lack of foreign exchange unless it gets a big dollop of aid from Europe, the United States and Japan. The government in Islamabad can defy the rest of the world on the first issue only if concerted diplomatic pressure is not applied through the second. There are encouraging signs that it is beginning to be applied. But the danger is that unless the world as a whole becomes engaged the minimum, as usual, will be done.

Until now, despite the horror stories that

have come out of the east wing with refugees and expatriates, the real implications of Pakistan's internecine struggle have not sunk in. Since the federal government decided at the end of March to deal with the east wing's independence movement by force, a disaster much greater than that caused by last November's typhoon has always been likely. But in the confusion of fighting, communal rioting and the flood of refugees across the Indian border, there has been a striking absence of hard facts on which the outside world could make judgments.

In a largely agricultural area, based on thousands of villages barely accessible at the best of times, figures mean very little. But the few foreign correspondents allowed into East Pakistan have brought back a picture of death and devastation in the main towns (some of it caused, so it appears, by communal rioting between Bengalis and Biharis) that far outweighs the damage caused by the typhoon, when at least 200,000 people died. And possibly 3 million refugees may have crossed into west Bengal, causing enormous problems in supplying the basic necessities of life, as well as intensifying still further the distrust between India and Pakistan.

In the short term, India has the food reserves available to cope with the influx (see page 40), but has now told the United Nations that it will need £140 million a year to meet the cost of doing so. But the immediate crisis is in East Pakistan itself. There is the prospect of widespread famine in the second half of this year which must be taken very seriously, despite reassuring statements from Islamabad.

Most non-Pakistanis believe a co-ordinated external relief effort will be needed, and immediately. The means of pressure is through the World Bank consortium of aid donors on which Pakistan now depends for its economic future. But the picture is complicated by the difficulty of giving aid to an economy already so close to crisis point. The problem is that the aid donors, of which the big four are the United States, Japan, West Germany and Britain, regard a durable political settlement as essential if they are to pour aid into reconstruction projects either in the west or the east. This is because the economies of the two wings are so inter-related, with the west depending on the east's export surplus. But equally it is hard to see how such a long-term political settlement is going to be forthcoming.

The only short-term answer, therefore, is to deal with the crisis as it develops. The aid club has already held a meeting in Paris, and a senior World Bank official has been in West Pakistan to try to discover just what the state of the economy is. Pakistan has asked for a six-month moratorium on its foreign debts starting from May 1st, which, with annual debt service payments amounting to over \$150 million (or at least 20 per cent of exports), would substantially relieve the immediate foreign exchange crisis. Although this probably will be granted, as it has been to other countries in the past, no one is putting new aid in the pipeline. And coping with famine is seen as the immediate priority.

East Pakistan normally needs to import some 10 per cent of its grain requirements, or around 1.7 million tons. But because of the typhoon, which devastated one of the main surplus areas in the south around Patuakhali and Barisal, a further 1.5 million tons are needed this year. Relief shipments were coming in steadily, mainly to Chittagong, until the beginning of March, when the ports came to a standstill during the brief period of control by the Bangla Desh secessionists. Since then little or nothing has been unloaded and several grain ships, after waiting for a month or more, have sailed away. And there has been very little

movement of grain from the ports to the interior. Until now this hiatus has not had a serious effect, partly because of grain moved earlier, and partly because the main local crop harvest in November and December ensures enough food for the first half of the year. The big crisis will come from next month onward.

There are really two main problem zones, the cities and the rural deficit areas, in particular those stuck by the typhoon. The original plan was to have a three-month stock of food in secure storage available for the delta area by June in time for the monsoon, which makes transport extremely difficult. It seems very unlikely that this will be anything like achieved. The big towns can be more quickly and easily dealt with, provided the grain can be transported from the ports. So far it appears that the main means of transport have either not been working properly or have been commandeered by the army for military movements. Even if the ports are on the point of being reopened—and there is little sign of this yet—there would still be a very serious problem.

There are further big question marks. Many people have been moving from the towns back to the countryside. If they stay there they may cause a larger and more intractable problem of rural starvation even if the towns are thereby easier to feed. Many of the refugees are rice farmers from the north-west who will have no crops to go back to if they return (indeed, no one knows how much planting went on in March for the main crop at the end of the year). What must be hoped for is that in the jute areas of the north-east the farmers will have planted rice instead this year, as they were asked to by Sheikh Mujibur Rahman. This would be harvested in August and September.

It is impossible to qualify the food picture. But it looks very serious. A lot turns on the army's ability to get the ports working quickly and to supply enough transport to get the extra food distributed. But if it does that it must be prepared to cut back on its military operations—and possibly lose control over large areas. For the federal government, therefore, the famine question may represent an equation which it is impossible to solve. But transport is also badly needed to get exports moving again, as they have not been since the beginning of March. Jute, raw or manufactured, accounts for nearly half Pakistan's exports and it all comes from the east, which also supplies quite a lot of import substitutes for the west in the form of tea, fruit and vegetables. Although much of the raw jute crop was either exported or sold forward earlier in the year, there is still some which has not even reached the ports, while the jute mills, like most of the east's manufacturing capacity, are believed to have been at a standstill for the past 2½ months.

Before March, Pakistan was already in severe balance-of-payments trouble, with short-term debt far outweighing foreign exchange reserves. It will have to start cutting back on imports, many of them essential for industry in the west. Over a third of its foreign exchange, or around \$400 million, is obtained through aid, over half of it for specific projects. With the economy in its present muddle little new aid will be forthcoming until donors can see how it can be usefully employed. For example, there is no point in planning a project, even in the west, when many of the essential inputs are missing, such as raw materials, goods from other factories and so on. Aid has to be slotted into an over-all reconstruction programme and the essence of this is a stable political environment. As yet this is not even on the horizon.

## JEWS IN THE SOVIET UNION

Mr. HUMPHREY. Mr. President, I want to bring to the attention of the Senate the joint declaration of Soviet Jewry issued by the religious leaders of the State of Minnesota. In so doing I want to join with them in expressing my deep concern that the basic human rights of Jews in the Soviet Union be recognized and duly observed by the Government of the Soviet Union.

Furthermore, I urge that the United States openly make its views on this question known. Americans must join people throughout the world in pressuring the Soviet Union to recognize the right of Soviet Jews who so desire to emigrate to Israel, and to insure the unhindered exercise of this right, and to enable the Jews in the U.S.S.R. to exercise fully their right to live in accord with the Jewish cultural and religious heritage and freely to raise their children in this heritage.

Mr. President, I ask unanimous consent that the fine declaration from which I have just quoted be printed at this point in the RECORD along with Marquis Childs' article concerning the present plight of the Jews in the Soviet Union.

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

TEMPLE ISRAEL,

Minneapolis, Minn., May 3, 1971.

HON. HUBERT H. HUMPHREY,  
Senate Office Building,  
Washington, D.C.

DEAR HUBERT: Some days ago we had a Service of Concern for Russian Jewry at the Temple in which Archbishop Byrne, Pastor Hammarberg and Dr. Cummins participated. It was a most impressive Service and many of the priests and pastors of the community were present.

We signed the enclosed statement which we have forwarded to the President, Mr. U Thant, Mr. Dobrynin and Mr. Kosygin. I hope it helps make an impression upon them.

I thought you would like to know what we did.

As ever,

Rabbi MAX A. SHAPIRO.

We, religious leaders of Minneapolis, Minnesota, joining with others similarly concerned with the faith and future of all persecuted people, have come together this evening to decry the policy pursued by the government of the Soviet Union in suppressing the historic Jewish cultural and religious heritage and refusing to accede to the lawful wishes of those Soviet Jews who desire to emigrate to the land of Israel.

This constitutes a flagrant violation of human rights which the Soviet Constitution pledges to uphold and which is enshrined in the Universal Declaration of Human Rights as contained in the Charter of the United Nations.

At this Service of Concern, we call upon all religious leaders of all faiths to join with us in urging Soviet authorities—

To recognize the right of Soviet Jews who so desire to emigrate to Israel, and to ensure the unhindered exercise of this right.

To enable the Jews in the USSR to exercise full their right to live in accord with the Jewish cultural and religious heritage and freely to raise their children in this heritage.

To put an end to any defamation of the Jewish people in the Soviet Union.

ARCHBISHOP LEO BYRNE,  
Archbishop Coadjutor of St. Paul and  
Minneapolis.

DR. MELVIN A. HAMMARBERG,  
President of the Minnesota Council of  
Churches.

DR. JOHN CUMMINS,  
First Universalist Church and past  
president of the United Nations As-  
sociation of Minnesota.

Rabbi MAX A. SHAPIRO,  
Temple Israel.

Rabbi HERBERT S. RUTMAN,  
Temple Israel.

APRIL 16, 1971.

[From the Washington Post, June 8, 1971]

RED TRIALS SEEK TO UNNERVE JEWS  
(By Marquis Childs)

The ordeal of the Jews in the Soviet Union must trouble the conscience of the world. The recent trials—trials in name only—on charges of plotting to hijack a plane to freedom were meant as intimidation to scare others into submission.

They ask merely for the right to emigrate to Israel. But that is, in itself, a slur on the Socialist paradise. Once one religious or ethnic group is allowed to leave, the flood gates would be open and no one in authority could say when the exodus might stop.

To press the demand for an exit visa, as a number of Jews have done, is bringing reprisals. The obstacles put in the way are formidable, and it takes both courage and persistence to get the coveted pass to freedom. During the past year about a thousand Jews have come out.

In Jerusalem recently I talked with several of the new emigres. One was Dr. Esther Eisenstat, a Ph.D. in linguistics who had been professor at a linguistics institute in Moscow. She speaks fluently at least six languages.

When she first made application for an exit visa she was asked why she wanted to leave the Soviet Union. You have a good job, you are rather well paid, you have an apartment. What more do you want? Religious freedom is the answer that Dr. Eisenstat and the other emigres give.

Progressively over the years the opportunity for worship in the Jewish faith has contracted. Synagogues have been closed. Books printed in Yiddish or Hebrew have all but disappeared. Rabbinical and talmudic teaching, the substances of the faith, must be done almost surreptitiously.

At the same time the price for a permit to leave has been steadily increased. The exit visa itself, if the applicant wants to go to a "capitalist" country, is about \$400. Another \$400 is the charge for surrendering Soviet citizenship. The total comes to about \$1,000, and that is a large sum in a country where savings are not only hard to come by but are a kind of vote of no-confidence in a system in which the state is all-powerful.

Dr. Eisenstat, who went on a lecture tour across the United States shortly after establishing herself in Israel, is a realist. She doesn't believe that the current drive will result in any immediate relaxation of the bar on emigration. She is convinced the extremist tactics followed by Rabbi Meir Kahane and his followers will have an adverse effect both in the Soviet Union and the United States.

The small signs of dissent in the Soviet Union—coming from intellectuals, writers, poets, playwrights—give rise to speculation that authoritarian controls are easing. The theory frequently put forward is that, with the advanced education required in a highly technological society, freedom of thought is bound to widen. The state will have to let down some of the bars.

It is a dubious theory. Intellectuals pay for

their dissent, usually expressed in the publication abroad of manuscripts smuggled out of the country, with prison terms in Siberia or exile remote from Moscow.

Yet Mrs. Eisenstat and the others who have managed to get out believe that world opinion does play a part. After the outcry over the death sentence imposed in the Leningrad trial, that sentence was commuted to life imprisonment.

The designation Jew goes on the individual's identity card, a kind of internal passport, if one or both parents are of Jewish origin. The origin of the mother is the determinant. In a bold decree the Israel government recently offered citizenship to any Jew expressing a desire to emigrate, regardless of whether he could come to the Jewish state.

Since 1917 many minorities in the vast conglomerate of the Soviet Union have suffered harsh injustice for their separateness. But with the centuries-old tradition of the program as a political instrument under the czars, the Jews have paid most dearly.

Mr. HUMPHREY. Is it too much to ask of any country that its government ensure basic human rights and dignity to all its citizenry? Where is the nobleness of mankind if it is not in the affirmation of human dignity, and human worth?

I for one think that it is imperative that we in this country do all we can to alleviate the condition of Soviet Jewry.

We can speak out at every given opportunity to encourage Soviet officials to change their government's policies. Not only should they let those Jews who want to emigrate from the Soviet Union go, they should also be forced to realize that Soviet Jewry, while unique in their cultural heritage, are Soviet citizens and as such, deserve the respect that the Soviet Government promises the rest of its citizenry. People throughout the world must insure that these promises are fulfilled. Otherwise promises remain promises, and people die out of desperation and persecution.

ARTHUR GOLDBERG AND THE  
HUMAN RIGHTS CONVENTIONS

MR. PROXMIER. Mr. President, in 1967 Arthur Goldberg testified before the Senate Foreign Relations Ad Hoc Subcommittee on Human Rights. At the time he was the permanent representative of the United States to the United Nations.

He argued that ratification by the Senate of the human rights conventions would provide a tremendous impetus to the worldwide struggle for human rights. I agree with the former Supreme Court Justice.

The United States has long treasured for its own citizens the rights proclaimed by the Convention on Political Rights of Women and the Convention Against Forced Labor. Why is the Senate unwilling to reaffirm the principles so firmly based in our American tradition?

I ask the Senate to keep that question in mind as I read this excerpt of Mr. Goldberg's testimony:

A tremendous impetus would thus be provided for the worldwide battle for human rights. And the solemn human rights provisions of the United Nations Charter would receive some real content. I believe that the United States, with its profound commitment to the rule of law, can only contemplate such a prospect with approval.

We are, after all, a nation that stands for

something in world history. "Certain unalienable rights" were proclaimed in 1776 as the heritage of "all men"—not just Americans. Abraham Lincoln said there was "something in that Declaration giving liberty not alone to the people of this country, but hope for the world, for all future time."

It is deep in our American character to believe in this. And the influence of those brave words of 1776, in country after country, generation after generation down to our own day, is solid proof that these ideas are universal and that they can move men to action on a very large scale. When such ideas come to the surface anywhere in the world, our national conscience does not allow us to be indifferent to them.

I would urge your Committee to recommend to the Senate that it advise and consent to all three of the conventions before you.

I call upon the Senate to ratify the Convention on the Political Rights of Women and the Convention Concerning the Abolition of Forced Labor.

DEMOCRACY IN VIETNAM

MR. MCGOVERN. Mr. President, I was pleased to see today that the Washington Post has been able to obtain and report on important documents relating to the early stages of American military involvement in Vietnam.

The documents reveal that, during the Eisenhower administration, Secretary of State John Foster Dulles attempted successfully to thwart the holding of elections in Vietnam, as specified by the 1954 Geneva accords. He opposed such elections because he believed that Ho Chi Minh would receive popular support in both north and south. President Eisenhower himself recognized that Ho Chi Minh would have received the support of as much as 80 percent of the people.

It is contrary to everything we say and everything we stand for to have blocked the holding of elections because we did not like the expected results. We cannot and should not choose to proceed by democratic methods only when the results are sure to please us.

The Washington Post report reveals further deception by the administration and a betrayal of our often-expressed to democracy around the world. Mr. President, I ask unanimous consent that the Washington Post article by Chalmers Roberts be printed in the RECORD.

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

DOCUMENTS REVEAL U.S. EFFORT IN 1954 TO  
DELAY VIET ELECTION

(By Chalmers M. Roberts)

The Eisenhower administration, fearful that elections throughout North and South Vietnam would bring victory to Ho Chi Minh, fought hard but in vain at the 1954 Geneva Conference to reduce the possibility that the conference would call for such elections.

But the following year it was South Vietnamese President Ngo Dinh Diem, far more than the American government, who was responsible for the elections' not taking place. Diem flatly refused even to discuss the elections with the Communist regime in Hanoi.

These are among the facts emerging from sections of the Pentagon study on the origins of the Vietnam war, made available to The Washington Post.

The chief architect of the American policy

of opposition to elections, as was well known at the time, was President Eisenhower's Secretary of State, John Foster Dulles. But it was Eisenhower who had insisted on allied support if he were to ask Congress for authority to use American military force to save the French army in Indochina in early 1954. The United States did not get that allied support.

The origin of the idea of holding an election in divided Vietnam, called for in the Geneva accords of 1954, remains obscure. But there is nothing obscure about Dulles' attitude.

In July of 1954, he sent a cable to various American diplomats then struggling with the problem. It said in part:

"... Thus since undoubtedly true that elections might eventually mean unification Vietnam under Ho Chi Minh this makes it all more important they should be only held as long after cease-fire agreement as possible and in conditions free from intimidation to give democratic elements best chance. We believe important that no date should be set now and especially that no conditions should be accepted by French which would have direct or indirect effect of preventing effective international supervision of agreement ensuring political as well as military guarantees."

Dulles went on to call attention to a joint statement by President Eisenhower and British Prime Minister Churchill in June, especially that part which spoke of achieving "unity through free elections supervised by the UN."

Later in July, shortly before issuance in Geneva of the "final declaration" of the long conference, a declaration that included the statement that "general elections shall be held in July 1956." Dulles cabled his unhappiness at the impending outcome.

He sent Walter Bedell Smith, the Under Secretary of State who had returned to the Geneva Conference to limit as much as possible what Dulles foresaw as the disastrous outcome, a cable that said in part:

"While we don't want to take responsibility of imposing our views on the French, I feel particularly concerned about provisions of paragraph 6 which gives the Control Commission constituted as per SECTO 666 authority also to control the general elections. The ink is hardly dry on the Declaration of President Eisenhower and Prime Minister Churchill of June 29 to the effect that 'In the case of nations now divided against their will, we shall continue to seek to achieve unity through free elections supervised by the UN to insure that they are conducted fairly.' It is rather humiliating to see that Declaration now so quickly go down the drain with our apparent acquiescence."

About a week before the above cable, and after French Premier Pierre Mendes-France had asked that Dulles return to Geneva and before Dulles agreed to send Smith as his stand-in, Dulles cabled some of his unhappiness to Mendes-France via the American Embassy in Paris.

Dulles complained to Mendes-France of "a whittling-away process, each stroke of which may in itself seem unessential, but which cumulatively could produce a result quite different from that envisaged" in a seven-point minimum program, agreed upon by Britain and the United States, that he then was trying to sell France.

He included this paragraph as illustrative of that "whittling away process."

"Allowing Communist forces to remain in Northern Laos; accepting a Vietnam line of military demarcation considerable south of Dong-hoi; neutralizing and [one word indistinct] demilitarizing Laos, Cambodia and Vietnam so as to impair their capacity to maintain stable, noncommunist regimes; accepting elections so early and so ill-prepared and ill-supervised as to risk the loss of the entire area to Communism; accepting in-

ternational supervision by a body which cannot be effective because it includes a Communist state which has veto power."

In the end the election was called for, but not without considerable argument at Geneva, where the United States worked through the French. But others had the important say.

Chief among these important people were Chou En-lai, then as now Chinese Premier, and V. M. Molotov, the Soviet Union's redoubtable foreign minister.

In June of 1954, American Ambassador to France Douglas Dillon cabled Dulles to report conversations with Jean Chauvel, a key diplomat at the conference. Chauvel reported that Chou had "said that he recognized that there were now two governments in the territory of Vietnam, the Viet Minh Government and the Vietnamese Government. According to Chauvel, this was the first time that Chou had recognized the valid existence of the Vietnamese Government."

As to elections, Dillon reported: "Regarding the final political settlement, Chou said this should be reached by direct negotiations between the two governments in Vietnam... Mendes at this point said that since the war had been going on for 8 years and passions were high, it would take a long time before elections could be held as the people must be given a full opportunity to cool off and calm down. Chou made no objection to this statement by Mendes and did not press for early elections."

On June 19, Smith called on Molotov at his Geneva villa. He filed a long report, with his comment, which included this:

"In private conversations with Mr. Eden and others, Communist delegates, in particular Chou En-lai, had taken an apparently reasonable view on Laos and Cambodia, but that here again, when we came to the point of trying to get open agreement on specific points we were unable to do so. I specifically mentioned Chou En-lai's statements to Eden in which he said that China would have no objections to recognizing the kingdoms of Laos and Cambodia or to these States having forces and arms sufficient to maintain security, or their remaining in French Union so long as they were not used as military bases by the United States. We could not disagree with any of this, although if we kept out the Chinese would have to keep out, and these small states would have to be allowed to join with their neighbors in whatever regional security arrangements would best protect their integrity without constituting a threat to any one else.

"Chou En-lai might be anxious about possibility of U.S. bases in Laos and Cambodia. We wanted on our part to be sure that these countries were not handed over to the Chinese. Molotov said that while he did not know about what attitude Chinese might have on other questions in future, he could assure me that Chinese attitude on this particular question was not at all unreasonable, and that there was nothing in it which would give rise to conflicts. He added, however, that if we continued to take a one-sided view and insist on one-sided solutions, he must 'in all frankness say that this would not succeed.'"

Smith told Molotov that "appearance of 'partition' was repugnant to U.S." and he reported that "in regard to U.S. aversion to partition, he [Molotov] said that this problem could easily be solved by holding elections at once, which would decide 'one way or the other.'"

When Molotov indicated Smith might encourage the French to agree, "I replied," reported Smith "that US was not one of principals to Indochinese dispute and did not cast deciding vote, to which Molotov remarked 'maybe so, but you have veto, that word I hear you use so often.'"

In his "comment," Smith cabled: "It is probable that initial Soviet tactics

were to forestall US intervention in the Delta by some kind of a compromise formula involving Hanoi and Haiphong if it appeared that such intervention were imminent. The recent raising of the ante in negotiations here by the Communist side probably reflects an estimate on their part that our intervention is improbable and that they are safe to go ahead there, keeping, of course, a sharp eye out for indications of change in our attitude."

Dulles had fought any partition of Vietnam but Chauvel reported in Geneva in June to U. Alexis Johnson of the American delegation that "there had been conversations between Vietnamese and Viet Minh in which Viet Minh had made it clear that only two alternatives were coalition government or partition."

The same day Dulles cabled that the suggestion then surfacing for a line dividing Vietnam at the "Thakhek-Donghoi line, coupled with rapid Delta deterioration, is leading us to reexamine possible de-facto partition Vietnam."

Both Dulles and the Joint Chiefs of Staff had opposed partition and/or elections. In April of 1954 Dulles cabled Dillon in Paris and American Ambassador Winthrop Aldrich in London a summary of what he had told French Ambassador Henri Bonnet on the eve of the Geneva Conference.

In part, it said that "division of Indochina impractical. Quote Mixed Unquote government would be beginning of disaster." Both, he said, would lead to a "face-saving formula to cover surrender of French Union forces."

A March memorandum from the Chairman of the Joint Chiefs of Staff, Adm. Arthur Radford, to Secretary of Defense Charles Wilson on the JCS views about the then impending negotiations said this about "establishment of a coalition government:"

"The acceptance of a settlement based upon the establishment of a coalition government in one or more of the Associated States [Vietnam, Laos and Cambodia] would open the way for the ultimate seizure of control by the Communists under conditions which might preclude timely and effective external assistance in the prevention of such seizure."

In a paragraph about "self-determination through free elections," the JCS said in part:

"The Communists, by virtue of their superior capability in the field of propaganda, could readily pervert the issue as being a choice between national independence and French colonial rule. Furthermore, it would be militarily infeasible to prevent widespread intimidation of voters by Communist partisans. While it is obviously impossible to make a dependable forecast as to the outcome of a free election, current intelligence leads the Joint Chiefs of Staff to the belief that a settlement based upon free elections would be attended by almost certain loss of the Associated States to Communist control."

"Longer term" results of such a loss, said the JCS, "involving the gravest threats to fundamental United States security interests in the Far East and even to the stability and security of Europe could be expected to ensue."

By the time the Geneva Conference opened, as has been known for many years, the United States has actively considered the idea of military intervention. The documents made available to The Washington Post reflect this consideration at many points.

For example, a January, 1954, meeting of the President's Special Committee on Indochina discussed sending various aircraft to the French as well as 200 military mechanics. Deputy Defense Secretary Roger Kyes "questioned" whether sending the men "would not so commit the U.S. to support the French that we must be prepared eventually for complete intervention, including use of U.S. combat forces." State's Undersecretary Smith disagreed, saying "we were sending main-

tenance forces not ground forces. He felt, however, that the importance of winning in Indochina was so great that if worst came to worst he personally would favor intervention with U.S. air and naval forces—not ground forces."

Kyes said he "felt this consideration was so important that it should be put to the highest level. The President himself should decide. General Smith agreed."

But there were contrary voices as well. Late in January, Sen. John Stennis (D.-Miss.), then a low-ranking member and now chairman of the Armed Services Committee, wrote Secretary Wilson to say that "I have been impressed for some time that we have been steadily moving closer and closer to participation in the war in Indo-China."

He said he did not object to policy thus far but that "it seems to me that we should certainly stop short of sending our troops or airmen to this area, either for participation in the conflict or as instructors. As always, when we send one group, we shall have to send another to protect the first and we shall thus be fully involved in a short time."

The available papers do not include a response from Wilson to the senator.

Earlier that month, President Eisenhower approved the policy statement set at the National Security Council table two days earlier on "United States objectives and courses of action with respect to Southeast Asia." It began with a sweeping statement of "general considerations," one foreshadowed in the Truman administration and to be continued in one form or another, as the documents show, into the Johnson administration.

"1. Communist domination, by whatever means, of all Southeast Asia would seriously endanger in the short term, and critically endanger in the longer term, United States security interests.

"a. In the conflict in Indochina, the Communist and non-Communist worlds clearly confront one another on the field of battle. The loss of the struggle in Indochina, in addition to its impact in Southeast Asia and in South Asia, would therefore have the most serious repercussions on U.S. and free world interests in Europe and elsewhere.

"b. Such is the interrelation of the countries of the area that effective counteraction would be immediately necessary to prevent the loss of any single country from leading to submission to or an alignment with communism by the remaining countries of Southeast Asia and Indonesia. Furthermore, in the event all of Southeast Asia falls under communism, an alignment with communism of India, and in the longer term, of the Middle East (with the probable exceptions of at least Pakistan and Turkey) could follow progressively. Such widespread alignment would seriously endanger the stability and security of Europe.

"c. Communist control of all of Southeast Asia and Indonesia would threaten the U.S. position in the Pacific offshore island chain and would seriously jeopardize fundamental U.S. security interests in the Far East.

"d. The loss of Southeast Asia would have serious economic consequences for many nations of the free world and conversely would add significant resources to the Soviet bloc. Southeast Asia, especially Malaya and Indonesia, is the principal world source of natural rubber and tin, and a producer of petroleum and other strategically important commodities. The rice exports of Burma, Indochina and Thailand are critically important to Malaya, Ceylon and Hong Kong and are of considerable significance to Japan and India, all important areas of free Asia. Furthermore, this area has an important potential as a market for the industrialized countries of the free world.

"e. The loss of Southeast Asia, especially of Malaya and Indonesia, could result in such

economic and political pressures in Japan as to make it extremely difficult to prevent Japan's eventual accommodation to communism."

While the NSC study stated that "overt Chinese Communist attack on any part of Southeast Asia is less probable than continued Communist efforts to achieve domination through armed rebellion or subversion," the possibility of war with China was explored. It was stated that "in the event the United States participates in the fighting, there is a substantial risk that the Chinese Communists would intervene."

The immediate aim was to help the French by expediting, "and if necessary" increasing aid, to "assist them in:

"a. An aggressive military, political and psychological program, including covert operations, to eliminate organized Viet Minh forces by mid-1955.

"b. Developing indigenous armed forces, including logistical and administrative services, which will eventually be capable of maintaining internal security without assistance from French units."

In the event of Chinese intervention, the NSC concluded, the United Nations should be asked to call on member nations to "take whatever action may be necessary . . . to meet such an aggression." Whether or not the U.N. did act, it was proposed, the United States either under U.N. auspices or in concert with France, Britain and "other friendly governments" should take such steps as interdicting Chinese communication lines "including those in China," and, "if appropriate," also establish a joint "naval blockade of Communist China" and "as desirable and feasible" utilize Chinese Nationalist forces "in military operations in Southeast Asia, Korea, or China proper."

The NSC paper noted that if such actions as those outlined indeed were taken, "the United States should recognize that it may become involved in an all-out war with Communist China, and possibly with the USSR and the rest of the Soviet bloc, and should therefore proceed to take large-scale mobilization measures."

Military studies suggested that if the United States were to be involved on the ground "seven U.S. divisions or their equivalent, with appropriate naval and air support, would be required to win a victory in Indochina if the French withdrew and the Chinese Communists did not intervene." These were the words of the "Army position" on one NSC action memorandum.

But President Eisenhower, although he had approved the planning, wanted both Congressional approval and allied participation for any American intervention. An April telegram from Dulles to Dillon reported that "Congressional action would be required. After conference at highest level, I must confirm this position." He added: "US is doing everything possible" to "prepare public, Congressional and Constitutional basis for united action in Indochina. However, such action is impossible except on coalition basis with active British Commonwealth's participation. Meanwhile US prepared, as has been demonstrated, to do everything short of belligerency."

But Dulles had trouble rounding up allies, especially the British. Dulles reported to Smith on an April 27 talk with Foreign Secretary Anthony Eden in London and found Eden worrying that military intervention would be "a bigger affair than Korea," where hostilities had ended less than a year earlier.

A few days later Dulles summarized his findings, in part, this way:

"UK attitude is one of increasing weakness. British seem to feel that we are disposed to accept present risks of a Chinese war and this, coupled with their fear that we would start using atomic weapons, has badly frightened them."

Dulles confessed to uncertainty by add-

ing that "I do not underestimate the immense difficulty of our finding the right course in this troubled situation. Nor do I mean to imply that this is the moment for a bold or war-like course. I lack here the US political and NSC judgements needed for overall evaluation."

Summary statements in the papers available to The Washington Post do not include any Eisenhower decision not to intervene at any of the several points during 1954 when that was under consideration. The closest thing to a clear definition of the chief executive's thinking is a May memorandum to the Secretary of Defense and the Chairman of the Joint Chiefs by Robert Cutler, the special assistant to the President who handled NSC affairs.

Cutler reported on a meeting in the President's office with only President Eisenhower, Dulles and Cutler present, at which the chief executive approved instructions for Smith, then in Geneva. It was essentially an expression of unhappiness over Eden's proposals, which fell far short of intervention.

Point 3, however, was expressive of the President's frame of mind. It said: "The United States will not agree to a 'white man's party' to determine the problems of the Southeast Asian nations."

In the available papers there is no evidence of a post-Geneva American effort to prevent the elections throughout all of Vietnam from taking place.

The Soviets had "proposed June 1955" according to one report from Geneva but they and the Chinese and the North Vietnamese had finally agreed to July 1956. But South Vietnam, which the telegrams make clear had been told almost nothing about the secret Geneva talks although there was a Saigon delegation present, never accepted the Geneva accords, then or to this day.

A summary paper done as part of the Pentagon papers by an unnamed analyst put the outcome this way:

"As the deadline for consultations approached (20 July 1955) Diem was increasingly explicit that he did not consider free elections possible in North Vietnam, and had no intention of consulting with the DRV concerning them. The U.S. did not—as is often alleged—connive with Diem to ignore the elections. U.S. State Department records indicate that Diem's refusal to be bound by the Geneva Accords and his opposition to pre-election consultations were at his own initiative.

"However, the U.S., which had expected elections to be held, and up until May 1955 had fully supported them, shifted its position in the face of Diem's opposition, and of the evidence then accumulated about the oppressive nature of the regime in North Vietnam. 'In essence,' a State Department historical study found, 'our position would be that the whole subject of consultation and elections in Vietnam should be left up to the Vietnamese themselves and not dictated by external arrangements which one of the parties never accepted and still rejects.'"

On Jan. 19, 1961, President Eisenhower met in the oval room of the White House with President-elect John F. Kennedy. The President said that "Laos is the key to the entire area of Southeast Asia." The President-elect asked "how long it would take to put a U.S. division into Laos."

There was no discussion of Vietnam. That would become the problem for President Kennedy—and President Johnson—and President Nixon.

## TIME IS ENEMY IN WAR AGAINST CANCER

Mr. HUMPHREY. Mr. President, man is blessed with tremendous powers, and one of the most omnipotent of these is

science, but even the force of scientific knowledge is finite and its horizons limited in the context of time.

Time is the element which science, especially medical science, is in constant conflict with.

After all, what is the cure of disease other than forestalling of the ultimate stoppage of time, or death?

But in another context, time is equally elemental, and that is to acquire the knowledge and create the tools to speed the cure of diseases before they take their toll, for if we cure today, we save a life today; if we cure tomorrow, we lose all of those who will die today.

With the present institutions and financial means available, the enigma of cancer will eventually be solved, but these resources and agencies are not constituted to meet the urgency of the problem.

There is an overriding sense of urgency that we must face up to. Congress must mobilize our health resources in an all-out battle against cancer.

We cannot hesitate, for time is the enemy in seeking to lift this devastating burden from the minds and bodies of mankind, and we have the means to shorten this time.

Nearly 1,000 people perish every day from cancer in this country alone, and every day we delay we have to ask ourselves, "Had we speeded up our work, had we tried to do a better job of administration, had we concentrated more attention, how many lives would we have saved?"

Now we are not dealing with an ordinary disease, and I speak from some personal experience. It is one thing to be ill from other diseases, but the agony of cancer is indescribable. Those that linger with it are a pitiful sight—strong and healthy people, stricken and literally demolished and devoured by this disease.

I saw my brother go through that and one of my sons, so I speak with some emotion about the time factor. My son was cured and is well today, but my brother was not so fortunate.

More than 4 decades ago, the late Senator Matthew Neely, of West Virginia, who died in 1958 of the very disease he had been fighting legislatively for more than 30 years, vividly described cancer in a speech on the floor of the U.S. Senate:

I propose to speak of a monster that is more insatiate than the guillotine; more irresistible than the mightiest army that ever marched to battle; more terrifying than any other scourge that has ever threatened the existence of the human race. The name of this loathsome, deadly and insatiate monster is *cancer*. It is older than the human race. Evidence of cancer has been found in the fossil remains of a serpent that is supposed to have lived millions of years ago. Records made on papyrus by the ancient Egyptians show that the cancer cure was known in the valley of the Nile more than 2,000 years before the birth of Christ.

That was 1928, and Senator Neely noted that cancer was then taking 125,000 lives a year. He warned that the annual toll would rise significantly unless a major medical research offensive was mounted against it. Today, with the

death rate from cancer at 325,000 a year, the wisdom of Senator Neely's warning is clear.

He called for a \$100,000 initiative against cancer that year, but Congress was not fully convinced of the threat and finally voted only \$50,000.

How different things might be if the Congress had listened to Matt Neely in 1928, or in 1937, when he succeeded in getting Congress to establish the National Cancer Institute but failed to win for it the money he felt it needed to do the job.

In 1946, Neely, then a Member of the House of Representatives, introduced a bill to appropriate \$100 million to launch a large scale offensive against cancer.

That was 25 years ago—25 years before President Nixon called for a \$100 million cancer initiative. How much longer must we wait? I used to sit alongside of Matt Neely in the Senate—he was a very dear personal friend—and many times we talked about what we might have done had we not dilly-dallied around.

Senator Neely noted that during World War II cancer killed twice as many persons as did enemy bullets.

To bring that up to date, let me point out that more Americans died of cancer last year alone than were killed in action throughout the Second World War.

And in the past 6 years of fighting in Vietnam, 44,000 Americans have been killed. At the same time, back home, cancer killed 2 million persons—that is more than 45 times as many human beings destroyed by cancer as by the war.

And of those 2 million, 35,000 were children. That is about 312 youngsters a week.

I do not wish to dwell in the past and on the lost battles of Matt Neely, for "of all the words of tongue or pen, the saddest of all are these: it might have been."

But we should not ignore his prophecy, for those who forget the lessons of history are doomed to repeat them.

Of the 200 million Americans alive today, 50 million will develop cancer and 35 million will die of the disease unless better methods of prevention and treatment are found.

About half those deaths will occur before the age of 65. Cancer today causes more deaths among children under the age of 15 than any other disease.

I was heartened by President Nixon's recent remarks on cancer. He demonstrated a new commitment to fighting this dread disease.

The President's acknowledgment that more money needs to be spent for research to discover a cure for cancer also will provide new impetus to the drive. The President said:

If it should turn out that we need more money . . . I will not hesitate to ask the Congress to provide whatever funds can be effectively utilized.

The President announced in his state of the Union message plans for adding \$100 million to the \$232 million already in the budget for the fight against cancer.

I support the recent compromise reportedly reached between the Nixon ad-

ministration and the Senate Health Subcommittee to establish an independent Conquest of Cancer Agency as a part of the National Institutes of Health.

The new Director of the Cancer Agency as proposed under the compromise agreement would be named by the President and report directly to him.

Under the President's earlier proposal, a director of a cancer cure program would remain under the authority of the Health, Education, and Welfare Department secretary. HEW already has six layers of officials between the Director of the National Cancer Institute and the President. One more layer of bureaucracy will not help.

I believe the proposed Conquest of Cancer Agency will be much better able to mobilize the broad powers of science and technology in our battle against this dread disease.

In the race against cancer, time is important. And the time that we use in bureaucratic redtape means time that is lost and lives that are lost.

We do not know whether the critical experiment in cancer research has yet been done. Cancer is not a simple disease with a single cause that will be subject to a single cure of a single immunization, as was the case with polio. Cancer comprises many diseases and results from a variety of causes that will have to be dealt with in a variety of ways. Some forms of cancer, in fact, already have been cured—eight types through the use of chemicals; other forms through surgery and radiation therapy. But the complete answer is not yet in sight.

The cancer program needs the same independence in management, planning, budget presentation, and the assessment of progress that other independent agencies give their projects.

The new Conquest of Cancer Agency will focus public and private attention on a program that may provide millions of Americans hope in their fight against this terrible affliction.

The agency will be in full public view, in a way that occurs too frequently in our Government system. It means taxpayers asking what you are doing. How are you spending our money? What are your results?

When you have layers of Federal bureaucracy between the public and the agency, that needed pressure is not felt.

We cannot predict an immediate cancer cure, but this agency will be able to rally more eminent, prominent, distinguished scientists and doctors and collaborators in health care and health care than any cancer effort up to now.

We urgently need a continuing commitment of adequate funds, starting with a minimum of \$400 million and building by 1976 to \$800 million or even a billion dollars a year.

These are small sums when placed against our national resources or the human suffering and economic loss attributable to cancer.

Pain and sorrow cannot be measured in terms of dollars. The economic loss in jobs and earning power of persons stricken with this disease is conservatively estimated at \$15 billion a year.

Major advances in the fundamental

knowledge of cancer have been made in the past decade. They have opened up promising areas for intensive investigation. They must be explored vigorously if we are to exploit the opportunities that lie before us.

Just 30 years ago, only 1 in 5 cancer patients survived. Today 1 patient in 3 is cured. That number should be reduced to 1 in 2, and finally to the point where all patients survive.

We have the finest doctors, scientists, and medical researchers in the world. But the answer to cancer lies not only in personnel. It is also a matter of the system through which medical manpower is made available to people.

We are suffering from a shortage of medical manpower and facilities, and what we have is poorly distributed geographically. The poor in the ghettos of our cities and those who live in our remote rural areas simply are unable to get the medical care they need and must have.

If all our citizens could receive the same quality of diagnosis and treatment now available at the best treatment centers, we could significantly reduce the death rate from cancer.

This calls for no great scientific breakthrough—though ultimately that is what is needed. It simply calls for a better distribution of the resources already available to the privileged members of our society.

Cancer is the No. 2 killer in the United States, after heart disease. The same is true in most of Europe and in the Soviet Union.

Cancer kills more than 2 million people a year in all parts of the world and the rate is increasing. As poorer nations eliminate the diseases already gone from the richer ones—cholera, smallpox, diphtheria, yellow fever, and typhoid—it becomes even more imperative that we conquer what has previously been incurable, particularly heart disease and cancer.

A dozen years ago, I was chairman of the Government Operations Subcommittee on reorganization and international organizations. After extensive study and research, including travel and visits to medical centers in Western Europe, Poland, and the Soviet Union, we published a document entitled "Cancer: A World Wide Menace."

In that report, I noted that cancer "is a disease whose ultimate conquest will undoubtedly involve an unparalleled effort of worldwide biomedical research."

The conquest of cancer is an international challenge. The Conquest of Cancer Act recognizes this by providing for a degree of support for foreign research and scientists, but it basically is a national plan.

I suggest consideration be given to making this an international crusade.

During my 1969 visit to the Soviet Union, I talked in detail on this subject with Ministry of Health officials and with Premier Kosygin. I visited the Cancer Hospital in Moscow three times.

I found great enthusiasm for a wider exchange of medical information and diagnostic data, and I predict the Soviets will be ready to cooperate in med-

ical research and in pooling technology and resources.

I said in my 1959 report, and I repeat today:

The evidence is clear that cancer is a world problem, best solved by research on a world wide basis. The combined efforts of scientists throughout the world should be applied to developing and exploiting leads wherever they occur . . .

Against a universal killer, mankind must offer a universal defender—scientific co-operation. Against an enemy which strikes irrespective of politics or ideology, mankind must strengthen teamwork in a manner which transcends these of other factors.

At stake is triumph in a human adventure of highest drama. And with triumph, will come the prize of a lessening of human suffering and of premature death throughout the world.

I believe the United States, with the greatest medical and scientific community in the world, should take the lead in this historic effort.

#### AMERICANS SEEK MEDICAL DEGREES IN MEXICO

Mr. KENNEDY. Mr. President, the crisis in admissions to American medical schools has reached major proportions. According to the best available statistics, U.S. medical schools can accommodate only 10,000 of the 25,000 students who apply each year. The American Medical Association says that fully 7,000 of the students rejected by American medical schools are fully qualified. As a result, thousands of qualified students each year are forced to leave the United States and seek their medical education abroad. In fact, an estimated 4,000 to 8,000 Americans are now studying medicine in Mexico and Europe.

An article in the June 14 issue of the National Observer, by Mr. John Peterson, deals with American medical students studying in Mexico. At the University Autonomous of Guadalajara, there are 1,046 American medical students enrolled—more than in any single medical school in the United States. The American students are in Guadalajara because they want to study medicine, but were refused admission by American medical schools.

American students in Mexico face many obstacles before they are able to return to the United States to practice medicine. All the lectures at the University Autonomous of Guadalajara are in Spanish. Tuition rates at the university are \$1,000 a semester, plus an initial enrollment fee of \$1,000. Mexicans pay \$300 a semester and no enrollment fee.

In addition, the Educational Council on Foreign Medical Graduates requires that a foreign-educated physician must meet the requirements for licensure in the country where he has studied, before he can qualify to practice in America. Thus, medical students in Mexico face an extra 2 years of study before they are licensed and can return to the United States to practice medicine. The students in Guadalajara feel that the extra 2 years of study is unnecessary.

The U.S. Public Health Service says the United States needs 50,000 more doctors. We know that many of our hos-

pitals are in desperate need of interns and residents. If our medical education system could expand to accommodate the 7,000 students who are qualified to study medicine, we could go a long way toward improving the health care in America. The Senate Health Subcommittee and the Labor Committee have recently approved major health manpower legislation in an effort to meet the broad range of problems we face in this area, and the legislation will soon be debated on the Senate floor.

I believe that Mr. Peterson's article, "Our Doctors in Mexico," supplies important information concerning the health-care situation in America, and I ask unanimous consent that the article be printed in the RECORD.

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

#### OUR DOCTORS IN MEXICO

(By John Peterson)

There are 1,046 American medical students enrolled here in the University Autonomous of Guadalajara—more than at any medical school in the United States. But they're here by necessity, not by choice. How they fare is important, for they may be treating you one of these days.

The American students couldn't gain admission to any of the jammed U.S. medical schools. Determined to be doctors, they have chosen to enter the U.S. medical profession through this useful but shadowy back door.

No welcome mat greets them, here or back home. They study in Spanish, which makes the complexities of medicine doubly difficult. They compete for time in severely limited laboratory and clinical facilities. And, because of U.S. restrictions on foreign-educated doctors, most spend two more years in training than their contemporaries studying in the states.

"It's a bad price to pay," says 21-year-old John Wilson, "but at least it's an opportunity. We were all forced down here. We're the system's rejects, the dedicated fools who want to study medicine regardless."

The number of "rejects" grows apace. An estimated 4,000 to 8,000 Americans are now studying medicine in Mexico and Europe. U.S. medical schools can accommodate only about 10,000 of the 25,000 students who apply each year, though the American Medical Association (AMA) says that 7,000 of the rejects are fully qualified.

Foreign-educated doctors made up nearly one-third of the newly licensed U.S. physicians in 1970, the Journal of the American Medical Association reports in its June 14 issue. Of the 11,032 new physicians licensed last year, 3,016 were foreign graduates—including 198 U.S. citizens, 7 of whom studied here. The AMA study says 1970 was the fourth consecutive year in which the number of foreign-trained U.S. doctors increased.

These students contend that their academic schooling, which is based in part on U.S. texts and procedures, is as good as their individual abilities and effort. "You don't come down here if you don't really want to study medicine," says Michael Schwartz, a graduate of Johns Hopkins University. "Most of us are dedicated and determined, and we're appreciative of having the opportunity to study medicine at all."

They do put up with a lot. Mr. Wilson's experiences are indicative. He arrived in this city of 1,300,000 people last fall after driving all night over hazardous highways. "I wanted to get checked in at the university first, to get some advice on where to stay temporarily," he says. "But I had a little trouble with the language. Took me five hours of driving all over town to finally find the campus [it's in a valley outside of town]."

That language trouble—he knew only a few words of Spanish—made the first few weeks of lectures almost incomprehensible to Mr. Wilson. "Then the bug got me," he says. "You know: that Mexican bug that turns you inside out, that makes you think you're dying."

The Guadalajara school has about 3,500 students—one-third from the United States, another third from Mexico, and the rest from other Latin American countries. The Mexicans are primarily teenagers, but many of the Americans are over 30.

"If you're more than 25 in the states you don't even need to bother applying at medical schools: They give preference to younger applicants," says Stephen Stowe, a 31-year-old veteran of the U.S. Public Health Service. So Guadalajara Autonomous becomes in part a school for Americans who decided later in life to study medicine.

"I had my own swimming-pool maintenance and repair company for 12 years in Southern California," says Al Swaine, another U.S. student. "Andrew Koryn is 35 and had owned the Westwood Pharmacy in Los Angeles. We sold our business and came here, though we knew it would be a tougher grind."

The Americans here recognize and accept the difficulties inherent in foreign study—except for the requirement that they spend as much as two years more in training than students back home before they can practice in the United States. "That's an arbitrary, unjustifiable rule of the AMA and its bedfellow organizations of the U.S. medical establishment," snorts Mr. Stowe. "It's a ludicrous situation."

The situation, in fact, has thrust the entire medical profession into a deep, bitter dispute. "We're really talking about preserving our high standards of health care," says Dr. C. H. William Ruhe, director of the AMA's Division of Medical Education. "This dispute could reduce our system of medical education to chaotic shambles."

The students are challenging the interdependent labyrinth of "autonomous" organizations that control U.S. medical education. They've filed a lawsuit in Federal court charging that the AMA, among other groups, discriminates in denying them the right to pursue their profession, and they've been lobbying—with some success—in Washington, D.C., and in several state capitals for new legislation.

At issue is the Educational Council on Foreign Medical Graduates' (ECFMG) requirement that foreign-educated students must qualify to practice medicine in the country where they studied before returning home. For students here that means completing a one-year internship and another year of social service—usually treating Indians, without facilities or supervision, deep in the mountainous Mexican hinterland. Only then can the student, after passing the ECFMG test, begin an internship in the states. He is then two years behind U.S.-educated students who finished medical school when he did.

Americans studying here want to eliminate those "wasteful" two years. Thus far they've convinced the state of New Jersey, which passed a law neatly circumventing the ECFMG requirement, and three hospitals in Toledo, Ohio, which see the students as the only way to fill internships that would otherwise remain empty—a common phenomenon these days.

#### IS THE TRAINING GOOD?

But the hospitals in Toledo and New Jersey may face severe problems. The students want to come to them because of the clinical training available in their internship programs. But the AMA and its kindred organizations may lift the accreditation of those internships precisely because they would be filled with "unqualified" graduates.

At the root of the complicated situation lies the basic question: How good a medical education does an American student receive abroad?

"Obviously it can't be as good down here," says curly haired John Wilson, who did his undergraduate work at Albright College in Reading, Pa. "We have 1,000 students using facilities that 70 or 80 would use in the states." Adds Gary Fitzgerald: "The education is comparable to that in the states, though the laboratory facilities won't be adequate until we move into the hospital in 18 months."

These students contend that they learn medicine even if their clinical experience is lacking. Clinical experience "is what internships are for," says Joe Sarraica, who studied in Paris before the student riots there in 1968 closed the school.

Living costs here are about half of what they are in the states, but school itself is no bargain. Tuition for Americans is \$1,000 a semester, plus an initial enrollment fee of \$1,000. Mexicans pay \$300 a semester. "Certainly our tuition is helping to pay for the university's new campus, but it includes a first-rate medical school-hospital complex," adds Mr. Sarraica. American foreign-aid and foundation funds have helped the university expand to accommodate today's 9,000 students, up from 3,000 in 1965. It is a striking campus, reminiscent of such new campuses as the University of California at Santa Barbara.

At a meeting of the North American Student Association, formed to push for changes in the requirements U.S. students must meet in order to return to the states, about 400 Americans discussed strategy and future plans. "We simply want to be accepted as legitimate medical students," explains Michael Ritota, vice-president of the university's student association. "We'd like at least have the opportunity to take the examinations after we complete our four years here. If we qualified for entry to the states it'd be better than spending the next two years here gaining questionable experience and training."

When the ECFMG was established in the mid 1950s, it was to ensure that foreign doctors knew both English and medicine. Because of varying medical-education programs, the ECFMG required—and nearly all states went along—that a foreign-educated physician meet the requirements for licensure in the country where he studied before he could qualify to practice in America. "We could hardly rate all of the world's medical schools, which would be the only alternative," says the ECFMG's G. Halsey Hunt.

#### Toledo Says 'Welcome'

The ECFMG test, which U.S.-educated students don't take, is the only direct method of measuring foreign schools' quality. The Guadalajara Autonomous graduates and the Americans among them do about as well as do all applicants, including Americans, who take the semiannual test world-wide.

Last February 13,577 foreign-educated doctors took the test and 32.8 percent of them passed, the AMA reports. Of the 422 Americans who took it, 125—or 29.6 per cent passed. Sixty-eight Guadalajara graduates took it and 37 per cent passed. The 68 included 37 Americans, of whom 11, or 34 per cent, passed.

"It is highly questionable whether the two years in Mexico improves on these fellows' education," says Dr. Robert Smith of Toledo, the immediate past president of the Ohio State Medical Association. "The men have deficiencies in their clinical training, not their book learning. It makes sense to bring them into our hospitals here for training interns. We need them and they need us."

Three Toledo hospitals have selected about 35 Autonomous graduates to intern later this year, bypassing the ECFMG stipulation that they spend the two additional years in

Mexico. "We've lost 24 physicians in Toledo in the past 18 months," explains Dr. Smith, "and it's critical that we get more doctors here. Our hospital internships will go empty without these men."

That's the crunch. The U.S. Public Health Service says the United States needs 50,000 more doctors. There are more aspiring physicians than spaces in U.S. medical schools. So students head to schools in Mexico or Europe and then want to return home as soon as possible. Hospitals need interns, so caught squarely in the middle are the AMA and the ECFMG, whose requirements are designed to protect medical standards.

Today hospitals can only accept state-licensed physicians as interns. Students from U.S. medical schools normally are licensed upon completion of their academic work, but foreign-educated students must first meet the ECFMG standards. If the Toledo hospitals, for example, take the "unqualified" Autonomous graduates, present strictures require withdrawal of accreditation of their internship and residency programs.

New Jersey's newly enacted law sets up state standards that bypass ECFMG standards. The AMA says that so long as New Jersey licenses its interns, all is fine. But the state is still working on the new law's fine points and is hesitant about licensing foreign-educated Americans before giving them more clinical training.

Dr. Ruhe says the AMA fears that each state may establish different criteria for qualifying interns. "That could create a chaotic situation," he says. A program is needed to give foreign-education students additional clinical training in this country, he adds.

"We've spent more time here [at the AMA] worrying about this than on any other facet of medical education," Dr. Ruhe says. He talks of getting U.S. medical schools to oversee clinical clerkship for these returning students, and he hopes to get that program started this fall. It might entail up to an extra year's training in U.S. hospitals.

The New Jersey law provides for up to six months of additional clinical training before foreign-educated students enter the internship itself. "We simply don't want to be wasting years down here, treating Mexicans without facilities or supervision," says Mr. Stowe. "That is hardly superior training and education."

While this dispute proceeds, the students' lawsuit against the AMA slowly moves through pretrial proceedings. The suit alleges that the AMA denies these students their Constitutional right to pursue their chosen profession. The students also keep lobbying in other states, such as California, Ohio, and New York, seeking legislation similar to New Jersey's.

"All of this can sound like we're really asking for special privileges," says Mr. Sarraica. "But we merely want to be able to compete with U.S.-educated students without having a couple of extra years tacked onto our educational experience. If we can't pass the state examinations or the ECFMG after our four academic years here, we're ready to continue our studies until we can. We want that equal opportunity, however."

#### SAD AND GLORIOUS ANNIVERSARIES OF THE BALTIC STATES

Mr. HUMPHREY. Mr. President, on June 15, 1940, the Soviet Union invaded the Baltic States of Lithuania, Latvia, and Estonia. Since that time these republics have lost all vestiges of sovereignty under the imposed rule of the Soviet Union.

Despite this flagrant violation of the principle of self-determination and human liberty, the people of the Baltic States have demonstrated their deter-

mination to carry on the struggle for freedom in their own country and abroad.

It is both fitting and proper that we pay our respects and lend our support to the aspirations of these great people. Their ceaseless affirmation of the right to self-determination demonstrates that the fight for independence did not end in 1776. It continues today and will continue as long as the cynical disregard for human liberty is practiced by governments.

I want to join the people of the Baltic Republics in commemorating June 15 as a day for mourning and as a day for courage. Sadly enough, it takes courage to be free, and even more spirit to endure in the shadow of freedom for 31 years.

#### MINORITY YOUTH UNEMPLOYMENT

Mr. BAYH. Mr. President, I commend to the attention of my colleagues the report and appeal for action by the 20th Century Funds' task force on unemployment of minority youth released today. This report outlines starkly the plight of our Nation's minority youth. Among black teenagers the unemployment rate as of March 1971, was 30.3 percent. In low-income areas the figure is a staggering 41.2 percent. Even more shocking, the unemployment rate among black female teenagers has frequently been as high as 50 percent in recent years.

This report suggests to me that the public service employment bill now in conference is only a very small first step in the effort which we must make to provide desirable employment and career opportunities for black youth. Instead of discussing a veto of the public service employment bill the President should be urging us to expand manpower programs so that all who want jobs can find them. We must create and expand programs of child care, family planning, and part-time employment opportunities for young women who are out of work and out of school.

Above all, this effort will require a commitment which all too few of us have shown in the past toward solving the problems of a large and important segment of our society. I hope that this report by the 20th Century Fund will call the attention of the President and the Congress to the plight of minority youth in America.

Mr. President, I ask unanimous consent that the report of the 20th Century Funds' task force on unemployment of minority youth be printed in the RECORD.

#### YOUTH UNEMPLOYMENT: CRISIS IN THE CITIES

(A critical report and urgent appeal for action by the Twentieth Century Fund's Task Force on Unemployment of Minority Youth.)

#### TASK FORCE MEMBERS

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When hope dies, its heirs are desperation and despair. A decade has passed since Dr. James B. Conant first warned of the "social dynamite" planted in our cities by the enforced idleness and empty expectations of hundreds of thousands of young people. By now, Conant's "hundreds of thousands" of the workless without hope have multiplied; in the hot summers the dynamite frequently explodes; and his warning has not yet been heeded.

Another summer is upon us. The schools are closing but the streets are open. The dynamite is there in critical mass.

At the height of this country's economic boom in 1969, more than one out of four nowwhite male and female teenagers in the central cities of our twenty largest metropolitan areas was unemployed. This was about seventeen times the unemployment rate of 1.5 per cent for white males in the entire country.

Since 1969, the softening economy has led to a serious deterioration in the overall employment situation. But its effect on black youths has been a disaster. There are about 1.2 million black teenagers and 1.3 million blacks between the ages of twenty and twenty-four in metropolitan areas with over 250,000 population. As against a white adult unemployment rate of 5 per cent in March, 1971, the overall rate of black teenage unemployment was 30.3 per cent—or six times greater; in the poverty areas it was 41.2 per cent. For black adults between the ages of twenty and twenty-four, the unemployment rate was 16.5 per cent.

Even so, the official figures do not portray the extent of the problem. An additional number of the ghetto jobless are never found by the enumerators. At the very least, 100,000 young black people—a most conservative estimate—have given up hope and have stopped looking for jobs.

A step above the dropouts from the labor market and the unemployed are those who have found jobs. But for many the step leads no higher. Their jobs provide fewer hours of work than those of whites, less pay, little permanence and fewer prospects for advancement. Delayed, in some instances, but not in the end denied, they have not escaped the frustration of a dead-end work life.

Compounding the hardships of slack in the job market and the handicap of race is the sex disadvantage with which black women must contend. They are held back by multiple layers of discrimination. The highest unemployment rates of any group are those for black female teenagers in low income areas of central cities. Their unemployment rate in recent years has seldom been below 33 per cent and is often as high as 50 per cent.

A growing minority of black youth now have the preparation to enter and complete junior or senior college or to acquire a manual or technical skill that can aid them in a job search. But they too continue to face major discrimination in the world of work, which takes its toll by forcing them to accept jobs at lower incomes, with less opportunity for advancement than the jobs for which they are qualified.

While many black youths in urban ghettos are on tracks that do not lead into society's mainstream of legitimate gainful activity, their rural brothers in the farmlands and small towns of the South have even fewer employment prospects.

After Dr. Conant's warning, two factors decelerated but did not negate the growth of black youth unemployment. One was the economic expansion of 1961-69, the longest in our history, which generated an average of 1.5 million new jobs each year. The other was the expansion of the armed services which drew more than a million additional young men, many black, out of the labor force. But the moderating influence of these factors no longer exists. Now, opposite trends are at work. Our economy is haltingly recovering from a recession, and the present national unemployment rate is over 6 per cent, with little short-run prospect of dropping. This level further diminishes the opportunities for black youths whose hardships were crippling even while the boom was in full swing. Moreover, great numbers are pouring into the labor market from an accelerated demobilization of the armed forces while the draft draws fewer and fewer out, leading to intensified competition for the fewer jobs available.

The urgent problem of race in a surplus and discriminatory labor market is daily growing more acute. More young black people will enter the job market in the decade ahead, and they will represent a higher proportion of all new entrants than they did in the past. Teenagers among blacks and other minority groups will increase from about 2.1 million in 1970 to 2.6 million in 1980—a gain of 24 per cent. Among young adult blacks aged twenty to twenty-four, the projections show an increase from under 2.2 to about 3 million—a gain of 36 per cent.

Only at the gravest peril to our society can the American people continue to ignore the growing frustration, despair and hostility that characterize more and more young black people. After a childhood and adolescence stunted by deprivation, rejection and neglect, these young people want the opportunity to support themselves and live useful lives. But, as the reports of the Equal Employment Opportunity Commission and other government agencies underscore, many desirable training and employment opportunities remain closed to black youth.

Many black young people have grown up in households with only one natural parent. They have lived in slum housing in slum neighborhoods where violence and crime are commonplace. They have attended schools where teachers do not teach them, where the curriculum is irrelevant and where there are no performance standards. The family that should have nurtured them, the school that should have instructed them, the community that should have opened opportunities for them, the democratic society whose professed faith should have encouraged them—all have failed. They reach adulthood with one basic achievement not to be despised: they have survived their environment.

What they most need is a second chance to find themselves, to fit into a society which, through neglect—or worse—has seriously handicapped them. If there are walls they cannot scale that keep them out of jobs or confine them to the drudgery of ill-paid dead-end work, then they are doomed to live permanently as marginal workers, to exist forever on welfare, to dwell in the twilight zone of illegal employment or to exist as criminals in and out of prison. A society that turns its back on them invites only the enmity of the young and puts its own future in grave jeopardy.

To be black in a society that is only slowly shedding its racist past is a handicap. To be poor in a society where the important developmental opportunities that parents provide for their children depend on money is a handicap. To be female in a society that continues to treat girls and women as inferiors is a handicap. As if the lack of social justice was not enough, the disequilibrium creates a malignancy that puts at risk the established social order.

The American people have not been willing to respond to the Randolph-Rustin Freedom Budget of some years ago that called for investing \$100 billion over ten years to rebuild the ghetto areas and to relocate the adults and children who were trapped in them. Instead, there is now another modest federal gesture acknowledging that the hot summer approaches. In early spring, the President requested a supplemental appropriation of \$64.3 million for summer jobs for 514,000 young people. Congress, at the end of May, voted \$105.0 million for 609,000 jobs. About 40 per cent of the young people will get summer jobs under this program will be black or other minority youth in low income areas of our large cities. While these young people will get a little work experience and a few may even acquire modest skills on these summer jobs, most of them will profit primarily from the approximately \$350 that they can earn if they work the entire summer, giving them and their families a little extra cash. This annual pattern of pseudo-resolution of the crisis is now well established.

The President, the Congress and the American people hope that with money in their pockets the summer workers will not take to rioting. But large numbers of black youths will be left without jobs and income; the private sector is not able to come even close to meeting the needs of those who will not be federally employed.

#### II

The absence of desirable employment and career opportunities for large numbers of black youths is a failure that our society must correct without delay. There is urgent need for constructive action because of the widening gap between the expectations of black youth for full participation in American society and the realities of their continued exclusion, deprivation and discrimination. Over the longer term, the American people must address themselves with even greater seriousness to those defects in our institutions that have created and continue to enlarge the problem. An analysis of these defects and the Task Force recommendations for their remedy are in the following sections of this report. Here, the Task Force strongly urges immediate, priority actions:

The establishment of public service jobs for all young people who are unable to secure employment in the private sector.

Adequate funding for antidiscrimination efforts in federal, state and local governments to speed the removal of all arbitrary racial, ethnic and sex barriers.

The expansion of services, including child care and family planning, and of part-time employment opportunities for young black women who are currently out of school and out of work.

These actions are urgently required not only on grounds of justice and equity to the black community but also to ensure that our society does not become the target of those who see no alternative to violence to secure their rights.

#### III

Our social and economic institutions are defective in several ways:

The national economy has consistently failed to generate a sufficient number of jobs at adequate wages for all who want to work. There remains a wide gap between the promise in the Employment Act of 1946 and its fulfillment.

In allocating jobs, especially the better ones, our society has consistently discriminated against black people. More than a hundred years after the Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution, black people are still denied equal treatment in every sector of our national life—where they are permitted to live, the schools they attend, the hospitals that treat them, their encounters with the police and the courts.

The educational system permits a disturbingly large number of black and other minority young people to drop out or graduate without the minimum skills they need to qualify for the wide range of desirable jobs.

Our society lacks effective developmental institutions for adolescents who need an alternative to formal schooling.

Our mechanisms to facilitate the transition of young people from school to work are ineffective.

If alternative supplies of labor are available, employers are unwilling to hire young people or hire them primarily for dead-end jobs that provide little training or that contribute little to the development of good work habits.

#### IV

To remedy these serious institutional defects, the Task Force makes the following policy recommendations:

##### A REALISTIC PROGRAM OF YOUTH CONSERVATION

1. On the basis of the nation's recent experience, we conclude that the establishment and maintenance of a continuing high level of employment is an essential pre-condition for sustained progress in improving the job and career opportunities of all youth, particularly black youth. But even if the country were willing to tolerate rapid price rises as the cost of a continuing high level of employment, such a policy still would not generate an adequate number of jobs for teenage and young adult workers, particularly those who belong to minority groups. Accordingly, we recommend that Congress enact legislation creating a substantial number of public service jobs that, through an educational and training component, can lead to career advancement. We also propose that, as the country gains experience with this new program, public service employment be provided for all young people who seek full-time employment and cannot find jobs in the private sector. An economy that generates a trillion dollars GNP has the competence, if it can find the will, to create useful work for all who are forced to be idle.

2. To be black means to be the victim of discrimination. Young black people have seen their parents denied jobs, promotions, stability of employment and access to fringe benefits for no other reason than the color of their skin. They in turn face discrimination with the same destructive consequences for themselves and their children unless and until society moves energetically to reduce and eliminate it. We therefore recommend a redoubling of efforts to eliminate discrimination in employment by the following actions: Congress should grant the Equal Employment Opportunity Commission the right to issue cease and desist orders; Title VII of the Civil Rights Act of 1964 should be amended to remove the exemption of state and local government from the provision of the act; federal, state and local legislative bodies should increase their funding to anti-discrimination agencies so that they are better able to carry out their missions; private and nonprofit employers should devote more time and effort to ensuring that their organizations adopt strong affirmative action programs and see to it that they are implemented by middle and first-line management.

3. Large employers, public as well as private, must consider more than they have in the past the effect of locational decisions on employment opportunities for black workers. A decision to move from the central city to a suburb may have the same effect as hanging out a sign "no blacks wanted" if blacks have no ready access to the location. Where interurban transport is in place, it is essential that the responsible agencies establish schedules to facilitate travel by city residents to suburbs, and where it is lacking they must explore the feasibility of establishing special bus routes.

The federal government, with the assistance of state governments and private sector enterprises, must facilitate the building of more low-income and middle-income housing outside the central cities and assure that blacks and other minorities have access to it. Such action is essential to ensure that minority group members are not cut off from many desirable job opportunities.

Because of our conviction that, if discrimination in employment against blacks could be eliminated, a large part of the adverse labor market experience of black youth would disappear, we want to call attention to further remedies: The federal government can do much more than it has yet done through its Office of Federal Contract Compliance to insist through the use of statistical guidelines and other objective measures that contractors intensify their affirmative action programs to open opportunities for black workers. The same holds for the additional leverage that the federal government can exert through a stricter enforcement of its policy of nondiscrimination in its grant-in-aid programs, which total over \$30 billion annually. We do not want to convey the impression that no progress is being made by the federal government in eliminating discrimination in employment. But we agree with the imagery of Theodore M. Hesburgh, chairman of the U.S. Civil Rights Commission, and urge that the dinosaur be prodded so that it will open its eyes. In matters of law enforcement, and certainly national leadership, the federal government must be out in front or the country will not follow.

4. Many young black women are particularly victimized because, in addition to the handicaps of race and low income, they face sex discrimination in terms of the jobs available, the wages paid and opportunities for advancement. The highest unemployment rates of any group are those for black female teenagers in low income areas of the central cities. But many young female adults suffer additional handicaps. One of every four black women aged twenty to twenty-four is an unmarried mother, and in low income areas of our large cities a third of all who have been married do not live with a spouse. Since many young black women leave high school because of pregnancy, we recommend that the educational authorities make special efforts to enable these young women to continue their studies during pregnancy and facilitate their return to school after the birth of their children. Without a high school diploma, most of these young women will have no opportunity to prepare themselves for a desirable position in an increasingly white collar economy. To return to school or to obtain employment, these young women need ready access to child care facilities that are totally or substantially government subsidized. So we recommend, that federal, state and local authorities, in cooperation with private and nonprofit organizations, assess the financial and other obstacles to a rapid expansion of child care facilities with the aim of removing them. Moreover, since young women with children may not be able to accept full-time employment, the federal government, in association with state and local government, should seek to create part-time public service employment in or near low-income areas so that these young mothers can receive some training and experience in working and earning income, which could be the first step in linking them to the world of work. Many of these young women need information about and access to birth control and family planning services and, in the states where the laws permit, access to facilities for termination of pregnancy. We recommend that the educational, health and welfare authorities and other interested public and private organizations cooperate on the design and implementation of effective programs of family planning services and

see that they are made available to all young people in the community.

5. Because there are a large number of dead-end jobs in the American economy and because there are barriers that thwart the attempts of workers to move from low-paying to better jobs, the Task Force recommends that all employers—private, nonprofit and government—on their own, and in association with trade unions and educational and training institutions, seek to improve the productivity of low-paying jobs through capital investment, job redesign, and improved management so that wage rates and earnings can be raised; build career ladders to facilitate the movement of workers from low-paying to better jobs; and provide educational and training opportunities so that poorly paid workers can, by improving their skills, gain access to better jobs in their present or related occupations.

6. While more and more young blacks are graduating from high school and college, their educational attainments continue to trail those of their white peers. In addition to this competitive disadvantage, many black youths finish high school poorly prepared to enter white collar employment, particularly jobs that require language and numerical skills. Many words have been written during the past years on where the blame lies. The favorite explanations run from too little money spent on education, through hostile teachers and administrators, to lack of parental involvement and support. Putting these explanations to one side, the Task Force underscores its conviction that more effective educational preparation could contribute to easing the employment problems of black youth. To this end it recommends that more attention be paid to teaching the basic skills of reading and writing in pre-school and early school years through greater parental involvement, more tutoring, curriculum reform, and other approaches that are found effective. It urges more experimentation with open schools at junior and senior high school levels so that young people can build on their interests and capacities rather than follow a rigid curriculum that lacks meaning and relevance for them.

Greater use is indicated of such mechanisms, as in California, whereby minority youth in college are hired as tutors and counselors to help younger persons who need assistance in their studies and career planning. The quality of vocational and technical training available to high school students and dropouts should be improved through a strengthened system of vocational training, through providing those who are qualified access to selected vocational courses in community colleges and through permitting, indeed encouraging, black youth to enter the more desirable programs.

7. About two out of five young people in low income areas of our cities drop out of junior high school without earning a diploma, many others obtain a diploma that attests more to their acceptable behavior than to the skill and competence they have acquired. This low ratio of minority youth who graduate with real competence underscores the lack of fit between the educational system and the large numbers of young people whom it seeks to serve. One important arena of reform would be for employers, labor unions, and the educational authorities to cooperate in bringing about a substantial expansion of work/study, cooperative and related programs should take the junior and senior high school student—as well as the junior and senior college student—out of the classroom into the world of work for part of the day, week, month or term. Although successful cooperative programs require the active participation of employers—and in this connection, government and nonprofit institutions as well as the private sector offer potentialities—the major drawback to date has been in-

adequate funding and poor educational planning and supervision. Cooperative programs will prove beneficial only if they are considered first and foremost as educational programs with work experiences closely related to educational goals and only secondarily as work and income-earning experiences.

8. The states and the federal government passed many statutes in the early 1900's limiting the conditions under which young people and women were permitted to work, the length of the working day and week and the equipment they were permitted to handle. With the passage of time, changes in technology and altered conditions of the workplace, some of this protective legislation has come to impede the employment of young people. We recommend that the Secretary of Labor initiate a comprehensive review of federal and state legislation and regulations and administrative interpretations of them as they affect the employment of youth. This review should lead to the provision of revised guidelines for the benefit of legislative and administrative agencies to protect youth from exploitation while broadening their opportunities. Specifically, we recommend that by evaluating the experimental programs currently under way careful consideration be given to lowering the age at which young people are permitted, as part of an educationally sponsored program, to work at fourteen or fifteen; to exploring the potentialities of streamlining the issuance of work permits in view of the fact that in 1969 employers used only 42 per cent of the 36 million man-hours authorized; and to reassessing whether the broad prohibitions on the use by youth of power machinery is not unnecessarily restrictive under present safety regulations.

9. Ours may be termed a "credentialed" economy. More and more of the preferred jobs are open only to persons who have acquired the appropriate degree, diploma, certificate or license. One estimate indicated that in the New York City labor market alone some form of licensing was required for close to a million jobs. Minority youth are kept out of many desirable jobs and career opportunities by educational, certification and testing requirements that have their roots in discriminatory cultural traditions as well as in employer error or prejudice or professional or trade union efforts to control the labor supply.

We recommend that state and local legislative bodies review their licensing structures and procedures to assure broader representation of public members, including representation from minority groups; removal of arbitrary obstacles to certification, including high fees for licensing examinations; and restraint in establishing licensing requirements for additional occupations, unless careful study indicates a need. Further, various leadership groups such as trade associations, international trade unions and civil service commissions should encourage their constituent organizations to review their formal educational requirements for employment with the aim of eliminating requirements that are not work related and that are therefore discriminatory. Finally, employers should give more weight to work experience while credentialing bodies should provide credit for many types of work experience.

10. The manpower training programs financed by the federal government have expanded rapidly since the passage of the Manpower Development and Training Act in 1962. Total federal spending for manpower services approximate \$3 billion annually. Of the approximately 1.3 million persons enrolled in these programs in 1970, black youth under twenty-two years of age accounted for about 450,000, or more than one-third. We recommend the following changes in manpower programs so that they can contribute more effectively to the employability and career development of black youth. Specifically, the

federal government should link training to a job by providing assurance that a young person who satisfactorily completes a training program and cannot find a position in the private sector because of slack demand will be placed in a public service job where he can add to his skills while earning a wage. It is destructive to an individual's morale to encourage him to take a training program which does not lead to a job. The Neighborhood Youth Corps for in-school youth should be expanded and planned on a year-round basis as a structured educational-work experience program. The newly reconstituted Job Corps in urban settings, both residential and nonresidential, must make special efforts to provide their trainees with useful skills, to place their graduates in jobs and to follow them up to see whether their costly training is reflected in higher earnings and job advancement. Because of the high per capita costs in training Job Corps youngsters, it is all the more important to ensure that the training leads to the acquisition of useful skills and employment opportunities.

A hard look at the Work Incentive Program is essential. About 20 to 25 per cent of the mothers receiving some support under the Aid for Dependent Children program are under twenty-four years of age. Moreover, there are many adolescent children in families on welfare. If the Work Incentive Program were to concentrate on improving the employability of these young people, the results might prove more encouraging than the efforts to date.

11. Many young black men and a small number of young black women enlisted during the past two decades in the armed forces to acquire more education and training and to explore whether they might make a career in the military. Since the acceleration of fighting in Vietnam, which coincided with the rise in black consciousness, fewer blacks have looked with favor on the military as an environment in which to seek training or long-term employment. However, under a directive from the Secretary of Defense in 1966, the armed services have drafted or enlisted large numbers of black men who formerly would not have passed military screening requirements. Present military planning contemplates the suspension of the draft by no later than July 1, 1973, and a concurrent substantial reduction in force levels; as a consequence, the armed forces are presently acting to reduce the inflow of low-score men, of whom many are black youth. We recommend that the armed forces, as the single largest employer in the country, avoid using their prospective personnel stringency as an excuse to reject black youth who, despite low scores, could perform effectively. We also recommend that when the fighting in Vietnam ceases, Congress consider a special appropriation to the armed forces for men whom they would not otherwise accept, so that these men could receive training that might be equally beneficial to the reserves and to the civilian economy. The armed forces have a unique training capability which, in the absence of active fighting, should be used to the maximum.

12. It has long been recognized that poverty and crime are closely linked. The additional tensions under which minorities live, especially in crowded cities, contribute to crimes against persons. When the New York State Advisory Committee to the U.S. Civil Rights Commission held hearings in Harlem a few years ago, the dominant request of local witnesses was for more police protection. The merchants complained bitterly that they had to close their shops before dark because of the danger of burglary. Poor neighborhoods need more and better police protection.

In many low-income areas, young people recognize that the man with money is often involved in illicit or illegal activities—numbers, drugs, prostitution, the resale of stolen

goods, racketeering. There is scattered evidence that many young men, probably one to two out of five in urban slum areas, realizing that they have little or no prospect of getting a decent job and earning a decent income, drift into illicit and illegal activities. But those who are apprehended, as well as those who are convicted, need rehabilitation, not punishment. We recommend more reliance on probation for first offenders with linkage to training and employment programs, such as the Manhattan Court Project in New York City. In addition, appropriate training for those who are sentenced to jail or prison and better placement services after they are released are essential. To this end special efforts must be made not to divulge the sealed proceedings against juveniles and to eliminate questions from employment applications dealing with arrests that did not lead to conviction. Moreover, community leaders should strive to reduce the arbitrary exclusion of former prisoners from many desirable types of employment. Our present practices with respect to law enforcement are injurious to the community as well as to the delinquent and the criminal.

13. During the 1960's we inaugurated many different experimental and operating programs that impinge on the education, training and development of young people and seek to broaden their options in the transition from adolescence to adulthood. Many young people, both affluent and poor, have broken out of the institutional confines that have held them prisoner for so long. Street academies, college discovery programs, communes, street people, the Peace Corps, Vista and the Teacher Corps suggest the breaking of the mold. But the fact remains that American society lacks the range and variety of development opportunities responsive to the unmet needs and changing values of young people during their exploratory years, many of whom remain in school until age twenty-four or even later. Young people need a varying diet of education, training, work, income, leisure and exploration to develop their potential and to help them to find themselves. We have no simple prescription for how these broadened opportunities can best be provided. But we recommend the following lines of action: easier ways to drop out without prejudice and to return to school; more opportunities for young people to enter painful employment as part of a structured educational and training experience; more governmental and voluntary programs that offer young people opportunities for worthwhile public and community service as part of their educational-training-maturational development. Young people from affluent homes enjoy many of these broadened options. It is essential that more poor minority youth have the same opportunities. Black youth will face special hardships even if the American people take action to accomplish urgently needed reforms. They will be frustrated to the point of explosion if the nation fails to fulfill its commitment to provide them with equality of opportunity.

#### GROWTH CENTER DEVELOPMENTAL HIGHWAY PROGRAM

Mr. HUMPHREY. Mr. President, included in the Federal Aid Highway Act of 1970 was a new section providing for a demonstration program of economic growth center development highways. Specifically, the program is designed to demonstrate the role that highways can play to promote the desirable development of the Nation's natural resources, to revitalize and diversify the economy of rural areas and smaller communities,

to enhance and disperse industrial growth, to encourage more balanced population patterns, to check and, where possible, to reverse current migratory trends from rural areas and smaller communities, and to improve living conditions and the quality of environment.

Specifically, this section of the Highway Act:

First, requires the Secretary of the Department of Transportation to develop criteria for economic growth centers having a current population of less than 100,000 people;

Second, requires that projects must be on the federally aided primary system;

Third, requires that each Governor identify and select economic growth centers within his State and establish priorities for the construction of development highways to serve such centers and submit his recommendations relating thereto to the Secretary of the Department of Transportation.

Fourth, permits the Department of Transportation to pay up to 100 percent of the cost of engineering and economic surveys necessary for the planning and design of the development highways;

Fifth, allows the Federal share of the cost—usually 50 percent—for such projects to be increased by an additional 20 percent up to a maximum of 95 percent.

Sixth, requires that projects under this section must promote the aims and purposes set forth in the section and economic growth centers selected must meet such criteria as the Secretaries of the Departments of Transportation and Commerce determine or deem necessary;

Seventh, stipulates that proposed projects that are within the Appalachian region or any of the title V commissions—under the Public Works and Economic Development Act of 1965—cannot be approved by the Secretary of the Department of Transportation until he has consulted with the Federal co-chairman of the region and the Secretary of Commerce;

Eighth, provides for \$50 million authorization for fiscal year 1972 and another \$50 million for fiscal year 1973; and

Ninth, limits the allocation to any one State to not exceed 15 percent of the total authorization for the program.

As you can see, this program reflects the Congress growing concern regarding the development of a balanced national growth policy in the United States. Programs such as this are further evidence of the willingness of Congress to act in working toward such national objectives. I am sorry to report, Mr. President, that the same cannot be said for the administration in this regard. We have heard many fine words and read many inspiring statements issued by the White House regarding "national growth" policy, but have seen little or no action.

In fact, the administration not only opposed the growth center developmental highway demonstration program when it was first proposed in the House, but further has requested only \$10 million of the \$50 million authorized for the program for next fiscal year. I would urge, Mr. President, that

the Congress appropriate the full \$50 million it authorized for this program.

It also has come to my attention, Mr. President, that the Secretary of Transportation, in his instructional memorandum to Governors and State highway departments, is planning to fund at least one demonstration effort under this program in each of the 50 States. This would probably mean, under the formula usually applied in such cases, that the allocation to the States for individual projects will probably range from \$100,000 to \$3 million each. Despite the fact that these moneys can be used to piggyback regular federally aided highway projects, \$10 million or even \$50 million will not buy much of a meaningful demonstration program if spread among all 50 States.

The Secretary of Transportation should avoid diluting the purpose of this program in such a manner. While he may feel compelled to spread these moneys around to all States in the hopes of making everyone happy, he fails to recognize that most Governors would rather see these moneys used effectively in a few places than spread too thinly in many places which is likely to defeat the purposes of the program. It has been my observation that Governors, mayors, and other State and local government officials are getting tired of being enticed to participate in Federal programs only to discover, once involved, that not enough resources are available to get the job done.

I should further like to call to your attention, Mr. President, that Secretary Volpe apparently expects most of the \$10 million that he has requested for this program next fiscal year to be expended for engineering and economic studies, with little or no money being expended for developmental highways themselves. Again, I would like to recommend that the full \$50 million be appropriated and expended for fewer projects next fiscal year than what the Secretary apparently has in mind. I believe if this is done, less money would be required for such studies—most of which will probably go to consultants—and more can be devoted to producing some genuine, worthwhile demonstration projects that will produce the kind of results that the Congress obviously desired when it enacted the program. There is nothing in the law that requires that the money authorized be allocated to all or nearly all States.

Mr. President, as chairman of the newly established Rural Development Subcommittee of the Senate Committee on Agriculture and Forestry, I am deeply interested in programs such as this developmental highway program. My fellow colleagues on the committee and I will be following the progress of this program very closely. Hopefully, the results of this program will provide important guidance for us in the future regarding the role that highways can play in stimulating desired economic and population growth patterns throughout rural America.

#### SCHOOL INTEGRATION

Mr. RIBICOFF. Mr. President, for the past 18 months the Senate has been struggling with the problem of school integration. Figures released yesterday by the Department of Health, Educa-

tion, and Welfare document more clearly than ever before that the North and the South are the proverbial ships passing in the night, the South on the way toward integration, the North moving toward total separation of the races.

It is time to stop arguing about the magnitude of the problem and begin addressing ourselves to its solution. The increasing concentration of blacks in central cities throughout the South as well as the North makes it clear that we will never solve this problem until we integrate our schools on a metropolitan-wide basis and until we focus our attention on residential integration as well. Our schools can no longer bear the brunt of integration by themselves.

Because of the importance of these statistics, I ask unanimous consent that an article in this morning's New York Times by John Herbers interpreting the figures together with the tables from HEW be printed at this point in the RECORD.

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

**SOUTH INTEGRATES SCHOOLS AS NORTH LAGS**

(By John Herbers)

WASHINGTON, June 17.—In the last two years, public school integration has increased dramatically in the South while it has shown a significant decline in most of the large Northern cities.

The data, contained in a survey released today by the Department of Health, Education and Welfare, show that of the total number of Negro students in the nation the percentage attending majority white schools increased from 23 to 33 per cent between the fall of 1968 and the fall of 1970.

But the increase was attributable almost wholly to the rapid rise in the South. In the 11 states of the Old Confederacy, the percentage of Negroes in schools with a white majority increased from 18 to 39. In the Northern and Western states, integration

remained about steady at 27 per cent, with gains in some areas being offset by declines in big cities.

In New York, for example, where blacks make up 34 per cent of the school population, the percentage of Negroes in majority white schools declined from 19.7 to 16.3 between 1968 and 1970. In Detroit the percentage dropped from 9 to 5.8; in Philadelphia, from 9.6 to 7.4; in St. Louis, from 7.1 to 2.5; in Boston, from 23.3 to 18; in San Francisco, from 15.4 to 14.2, and in Minneapolis from 70.8 to 57.6.

Some large Northern cities showed a slight increase. In Newark, for example, where 72 per cent of the school population is black, the survey showed that in 1968 2.1 per cent of the blacks were in majority white schools. Now the percentage is 2.9. Others decreased only slightly, like Chicago, which went from 3.2 to 3.

But the over-all trend in the Northern cities was down while the trend for both cities and rural areas in the South was up. Among the nation's 30 largest school districts, only Southern and some Western districts showed significant improvement in the picture of racial isolation.

Until 1968, nobody knew the extent of school integration and its trends on a state-by-state and city-by-city basis. That year, and again at the beginning of the current school year, H.E.W. surveyed all school districts enrolling 3,000 or more students and conducted a sampling of smaller districts.

Preliminary figures for the fall, 1970, survey were released on a national and regional basis in January. The final figures, which showed little change, and the detailed breakdown were released today.

Thus, they provide the first complete comparative data as to the extent and trends of school integration.

The figures show that while civil rights laws and court decisions have been effective to a large degree in the South, neighborhood segregation appears to be increasing in Northern cities and black populations were increasing in the central cities.

**SOUTHERN REACTION SEEN**

Disclosures in the survey are likely to step up the complaints of Southern members of

Congress that their region is being required to go further than the rest of the nation in racially balancing the schools. Government efforts in the areas have been directed largely against the states that once practiced segregation by law and policy.

Efforts in Congress to require racial balancing of districts where there was no overt ordering of segregation have failed. The Nixon Administration is now pushing legislation to provide \$1.5-billion to support integration steps in the North and South.

The survey measures the extent of integration in several ways. The most significant measure, from both an educational and social point of view, is believed to be the percentage of blacks in schools having at least 50.1 per cent whites.

In addition to a complete state-by-state breakdown, H.E.W. compiled similar tables for the 100 largest school districts. The survey shows further that there are now 17 large cities with majority black public school students.

**IN CITIES LISTED**

These are Chicago, 54.8; Detroit, 63.8; Philadelphia, 60.5; Baltimore, 67.1; Cleveland, 57.6; Memphis, 51.6; Washington, 94.6; St. Louis, 65.6; New Orleans, 69.5; Atlanta, 68.7; Newark, 72.2; Kansas City, 50.2; Oakland, 56.9; Birmingham, 54.6; Richmond, 64.2; Gary, 64.7, and Compton, Calif., 83. Most showed an increase in black percentages from 1968.

An illustration of what has happened nationally can be seen by comparing Mississippi to some Northern states. In 1968, Mississippi had only 6.7 per cent of its Negro students in white majority schools. By 1970 the percentage had increased to 26.4 per cent, surpassing California, Illinois, Michigan, Missouri, Pennsylvania and Wisconsin.

In the 10 other Southern states, the integration gains over the two years were: Alabama 8.3 to 36.5 per cent. Arkansas 22.6 to 43, Georgia 14 to 35.9, Louisiana 8.9 to 31.2, North Carolina 28.3 to 54.1, South Carolina 14.2 to 44.8, Tennessee 21.2 to 32.3, Texas 25.3 to 34.9, Virginia 26.9 to 41.4, and Florida 23.2 to 48.4.

TABLE 1-A.—NEGROES BY STATE

[Number and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

State	Total pupils	Negroes attending minority schools—															
		Negro		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
<b>Continental United States:</b>																	
1968.....	43,353,568	6,282,173	14.5	1,467,291	23.4	4,814,881	76.6	4,274,461	68.0	4,041,593	64.3	3,832,843	61.0	3,331,404	53.0	2,493,398	39.7
1970.....	44,877,547	6,707,411	14.9	2,223,506	33.1	4,483,905	66.9	3,311,372	49.4	2,907,084	43.3	2,563,327	38.2	1,876,767	28.0	941,111	14.0
<b>Alabama:</b>																	
1968.....	770,523	269,248	34.9	22,308	8.3	246,940	91.7	246,356	91.5	245,861	91.3	244,693	90.9	243,269	90.4	230,448	85.6
1970.....	786,975	269,995	34.3	98,609	36.5	171,386	63.5	130,020	48.2	119,042	44.1	104,940	38.9	80,651	29.9	53,954	20.0
<b>Alaska:</b>																	
1968.....	71,797	2,119	3.0	2,119	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970.....	78,138	2,146	2.7	2,140	99.7	6	.3	0	0	0	0	0	0	0	0	0	0
<b>Arizona:</b>																	
1968.....	366,459	15,783	4.3	5,272	33.4	10,511	66.6	6,397	40.5	5,093	32.3	4,349	27.6	3,344	21.2	790	5.0
1970.....	433,595	16,892	3.9	5,439	32.2	11,454	67.8	7,156	42.4	4,921	29.1	3,753	22.2	3,033	18.0	424	2.5
<b>Arkansas:</b>																	
1968.....	415,613	106,533	25.6	24,091	22.6	82,442	77.4	79,787	74.9	79,204	74.3	78,901	74.1	77,703	72.9	75,797	71.1
1970.....	430,100	106,099	24.7	45,583	43.0	60,516	57.0	23,127	21.8	19,618	18.5	16,450	15.5	10,762	10.1	9,132	8.6
<b>California:</b>																	
1968.....	4,477,381	387,978	8.7	87,255	22.5	300,723	77.5	240,444	62.0	215,253	55.5	185,562	47.8	115,890	29.2	27,986	7.2
1970.....	4,550,501	416,757	9.2	107,429	25.8	309,328	74.2	240,704	57.8	214,641	51.5	194,486	46.7	117,598	28.2	20,886	5.0
<b>Colorado:</b>																	
1968.....	519,092	17,797	3.4	5,432	30.5	12,365	69.5	9,691	54.5	8,193	46.0	8,017	45.0	2,862	16.1	0	0
1970.....	536,237	19,014	3.5	9,517	50.1	9,497	49.9	6,971	36.7	5,825	30.7	5,332	28.0	947	5.0	0	0
<b>Connecticut:</b>																	
1968.....	632,361	52,550	8.3	22,768	43.3	29,782	56.7	17,919	34.1	13,707	26.1	9,601	18.3	2,254	4.3	328	0.6
1970.....	654,024	58,617	9.0	25,477	43.5	33,140	56.5	21,272	36.3	15,328	26.1	12,469	21.3	5,838	10.0	0	0
<b>Delaware:</b>																	
1968.....	123,863	24,016	19.4	13,025	54.2	10,991	45.8	6,610	27.5	5,177	21.6	5,177	21.6	953	4.0	0	0
1970.....	132,560	27,319	20.6	14,981	54.8	12,338	45.2	8,179	29.9	5,825	21.3	5,110	18.7	1,222	4.5	0	0
<b>District of Columbia:</b>																	
1968.....	148,725	139,006	93.5	1,253	.9	137,753	99.1	134,166	96.5	130,958	94.2	123,939	89.2	95,608	68.8	37,701	27.8
1970.....	145,330	137,502	94.6	1,674	1.2	135,828	98.8	133,421	97.0	130,688	95.0	127,792	92.9	95,261	69.3	46,117	33.5

Footnotes at end of table.



Negroes attending minority schools—

State	Total pupils	Negro		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Texas:																	
1968	2,510,358	379,813	15.1	95,931	25.3	283,882	74.7	255,724	67.3	247,185	65.1	239,540	63.1	208,021	54.8	165,249	43.5
1970	2,633,926	402,605	15.3	140,631	34.9	261,974	65.1	211,577	52.6	188,097	46.7	168,582	41.9	117,829	29.3	56,469	14.0
Utah:																	
1968	303,152	1,486	.5	1,098	73.9	388	26.1	183	12.3	0	0	0	0	0	0	0	0
1970	304,431	1,483	.5	1,143	77.1	340	22.9	0	0	0	0	0	0	0	0	0	0
Vermont:																	
1968	73,570	90	.1	90	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	84,616	127	.1	127	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia: <sup>2</sup>																	
1968	1,041,057	245,026	23.5	65,922	26.9	179,104	73.1	172,076	70.2	169,216	69.1	167,172	68.2	161,321	65.8	142,209	58.0
1970	1,076,365	259,151	24.1	107,393	41.4	151,758	58.6	79,767	30.8	63,942	24.7	54,155	20.9	46,881	18.1	26,667	10.3
Washington:																	
1968	791,260	19,145	2.4	12,299	64.2	6,846	35.8	2,531	13.2	843	4.4	0	0	0	0	0	0
1970	805,122	20,606	2.6	13,541	65.7	7,065	34.3	2,690	13.1	330	1.6	330	1.6	0	0	0	0
West Virginia:																	
1968	404,582	20,431	5.0	16,763	82.0	3,668	18.0	1,655	8.1	1,157	5.7	1,157	5.7	841	4.1	841	4.1
1970	402,133	19,007	4.7	16,300	85.3	2,702	14.2	164	.9	164	.9	164	.9	164	.9	164	0.9
Wisconsin:																	
1968	942,441	37,289	4.0	8,406	22.5	28,883	77.5	24,220	65.0	19,869	53.3	14,783	39.6	9,288	24.9	4,819	12.9
1970	989,987	41,344	4.2	9,410	22.8	31,934	77.2	26,784	64.8	20,917	53.3	15,590	37.7	9,399	24.9	4,819	12.9
Wyoming:																	
1968	79,091	665	.8	482	72.5	183	27.5	0	0	0	0	0	0	0	0	0	0
1970	75,820	839	1.1	671	80.1	166	19.9	0	0	0	0	0	0	0	0	0	0

Minute differences between sum of numbers and totals are due to computer rounding. Differences in enrollment between 1968 and 1970 are partially due to districts surveyed in 1970 not in 1968. There were 7 such districts in Arkansas, 29 in Georgia, 10 in Louisiana, 43 in Mississippi, 11 in South Carolina, 1 in Tennessee, and 8 in Virginia. With few exceptions, these districts were not surveyed in 1968 because their Federal funds were terminated at the time of the 1968 survey.

TABLE 1-B.—SPANISH SURNAMED AMERICANS BY STATE

(Number<sup>1</sup> and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey)

Spanish surnamed Americans attending minority schools

State	Total pupils	Spanish American		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Continental United States:																	
1968	43,353,568	2,002,776	4.6	906,919	45.3	1,095,857	54.7	634,891	31.7	461,567	23.0	331,781	16.6	124,736	6.2	38,077	1.9
1970	44,877,547	2,275,403	5.1	1,005,340	44.2	1,270,063	55.8	753,466	33.1	521,890	22.9	371,847	16.3	131,311	5.8	40,116	1.8
Alabama:																	
1968	770,523	24	0	24	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	786,975	142	0	137	96.5	5	3.5	5	3.5	4	2.8	3	2.1	0	0	0	0
Alaska:																	
1968	71,797	479	.7	474	99.0	5	1.0	0	0	0	0	0	0	0	0	0	0
1970	78,138	785	1.0	767	97.7	18	2.3	11	1.4	3	.3	3	0.3	0	0	0	0
Arizona:																	
1968	366,459	71,748	19.6	34,402	47.9	37,346	52.1	15,012	20.9	10,792	15.0	7,376	10.3	2,426	3.4	762	1.1
1970	433,595	85,334	19.7	41,278	48.4	44,056	51.6	25,996	30.5	12,361	14.5	6,874	8.1	1,380	1.6	405	.5
Arkansas: <sup>2</sup>																	
1968	415,613	539	.1	527	97.8	12	2.2	9	1.7	9	1.7	9	1.7	9	1.7	9	1.7
1970	430,100	468	.1	341	72.9	127	27.1	19	4.1	15	3.2	3	.6	0	0	0	0
California:																	
1968	4,477,381	646,282	14.4	393,997	61.0	252,285	39.0	118,433	18.3	75,839	11.7	55,419	8.6	10,712	1.7	1,529	.2
1970	4,550,501	705,894	15.5	428,856	60.8	277,038	39.2	121,290	17.2	80,250	11.4	58,099	8.2	7,249	1.0	866	.1
Colorado:																	
1968	519,092	71,348	13.7	45,174	63.3	26,174	36.7	9,971	14.0	4,524	6.3	2,070	2.9	342	.5	0	0
1970	536,237	78,268	14.6	47,551	60.8	30,718	39.2	10,248	13.1	3,670	4.7	1,912	2.4	225	.3	0	0
Connecticut:																	
1968	632,361	15,670	2.5	7,627	48.7	8,043	51.3	4,134	26.4	3,416	21.8	2,582	16.5	1,356	8.7	12	0.1
1970	654,024	20,009	3.1	9,200	46.0	10,809	54.0	5,384	26.9	3,655	18.3	2,914	14.6	2,269	11.3	0	0
Delaware:																	
1968	123,863	245	.2	154	62.9	91	37.1	2	.8	2	.8	2	.8	0	0	0	0
1970	132,560	618	.5	352	57.0	266	43.0	203	32.8	101	16.3	2	.3	0	0	0	0
District of Columbia:																	
1968	148,725	662	.4	256	38.7	406	61.3	289	43.7	254	38.4	227	34.3	37	5.6	10	1.5
1970	145,330	713	.5	209	29.3	504	70.7	205	28.8	175	24.5	141	19.8	90	12.6	64	9.0
Florida:																	
1968	1,340,665	52,628	3.9	26,287	49.9	26,341	50.1	9,479	18.0	4,861	9.2	3,275	6.2	400	.8	240	.5
1970	1,437,554	65,713	4.6	30,918	47.0	34,795	53.0	19,811	30.1	9,721	14.8	3,310	5.0	444	.7	221	.3
Georgia: <sup>2</sup>																	
1968	1,001,245	1,370	.1	786	57.4	584	42.6	578	42.2	578	42.2	578	42.2	578	42.2	578	42.2
1970	1,098,990	1,110	.1	1,035	93.2	75	6.8	12	1.1	12	1.1	10	.9	0	0	0	0
Idaho:																	
1968	174,472	3,338	1.9	3,322	99.5	16	.5	16	.5	16	.5	0	0	0	0	0	0
1970	174,556	4,067	2.3	4,061	99.9	6	.1	0	0	0	0	0	0	0	0	0	0
Illinois:																	
1968	2,252,321	68,917	3.1	36,361	52.8	32,556	47.2	16,282	23.6	6,230	9.0	3,314	4.8	640	.9	249	.4
1970	2,310,784	78,249	3.4	36,696	46.9	41,552	53.1	20,691	26.4	8,582	11.0	3,115	4.0	756	1.0	165	.2
Indiana:																	
1968	1,210,539	13,622	1.1	7,093	52.1	6,529	47.9	2,944	21.6	1,516	11.1	242	1.8	175	1.3	34	.2
1970	1,229,518	14,924	1.2	7,637	51.2	7,287	48.8	5,499	36.8	2,022	13.5	1,205	8.1	112	.8	48	.3
Iowa:																	
1968	651,705	2,283	.4	2,271	99.5	12	.5	1	0	0	0	0	0	0	0	0	0
1970	653,241	2,658	.4	2,604	98.0	54	2.0	0	0	0	0	0	0	0	0	0	0
Kansas:																	
1968	518,733	8,229	1.6	7,601	92.5	618	7.5	56	.7	45	.5	16	.2	3			



TABLE 1-C.—AMERICAN INDIANS BY STATE

[Number and percentage attending school at increasing levels of isolation, Fall, 1970 elementary and secondary school survey]

		American Indians attending minority schools—															
State (1970)	Total pupils	American Indians		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Continental United States.....	44,877,547	197,109	0.4	131,014	66.5	66,095	33.5	42,147	21.4	27,474	13.9	13,466	6.8	3,810	1.9	3,490	1.8
Alabama.....	786,975	39	0	32	81.9	7	18.1	7	18.1	0	0	0	0	0	0	0	0
Alaska.....	78,138	10,070	12.9	6,204	61.6	3,866	38.4	3,005	29.8	1,417	14.1	1,031	10.2	777	7.7	640	6.4
Arizona.....	433,595	19,575	4.5	6,974	35.6	12,601	64.4	10,595	54.1	6,197	31.7	1,287	6.6	9	0	0	0
Arkansas.....	430,100	497	.1	492	99.0	5	1.0	0	0	0	0	0	0	0	0	0	0
California.....	4,550,501	16,842	.4	13,966	82.9	2,877	17.1	633	3.8	332	2.0	219	1.3	74	.4	37	.2
Colorado.....	536,237	1,219	.2	1,033	84.7	186	15.3	90	7.4	34	2.8	13	1.1	0	0	0	0
Connecticut.....	654,024	410	.1	370	90.2	40	9.8	23	5.6	12	2.9	5	1.2	1	.2	0	0
Delaware.....	132,560	76	.1	76	100.0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia.....	145,330	7	0	4	57.1	3	42.9	3	42.9	3	42.9	2	28.6	1	14.3	0	0
Florida.....	1,437,554	1,394	.1	1,305	93.6	89	6.4	18	1.3	10	.7	0	0	0	0	0	0
Georgia.....	1,098,990	406	0	401	98.8	5	1.2	1	.2	1	.2	1	.2	0	0	0	0
Idaho.....	174,556	2,192	1.3	2,064	94.2	128	5.8	0	0	0	0	0	0	0	0	0	0
Illinois.....	2,310,784	2,516	.1	2,148	85.0	378	15.0	151	6.0	101	4.0	45	1.8	26	1.0	5	.2
Indiana.....	1,229,518	679	.1	641	94.4	38	5.6	31	4.6	17	2.5	6	.9	0	0	0	0
Iowa.....	653,241	529	.1	517	97.7	12	2.3	0	0	0	0	0	0	0	0	0	0
Kansas.....	900,362	1,468	.3	1,438	98.0	29	2.0	14	1.0	14	1.0	0	0	0	0	0	0
Kentucky.....	721,078	48	0	44	91.7	4	8.3	4	8.3	0	0	0	0	0	0	0	0
Louisiana.....	842,469	250	0	210	84.0	40	16.0	1	.4	1	.4	0	0	0	0	0	0
Maine.....	235,674	564	.2	516	91.5	48	8.5	48	8.5	48	8.5	48	8.5	48	8.5	48	8.5
Maryland.....	911,618	373	0	366	98.1	7	1.9	0	0	0	0	0	0	0	0	0	0
Massachusetts.....	1,164,295	504	0	472	93.7	32	6.3	13	2.6	4	.8	4	.8	0	0	0	0
Michigan.....	2,148,736	4,375	.2	4,199	96.0	177	4.0	80	1.8	33	.8	25	.6	5	.1	0	0
Minnesota.....	886,367	7,172	.8	6,801	94.8	371	5.2	37	.5	37	.5	11	0.1	1	0.0	0	0
Mississippi.....	535,089	1,303	0	83	80.6	20	19.4	14	13.6	14	13.6	11	10.7	8	7.6	0	0
Missouri.....	991,539	1,572	.1	1,347	88.2	25	1.8	17	1.2	8	.6	8	.6	8	.6	0	0
Montana.....	148,737	8,434	5.7	4,364	51.7	4,070	48.3	2,317	27.5	1,520	18.0	372	4.4	72	.9	72	.9
Nebraska.....	276,433	2,134	.8	986	46.2	1,148	53.8	67	3.1	58	2.7	11	.5	0	0	0	0
Nevada.....	127,750	2,839	2.2	2,122	74.7	717	25.3	502	17.7	255	9.0	88	3.1	88	3.1	88	3.1
New Hampshire.....	155,224	68	0	68	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey.....	1,457,887	471	0	334	71.0	136	29.0	23	4.9	10	2.1	7	1.5	0	0	0	0
New Mexico.....	281,233	19,216	6.8	3,182	16.6	16,033	83.4	12,130	63.1	8,657	45.1	3,675	19.1	557	2.9	553	2.9
New York.....	3,498,522	5,669	.2	4,252	75.0	1,417	25.0	1,143	20.2	527	9.3	479	8.5	399	7.0	375	6.5
North Carolina.....	1,196,294	14,168	1.2	3,115	22.0	11,053	78.0	6,913	48.8	5,108	36.1	4,038	28.5	250	1.8	225	1.6
North Dakota.....	119,708	1,133	.9	1,133	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio.....	2,442,550	1,118	0	1,061	94.9	57	5.1	20	1.8	18	1.6	14	1.3	4	.4	0	0
Oklahoma.....	550,963	28,647	5.2	26,679	93.1	1,969	6.9	28	.1	26	.1	15	.1	8	.0	0	0
Oregon.....	458,989	3,721	.8	3,286	88.3	435	11.7	433	11.6	432	11.6	0	0	0	0	0	0
Pennsylvania.....	2,332,310	511	0	508	99.4	3	.6	0	0	0	0	0	0	0	0	0	0
Rhode Island.....	186,062	160	0.1	160	100.0	0	0	0	0	0	0	0	0	0	0	0	0
South Carolina.....	638,033	295	0	171	58.0	124	42.0	7	2.4	0	0	0	0	0	0	0	0
South Dakota.....	150,566	7,536	5.0	5,263	69.8	2,273	30.2	1,324	17.6	677	9.0	368	4.9	0	0	0	0
Tennessee.....	895,185	305	0	299	98.0	6	2.0	3	1.0	2	.7	0	0	0	0	0	0
Texas.....	2,633,296	3,588	.1	2,205	61.5	1,382	38.5	1,186	33.1	1,135	31.6	1,063	29.6	988	27.5	957	26.7
Utah.....	304,431	4,733	1.6	4,059	85.8	674	14.2	537	11.4	151	3.2	0	0	0	0	0	0
Vermont.....	84,616	12	0	12	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia.....	1,076,365	975	.1	717	73.5	258	26.5	124	12.7	108	11.1	108	11.1	0	0	0	0
Washington.....	805,122	10,611	1.3	8,932	84.2	1,679	15.8	72	.7	18	.2	18	.2	0	0	0	0
West Virginia.....	402,133	88	0	88	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Wisconsin.....	989,987	7,069	.7	5,404	76.4	1,665	23.6	533	7.5	489	6.9	467	6.6	456	6.5	452	6.4
Wyoming.....	75,820	916	1.2	910	99.3	6	.7	0	0	0	0	0	0	0	0	0	0

\*Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 1-D.—ORIENTALS BY STATE

[Number and percentage attending school at increasing levels of isolation, fall, 1970, elementary and secondary school survey]

		Orientals attending minority schools—															
State (1970)	Total pupils	Oriental		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Continental United States.....	44,877,547	209,092	0.5	147,672	70.6	61,420	29.4	27,401	13.1	16,134	7.7	8,458	4.0	1,376	0.7	168	0.1
Alabama.....	786,975	155	0	155	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Alaska.....	78,138	657	0.8	649	98.8	8	1.2	8	1.2	0	0	0	0	0	0	0	0
Arizona.....	433,595	2,045	0.5	1,756	85.9	289	14.1	108	5.3	18	0.9	11	.5	0	0	0	0
Arkansas.....	430,100	328	0.1	223	68.0	105	32.0	1	0.3	0	0	0	0	0	0	0	0
California.....	4,550,501	104,821	2.3	63,435	60.5	41,387	39.5	16,950	16.2	8,616	8.2	6,152	5.9	562	.5	79	0.1
Colorado.....	536,237	3,095	0.6	2,826	91.4	267	8.6	139	4.5	35	1.1	35	1.1	6	.2	0	0
Connecticut.....	654,024	1,174	0.2	1,076	91.7	98	8.3	44	3.7	31	2.6	8	.7	0	0	0	0
Delaware.....	132,560	242	0.2	242	100.0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia.....	145,330	612	0.4	225	36.8	387	63.2	184	30.1	170	27.8	142	23.2	24	3.9	8	1.3
Florida.....	1,437,554	1,834	0.1	1,583	86.3	251	13.7	92	5.0	34	1.9	8	.4	1	.1	0	0
Georgia.....	1,098,990	954	0.1	922	96.6	32	3.4	4	.4	2	.2	0	0	1	.1	0	0
Idaho.....	174,556	908	0.5	908	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois.....	2,310,784	7,511	0.3	6,352	84.6	1,159	15.4	621	8.3	531	7.1	463	6.2	38	.5	18	.2
Indiana.....	1,229,518	1,432	0.1	1,344	93.9	88	6.1	65	4.5	16	1.1	10	.7	0	0	0	0
Iowa.....	653,241	665	0.1	641	96.4	24	3.6	0	0	0	0	0	0	0	0	0	0
Kansas.....	900,362	1,120	0.2	1,166	95.6	54	4.4	7	.6	0	0	0	0	0	0	0	0
Kentucky.....	721,078	346	0	339	98.0	7	2.0	4	1.2	3	.						

TABLE 1-D.—ORIENTALS BY STATE—Continued  
[Number and percentage attending school at increasing levels of isolation, fall, 1970, elementary and secondary school survey]

State (1970)	Total pupils	Orientals attending minority schools—															
		Oriental		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent
New Hampshire	155,224	284	0.2	284	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	1,457,887	6,993	.5	5,588	79.9	1,404	20.1	478	6.8	275	3.9	105	1.5	18	.3	1	0
New Mexico	281,233	619	.2	489	79.0	130	21.0	24	3.9	10	1.6	2	.3	0	0	0	0
New York	3,498,522	21,770	.6	11,330	52.0	10,440	48.0	7,015	32.2	5,729	26.3	1,135	5.2	643	3.0	30	.1
North Carolina	1,196,294	635	.1	623	98.1	12	1.9	0	0	0	0	0	0	0	0	0	0
North Dakota	119,708	248	.2	248	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio	2,442,550	3,380	.1	3,184	94.2	196	5.8	75	2.2	50	1.5	24	.7	13	.4	3	.1
Oklahoma	550,963	1,259	.2	1,249	99.2	10	.8	7	.6	7	.6	2	.2	1	.1	0	0
Oregon	458,989	3,314	.7	3,293	99.4	21	.6	2	.1	2	.1	0	0	0	0	0	0
Pennsylvania	2,332,310	2,408	.1	2,346	97.4	63	2.6	17	.7	16	.7	2	.1	2	.1	2	.1
Rhode Island	186,062	568	.3	567	99.8	1	.2	0	0	0	0	0	0	0	0	0	0
South Carolina	638,033	323	.1	298	92.3	25	7.7	9	2.8	1	.3	0	0	0	0	0	0
South Dakota	150,566	224	.1	224	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee	895,185	688	.1	669	97.2	19	2.8	8	1.2	8	1.2	3	.4	3	.4	3	.4
Texas	2,633,296	4,217	.2	3,468	82.2	749	17.8	268	6.4	120	2.8	72	1.7	13	.3	4	.1
Utah	304,431	1,553	.5	1,531	98.6	22	1.4	0	0	0	0	0	0	0	0	0	0
Vermont	84,616	113	.1	113	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	1,076,365	2,969	.3	2,842	95.7	127	4.3	30	1.0	7	.2	4	.1	0	0	0	0
Washington	805,122	10,439	1.3	8,144	78.0	2,295	22.0	286	2.7	15	.1	15	.1	0	0	0	0
West Virginia	402,133	275	.1	270	98.2	5	1.8	0	0	0	0	0	0	0	0	0	0
Wisconsin	989,987	1,466	.1	1,426	97.3	40	2.7	14	1.0	3	.2	0	0	0	0	0	0
Wyoming	75,820	274	.4	265	96.7	9	3.3	0	0	0	0	0	0	0	0	0	0

† Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 1-E.—MINORITIES BY STATE  
[Number and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

State	Total pupils	Minority students attending minority schools—															
		Minority		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent	
		Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent
Continental United States																	
1968	43,353,568	8,656,434	20.0	2,623,820	30.3	6,032,615	69.7	4,987,778	57.6	4,561,768	52.7	4,202,903	48.6	3,472,072	40.1	2,542,805	29.4
1970	44,877,547	9,389,015	20.9	2,507,532	37.4	5,881,483	62.6	4,134,387	47.0	3,472,583	37.0	2,957,098	31.5	2,013,264	21.4	984,885	10.5
Alabama																	
1968	770,523	269,357	35.0	22,384	8.3	246,973	91.7	246,389	91.0	245,861	91.3	244,693	90.8	243,269	90.3	230,448	85.6
1970	786,975	270,330	34.4	98,932	36.6	171,398	63.4	130,032	48.1	119,046	44.0	103,943	38.8	80,651	29.8	53,954	20.0
Alaska																	
1968	71,797	9,830	13.7	7,881	80.2	1,949	19.8	1,768	18.0	1,389	14.1	1,192	12.1	607	6.2	607	6.2
1970	78,138	13,658	17.5	9,759	71.5	3,899	28.5	3,024	22.1	1,419	10.4	1,034	7.6	777	5.7	640	4.7
Arizona																	
1968	366,459	103,933	28.4	47,152	45.4	56,781	54.6	28,272	27.2	19,403	18.7	12,151	11.7	5,862	5.6	1,559	1.5
1970	433,595	123,846	28.6	55,447	44.8	68,399	55.2	43,855	35.4	23,497	19.0	11,925	9.6	4,422	3.6	829	.7
Arkansas																	
1968	415,613	107,754	25.9	25,299	23.5	82,455	76.5	79,797	74.1	79,214	73.5	78,911	73.2	77,713	72.1	75,807	70.4
1970	430,100	107,393	25.0	47,640	43.4	60,753	56.5	23,147	21.6	19,633	18.3	16,453	15.3	10,762	10.0	9,132	8.5
California																	
1968	4,477,381	1,153,903	25.8	562,115	48.7	591,788	51.3	374,762	32.5	300,997	26.1	247,756	21.5	127,532	11.1	29,559	2.6
1970	4,550,501	1,244,315	27.3	613,685	49.3	630,629	50.7	379,578	30.5	303,839	24.4	258,956	20.8	125,483	10.1	2,1868	1.8
Colorado																	
1968	519,092	93,344	18.0	54,384	58.3	38,960	41.7	19,863	21.3	12,841	13.8	10,208	10.9	3,216	3.4	0	0
1970	536,237	101,596	18.9	60,928	60.0	40,668	40.0	17,449	17.2	9,568	9.4	7,292	7.2	1,178	1.2	0	0
Connecticut																	
1968	632,361	69,570	11.0	31,646	45.5	37,924	54.5	22,102	31.8	17,150	24.7	12,200	17.5	3,610	5.2	340	.5
1970	654,024	80,211	12.3	36,124	45.0	44,087	55.0	26,723	33.3	19,026	23.7	15,396	19.2	8,108	10.1	0	0
Delaware																	
1968	123,863	24,356	19.7	13,274	54.5	11,082	45.5	6,612	27.1	5,179	21.3	5,179	21.3	953	3.9	0	0
1970	132,560	28,255	21.3	15,651	55.4	12,604	44.6	8,382	29.7	5,926	21.0	5,112	18.1	1,222	4.3	0	0
District of Columbia																	
1968	148,725	140,445	94.4	1,813	1.3	138,632	98.7	134,766	96.0	131,501	93.6	124,409	88.6	95,711	68.1	38,735	27.6
1970	145,330	138,834	95.5	2,112	1.5	136,722	98.5	133,813	96.4	131,036	94.4	128,077	92.3	95,376	68.7	46,189	33.3
Florida																	
1968	1,340,665	367,013	27.4	101,288	27.6	265,725	72.4	239,488	65.3	232,454	63.3	228,025	62.1	216,233	58.9	184,321	50.2
1970	1,437,554	401,179	27.9	194,689	48.5	206,490	51.5	129,451	32.3	97,169	24.2	76,034	19.0	51,470	12.8	32,937	8.2
Georgia																	
1968	1,001,245	317,361	31.7	45,911	14.5	271,450	85.5	266,776	84.1	264,330	83.3	263,405	83.0	260,605	82.1	241,244	76.0
1970	1,098,990	367,693	33.5	133,407	36.3	234,286	63.7	143,856	39.1	125,983	34.3	112,482	30.6	92,950	25.3	61,469	16.8
Idaho																	
1968	174,472	6,325	3.6	6,174	97.6	151	2.4	16	.3	16	.3	0	0	0	0	0	0
1970	174,556	7,599	4.4	7,465	93.2	134	1.8	0	0	0	0	0	0	0	0	0	0
Illinois																	
1968	2,252,321	483,966	21.5	99,217	20.5	384,749	79.5	329,285	68.0	305,166	63.1	297,755	61.5	252,926	52.3	157,140	32.5
1970	2,310,784	509,716	22.1	105,609	20.7	404,107	79.3	348,590	68.4	325,472	63.9	303,884	59.6	254,338	49.9	152,931	30.0
Indiana																	
1968	1,210,539	127,228	10.5	40,226	33.2	81,002	66.8	61,875	51.0	52,683	43.5	46,462	38.3	37,848	31.2	13,640	11.3
1970	1,229,518	121,013	10.3	42,982	33.8	84,031	66.2	65,937	51.9	54,972	43.3	46,653	36.7	32,423	25.5	15,350	12.1
Iowa																	
1968	651,705	12,732	2.0	10,124	79.5	2,608	20.5	877	6.9	340	2.7	340	2.7	340	2.7	0	0
1970	653,241	14,198	2.2	11,045	77.8	3,153	22.2	132	.9	108	.8	0	0	0	0	0	0
Kansas																	
1968	518,733	41,539	8.0	26,502	63.8	15,037	36.2	11,941	28.7	10,215	24.6	9,838	23.7	6,268	15.1	2,328	5.6
1970	500,362	44,111	8.8	30,475	69.1	13,636	30.9	11,332	25.7	9,392	21.3	7,366	16.7	5,513	12.5	3,427	7.8
Kentucky																	
1968	695,611	64,474	9.3	34,864	54.1	29,610	45.9	21,946	34.0	17,026	26.4	17,026	26.4	9,021	14.0	3,342	5.2
1970	721,078	66,785	9.3	36,946	55.3	29,839	44.7	24,045	36.0	20,270	30.4	16,233	24.3	10,848	16.2	2,211	3.3
Louisiana																	
1968	817,000	319,971	39.2	30,408	9.5	289,563	90.5	282,775	88.4	279,639	87.4	279,639	87.4	278,645	87.1	259,921	81.0
1970	842,469	345,231	41.0	109,446													

Minority students attending minority schools—

State	Total pupils	Minority		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent	
		Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent	Number	Per- cent
Maryland:																	
1968	859,440	205,369	23.9	66,596	32.4	138,773	67.6	117,802	57.4	109,478	53.3	105,886	51.6	92,030	44.8	62,898	30.6
1970	911,618	226,598	24.9	79,022	34.9	147,576	65.1	117,473	51.8	109,933	48.5	100,652	44.4	90,981	40.2	56,676	25.0
Massachusetts:																	
1968	1,097,221	59,875	5.5	33,938	56.7	25,937	43.3	15,777	26.4	12,090	20.2	8,804	14.7	4,995	8.3	79	0.1
1970	1,164,295	70,136	6.0	37,399	53.3	32,737	46.7	23,018	32.8	17,034	24.3	12,329	17.6	6,837	9.7	3,516	5.0
Michigan:																	
1968	2,073,369	308,938	14.9	85,706	27.7	223,232	72.3	179,345	58.1	155,291	50.3	129,017	41.8	78,709	25.5	24,856	8.0
1970	2,148,736	324,783	15.1	87,853	27.0	236,931	73.0	189,858	58.5	167,747	51.6	144,268	44.4	76,165	23.5	29,233	9.0
Minnesota:																	
1968	856,506	19,655	2.3	17,691	90.0	1,964	10.0	362	1.8	362	1.8	362	1.8	0	0	0	0
1970	886,367	23,048	2.6	18,685	81.1	4,364	18.9	400	1.7	400	1.7	400	1.7	59	.3	59	.3
Mississippi: <sup>2</sup>																	
1968	456,532	224,607	49.2	15,809	7.0	208,798	93.0	207,518	92.4	207,518	92.4	207,518	92.4	206,739	92.0	197,450	87.9
1970	535,089	272,673	51.0	72,168	26.5	200,505	73.5	131,811	48.3	96,609	35.4	81,339	29.8	51,625	18.9	29,407	10.8
Missouri:																	
1968	954,596	141,110	14.8	36,632	26.0	104,477	74.0	97,195	68.9	93,303	66.1	91,370	64.8	77,686	55.1	46,293	32.8
1970	991,539	149,647	15.1	33,916	22.7	115,731	77.3	99,381	66.4	91,653	61.2	85,442	57.1	80,195	53.6	43,685	29.2
Montana:																	
1968	127,059	6,328	5.0	3,780	59.7	2,548	40.3	2,276	36.0	943	14.9	325	5.1	325	5.1	81	1.3
1970	148,737	11,102	7.5	6,912	62.3	4,190	37.7	2,321	20.9	1,523	13.7	372	3.4	72	.6	72	.6
Nebraska:																	
1968	266,342	17,307	6.5	7,953	46.0	9,354	54.0	6,254	36.1	4,426	25.6	4,339	25.1	681	3.9	0	0
1970	276,433	19,634	7.1	9,521	48.5	10,113	51.5	7,722	39.3	5,776	29.4	3,129	15.9	865	4.4	40	.2
Nevada:																	
1968	119,180	15,948	13.4	11,017	69.1	4,931	30.9	4,516	28.3	4,345	27.2	3,698	23.2	764	4.8	64	.4
1970	127,750	18,224	14.3	13,882	76.2	4,342	23.8	3,384	18.6	3,134	17.2	2,964	16.3	2,563	14.1	603	3.3
New Hampshire:																	
1968	132,212	870	.7	870	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	155,224	1,170	.8	1,170	100.0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey:																	
1968	1,401,925	258,109	18.4	94,092	36.5	164,016	63.5	113,176	43.8	97,781	37.9	73,744	28.6	38,984	15.1	15,677	6.1
1970	1,457,887	291,788	20.0	97,419	33.4	194,369	66.6	132,053	45.3	109,254	37.4	89,728	30.8	47,312	16.2	15,063	5.2
New Mexico:																	
1968	271,040	128,948	47.6	33,673	26.1	95,275	73.9	48,548	37.6	28,108	21.8	14,660	11.4	6,805	5.3	4,736	3.7
1970	281,223	135,227	48.1	37,989	28.1	97,238	71.9	50,351	37.2	25,540	18.9	12,725	9.4	2,668	2.0	1,716	1.3
New York:																	
1968	3,364,090	762,382	22.7	213,008	27.9	549,374	72.1	409,715	53.7	346,870	45.5	269,638	35.4	145,430	19.1	41,302	5.4
1970	3,498,522	886,516	25.3	224,299	25.3	662,217	74.7	511,243	57.7	436,263	49.2	338,619	38.2	208,231	23.5	68,985	7.8
North Carolina:																	
1968	1,199,481	367,096	30.6	103,494	28.2	263,602	71.8	247,307	67.4	242,325	66.0	239,986	65.4	232,539	63.3	212,020	57.8
1970	1,196,294	367,049	30.7	194,645	53.0	172,404	47.0	67,450	18.4	53,238	14.5	46,938	12.8	32,623	8.9	24,191	6.6
North Dakota:																	
1968	115,995	2,345	2.0	1,987	84.7	358	15.3	0	0	0	0	0	0	0	0	0	0
1970	119,708	2,348	2.0	2,348	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio:																	
1968	2,400,296	306,975	12.8	96,868	31.6	210,107	68.4	165,009	53.8	143,719	46.8	123,252	40.2	93,826	30.6	37,887	12.3
1970	2,442,550	317,439	13.0	99,246	31.3	218,193	68.7	168,088	53.0	146,828	46.3	126,805	39.9	93,361	29.4	41,441	13.1
Oklahoma:																	
1968	543,501	77,543	14.3	46,667	60.2	30,876	39.8	26,913	34.7	26,049	33.6	23,644	30.5	18,721	24.1	8,443	10.9
1970	550,963	88,211	16.0	61,207	69.4	27,004	30.6	21,823	24.7	21,715	24.6	20,159	22.9	15,455	17.5	5,560	6.3
Oregon:																	
1968	455,141	18,595	4.1	15,334	82.5	3,261	17.5	2,089	11.2	1,802	9.7	0	0	0	0	0	0
1970	458,989	20,738	4.5	17,607	84.9	3,131	15.1	1,933	9.3	1,654	8.0	0	0	0	0	0	0
Pennsylvania:																	
1968	2,296,011	282,848	12.3	82,310	29.1	200,538	70.9	160,679	56.8	138,492	49.0	120,222	42.5	87,309	30.9	11,768	4.2
1970	2,332,310	293,790	12.6	82,269	28.0	211,521	72.0	165,436	56.3	143,277	48.8	124,404	42.3	90,999	31.0	13,002	4.4
Rhode Island: <sup>2</sup>																	
1968	172,264	9,098	5.3	8,061	88.6	1,037	11.4	133	1.5	133	1.5	0	0	0	0	0	0
1970	186,062	9,205	4.9	9,096	98.8	1,09	1.2	0	0	0	0	0	0	0	0	0	0
South Carolina: <sup>2</sup>																	
1968	603,542	238,843	39.6	34,539	14.5	204,304	85.5	201,618	84.4	201,618	84.4	200,250	83.8	199,814	83.7	188,728	79.0
1970	638,033	261,868	41.0	117,740	45.0	144,128	55.0	76,064	29.0	57,608	22.0	44,859	17.1	30,434	11.6	18,266	7.0
South Dakota:																	
1968	146,407	17,320	11.8	4,366	25.2	12,954	74.8	11,269	65.1	10,133	58.5	8,728	50.4	1,704	9.8	1,704	9.8
1970	150,566	8,530	5.7	6,257	73.3	2,273	26.7	1,324	15.5	677	7.9	368	4.3	0	0	0	0
Tennessee: <sup>2</sup>																	
1968	887,469	185,924	20.9	40,442	21.8	145,482	78.2	139,436	75.0	135,516	72.9	132,213	71.1	123,472	66.4	108,429	58.3
1970	895,185	191,099	21.3	62,691	32.8	128,408	67.2	113,670	59.5	105,237	55.1	94,934	49.7	77,822	40.7	49,113	25.7
Texas:																	
1968	2,510,358	892,518	35.6	240,437	26.9	652,081	73.1	495,240	55.5	433,765	48.6	382,153	42.8	269,323	30.2	193,352	21.7
1970	2,633,296	976,667	37.1	298,584	30.6	678,083	69.4	487,086	49.9								

TABLE 1-F.—NONMINORITIES BY STATE

[Number 1 and percentage attending school at increasing levels of isolation, fall, 1970 elementary and secondary school survey]

State (1970)	Total pupils	Nonminority students attending nonminority schools															
		Nonminority number		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Continental United States	448,775,473	5,488,532	79.1	1,196,154	3.4	34,492,378	96.6	29,679,942	83.6	25,570,360	72.1	21,321,681	60.1	11,634,575	32.8	4,631,396	13.1
Alabama	786,975	516,645	65.6	28,228	5.5	488,417	94.5	335,409	64.9	221,890	42.9	164,026	31.7	101,855	19.7	69,381	13.4
Alaska	78,138	64,480	82.5	678	1.1	63,802	98.9	53,136	82.4	37,587	58.3	11,185	17.3	4,564	7.1	2,741	4.3
Arizona	433,595	309,749	71.4	20,245	6.5	289,504	93.5	219,218	70.8	159,994	51.7	854,05	27.6	4,794	1.5	238	.1
Arkansas	430,100	322,707	75.0	21,862	6.8	306,845	93.2	225,109	69.8	195,408	60.6	167,991	52.1	120,022	37.2	81,639	25.3
California	4,550,501	3,306,187	72.7	172,270	5.2	3,133,917	94.8	2,320,086	70.2	1,503,274	45.5	667,468	20.2	21,439	.6	4,441	.1
Colorado	536,237	434,641	81.1	15,536	3.6	419,105	96.4	343,158	79.0	262,736	60.4	172,336	39.7	22,452	5.2	4,841	1.1
Connecticut	654,024	573,814	87.7	11,311	2.0	562,503	98.0	523,249	91.2	471,529	82.2	417,354	72.7	152,298	26.5	27,260	4.8
Delaware	132,560	104,305	78.7	2,560	2.5	101,745	97.5	75,200	72.1	60,630	58.1	51,168	49.1	23,034	22.1	1,816	1.7
District of Columbia	145,330	6,496	4.5	2,770	42.6	3,726	57.4	1,310	20.2	663	10.2	0	0	0	0	0	0
Florida	1,437,554	1,036,375	72.1	51,625	5.0	984,750	95.0	670,709	64.7	456,819	44.1	301,472	29.1	124,635	12.0	31,733	3.1
Georgia	1,098,990	731,297	66.5	60,304	8.2	670,993	91.8	462,647	63.3	359,459	49.2	277,224	37.9	161,889	22.1	75,994	10.4
Idaho	174,556	166,957	95.6	60	0	166,897	100.0	163,694	98.0	149,010	89.3	123,404	73.9	45,668	27.4	20,170	12.1
Illinois	2,310,784	1,801,068	77.9	38,024	2.1	1,763,044	97.9	1,656,214	92.0	1,513,934	84.1	1,342,952	74.6	730,169	40.5	313,824	17.4
Indiana	1,229,518	1,102,504	89.7	13,387	1.2	1,089,117	98.8	1,050,607	95.3	984,060	89.3	911,879	82.7	608,737	55.2	302,434	27.4
Iowa	653,241	639,043	97.8	2,060	.3	636,983	99.7	629,544	98.5	615,804	96.4	591,221	92.5	456,745	71.5	273,522	42.8
Kansas	500,362	456,251	91.2	1,930	.4	454,321	99.6	425,112	93.2	367,016	80.4	303,904	66.6	163,372	35.9	85,590	18.8
Kentucky	721,078	654,292	90.7	4,303	.7	649,989	93.3	611,003	93.4	542,546	82.9	463,535	70.8	320,904	49.0	197,582	30.2
Louisiana	842,469	497,238	59.0	49,050	9.9	448,188	90.1	272,547	54.8	169,382	34.1	117,493	23.6	68,075	13.7	29,018	5.8
Maine	235,674	233,892	99.2	0	0	233,892	100.0	233,892	100.0	230,596	98.6	229,553	98.1	185,129	79.2	109,236	46.7
Maryland	911,618	685,020	75.1	18,794	2.7	666,226	97.3	570,973	83.4	474,918	69.3	339,486	49.6	128,566	18.8	50,853	7.4
Massachusetts	1,164,295	1,094,159	94.0	7,121	.7	1,087,038	99.3	1,059,626	96.8	1,006,049	91.9	927,877	84.8	528,588	48.3	150,227	13.7
Michigan	2,148,736	1,823,953	84.9	33,127	1.8	1,790,826	98.2	1,703,856	93.4	1,596,780	87.5	1,455,418	79.8	791,572	43.4	156,014	8.6
Minnesota	886,367	863,319	97.4	2,600	.3	860,719	99.7	850,234	98.5	829,777	96.1	787,911	91.3	536,829	62.2	160,036	18.5
Mississippi	535,089	262,416	49.0	52,296	19.9	210,120	80.1	101,248	38.6	49,562	18.9	28,211	10.8	11,291	4.3	5,896	2.2
Montana	991,539	841,891	84.9	11,597	1.4	830,294	98.6	799,440	95.0	752,217	89.3	680,960	80.9	433,574	51.5	209,176	24.8
Nebraska	148,737	137,635	92.5	1,592	1.2	136,043	98.8	133,587	97.1	118,147	85.8	101,763	73.9	24,478	17.8	8,812	6.4
Nevada	276,433	256,799	92.9	1,677	.7	255,122	99.3	245,774	95.7	235,648	91.8	208,844	81.3	129,144	50.3	57,170	22.3
New Hampshire	127,750	109,526	85.7	592	.5	108,934	99.5	98,058	89.5	57,020	52.1	30,234	27.6	4,005	3.7	1,041	1.0
New Jersey	1,552,224	1,166,099	80.0	39,750	3.4	1,126,349	96.6	1,013,282	86.9	881,890	75.6	762,232	65.4	393,662	33.8	101,061	8.7
New Mexico	281,233	146,006	51.9	33,754	23.1	112,252	76.9	52,099	35.7	18,215	12.5	4,715	3.2	116	.1	116	.1
New York	3,498,522	2,612,005	74.7	102,234	3.9	2,509,771	96.1	2,201,227	84.3	1,942,945	74.4	1,714,995	65.7	973,647	37.3	257,953	9.9
North Carolina	1,196,294	829,245	69.3	68,953	8.3	760,292	91.7	439,015	52.9	290,624	35.0	190,849	23.0	99,743	12.0	56,911	6.9
North Dakota	119,708	117,360	98.0	0	0	117,360	100.0	116,855	99.6	112,108	95.5	107,484	91.6	68,306	58.2	38,354	32.7
Ohio	2,442,550	2,125,111	87.0	33,425	1.6	2,091,686	98.4	1,989,477	93.6	1,856,347	87.4	1,692,760	79.7	1,103,227	51.9	392,598	18.5
Oklahoma	550,963	462,753	84.0	3,461	.7	459,292	99.3	381,821	82.5	290,588	62.8	179,965	38.9	42,641	9.2	13,487	2.9
Oregon	458,989	438,251	95.5	1,030	.2	437,221	99.8	428,038	97.7	408,387	93.2	363,295	82.9	105,630	24.1	22,977	5.2
Pennsylvania	2,332,310	2,038,520	87.4	31,885	1.6	2,006,635	98.4	1,930,117	94.7	1,827,665	89.7	1,665,153	81.7	1,154,191	56.6	512,470	25.1
Rhode Island	186,062	176,857	95.1	79	0	176,778	100.0	167,002	94.4	150,597	85.2	137,861	78.0	99,159	56.1	27,904	15.8
South Carolina	638,033	376,165	59.0	46,042	12.2	330,123	87.8	130,282	34.6	41,902	11.1	20,143	5.4	6,850	1.8	4,022	1.1
South Dakota	150,566	142,036	94.3	508	.4	141,528	99.6	135,994	95.7	128,069	90.2	113,911	80.2	65,577	46.2	28,980	20.4
Tennessee	895,185	704,086	78.7	10,587	1.5	693,499	98.5	620,108	88.1	517,626	73.5	419,443	59.6	250,492	35.6	153,741	21.8
Texas	2,633,296	1,656,630	62.9	136,806	8.3	1,519,824	91.7	1,067,353	64.4	799,447	48.3	546,056	33.0	130,402	7.9	24,099	1.5
Utah	304,431	285,664	93.8	936	.3	284,727	99.7	278,132	97.4	247,972	86.8	190,934	66.8	25,183	8.8	1,041	.4
Vermont	84,616	84,263	99.6	0	0	84,263	100.0	84,263	100.0	84,263	100.0	84,263	100.0	71,879	85.3	40,559	48.1
Virginia	1,076,365	810,047	75.3	48,033	5.9	762,014	94.1	604,684	74.6	483,332	59.7	348,859	43.1	122,614	15.1	55,918	6.9
Washington	805,122	748,797	93.0	5,675	.8	743,122	99.2	717,122	95.8	653,064	87.2	525,458	70.2	96,759	12.9	8,479	1.1
West Virginia	402,133	382,550	95.1	1,713	.4	380,837	99.6	365,589	95.6	331,364	86.6	294,877	77.1	226,406	59.2	163,833	42.8
Wisconsin	989,987	930,561	94.0	5,039	.5	925,522	99.5	906,830	97.4	879,881	94.6	812,772	87.3	560,762	60.3	232,464	25.0
Wyoming	75,820	68,814	90.8	644	.9	68,170	99.1	62,960	91.5	48,641	70.7	35,245	51.2	8,345	12.1	6,220	9.0

1 Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 2-A.—NEGROES BY GEOGRAPHIC AREA

[Number 1 and percentage attending school at increasing levels of isolation; fall, 1968, and fall, 1970, elementary and secondary school survey]

Area	Total pupils	Negroes attending minority schools—															
		Negroes		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Continental United States:																	
1968	43,353,569	6,282,173	14.5	1,467,291	23.4	4,814,881	76.6	4,274,461	68.0	4,041,593	64.3	3,832,843	61.0	3,331,404	53.0	2,493,398	39.7
1970	44,877,547	6,707,411	14.9	2,223,506	33.1	4,483,905	66.9	3,311,372	49.4	2,907,084	43.3	2,563,327	38.2	1,876,767	28.0	941,111	14.0
32 northern and western: <sup>2</sup>																	
1968	28,579,766	2,703,056	9.5	746,030	27.6	1,957,025	72.4	1,550,440	57.4	1,369,965	50.7	1,198,052	44.3	834,898	30.9	332,408	12.3

TABLE 2-B.—SPANISH SURNAMED AMERICANS BY AREA OF SIGNIFICANT POPULATION

[Number 1 and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

Area	Total pupils	Spanish surnamed Americans attending minority schools—															
		Spanish American		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
Continental United States:																	
1968.....	43,353,568	2,002,776	4.6	906,919	45.3	1,095,857	54.7	634,891	31.7	461,567	23.0	331,781	16.6	124,736	6.2	38,077	1.9
1970.....	44,877,547	2,275,403	5.1	1,005,340	44.2	1,270,063	55.8	753,466	33.1	521,890	22.9	371,847	16.3	131,311	5.8	40,116	1.8
5 Arizona, California, Colorado, New Mexico, Texas:																	
1968.....	8,144,330	1,397,586	17.2	640,943	45.9	756,643	54.1	414,689	29.7	292,737	20.9	215,688	15.4	77,292	5.5	31,159	2.2
1970.....	8,434,863	1,545,068	18.3	701,112	45.5	843,956	54.6	567,903	30.3	307,208	19.9	223,102	14.4	57,751	3.7	18,714	1.2
4 Connecticut, Illinois, New Jersey, New York:																	
1968.....	7,650,697	394,449	5.2	110,587	28.0	283,862	72.0	197,589	50.1	155,674	39.5	108,785	27.6	45,427	11.5	5,778	1.5
1970.....	7,921,217	473,947	6.0	117,883	24.9	356,064	75.1	248,401	52.4	194,786	41.1	139,598	29.5	70,917	15.0	20,312	4.3
1 Florida:																	
1968.....	1,340,665	52,628	3.9	26,287	49.9	26,341	50.1	9,479	18.0	4,861	9.2	3,275	6.2	400	.8	240	.5
1970.....	1,437,554	65,713	4.6	30,918	47.0	34,795	53.0	19,811	30.1	9,721	14.8	3,310	5.0	444	.7	221	.3
39 other states and District of Columbia:																	
1968.....	26,217,876	158,113	.6	129,102	81.7	29,011	18.3	13,135	8.3	8,295	5.2	4,033	2.6	1,167	1.0	900	.6
1970.....	27,083,914	190,675	.7	155,427	81.5	35,248	18.5	17,351	9.1	10,175	5.3	5,836	3.1	2,199	1.2	869	.5

1 Minute differences between sum of numbers and totals are due to computer rounding.

TABLE 2-C.—MINORITIES BY GEOGRAPHIC AREA

[Number 1 and percentage attending school at increasing levels of isolation, fall 1968 and fall 1970, elementary and secondary school survey]

Area	Total pupils	Minority students attending minority schools—															
		Minority		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
Continental United States:																	
1968.....	43,353,568	8,656,434	20.0	2,623,820	30.3	6,032,615	69.7	4,987,778	57.6	4,561,768	52.7	4,202,903	48.6	3,472,072	40.1	2,542,805	29.4
1970.....	44,877,547	9,389,015	20.9	3,507,532	37.4	5,881,483	62.6	4,134,387	44.0	3,472,583	37.0	2,957,098	31.5	2,013,264	21.4	984,885	10.5
32 northern and western 2:																	
1968.....	28,579,766	4,441,516	15.5	1,675,779	37.7	2,765,737	62.3	2,002,321	45.1	1,686,488	38.0	1,410,141	31.7	907,426	20.4	348,320	7.8
1970.....	29,451,976	4,843,602	16.4	1,818,815	37.6	3,024,786	62.4	2,185,319	45.1	1,828,757	37.8	1,525,188	31.5	965,834	19.9	369,276	7.6
6 border and District of Columbia: 3																	
1968.....	3,730,317	674,289	18.1	217,166	32.2	457,123	67.8	406,894	60.3	383,693	56.9	368,671	54.7	294,963	43.7	160,552	23.8
1970.....	3,855,221	717,913	18.6	245,729	34.2	472,184	65.8	405,081	56.4	380,697	53.0	355,839	49.6	294,241	41.0	154,485	21.5
11 southern: 4																	
1968.....	11,043,485	3,540,629	32.1	730,874	20.6	2,809,755	79.4	2,578,563	72.8	2,491,587	70.4	2,424,090	68.5	2,269,683	64.1	2,033,933	57.4
1970.....	11,570,351	3,827,500	33.1	1,442,988	37.7	2,384,512	62.3	1,543,986	40.3	1,263,128	33.0	1,076,071	28.1	753,189	19.7	461,123	12.0

1 Minute differences between sum of numbers and totals are due to computer rounding.

2 Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia. 3 Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

4 Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.

TABLE 2-D.—NONMINORITIES BY GEOGRAPHIC AREA

[Number 1 and percentage attending school at increasing levels of isolation, fall 1968, and fall 1970 elementary and secondary school survey]

Area	Total pupils	Non-minority (number)	Non-minority (per-cent)	Nonminority students attending nonminority schools													
				0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
				Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
Continental United States:																	
1968.....	43,353,568	34,697,134	80.0	716,981	2.1	33,980,152	97.9	31,069,591	89.5	27,163,133	78.3	22,778,976	65.7	13,030,089	37.6	5,723,597	16.5
1970.....	44,877,547	35,488,532	79.1	1,196,154	3.4	34,292,378	96.2	29,679,942	83.6	25,570,360	72.1	21,321,681	60.1	11,634,575	32.8	4,631,396	13.1
32 northern and western: 2																	
1968.....	28,579,766	24,138,250	84.5	525,693	2.2	23,612,557	97.8	21,740,913	90.1	19,431,236	80.5	16,814,584	69.7	9,881,022	40.9	4,020,213	16.7
1970.....	29,451,976	24,608,374	83.6	577,170	2.3	24,031,204	97.7	21,945,496	89.2	19,531,985	79.4	16,729,924	68.0	9,261,581	37.6	3,406,296	13.8
6 border and District of Columbia: 3																	
1968.....	3,730,317	3,056,028	81.9	37,167	1.2	3,018,860	98.8	2,768,130	90.6	2,442,230	79.9	2,030,382	66.4	1,297,736	42.5	738,408	24.2
1970.....	3,855,221	3,137,308	81.4	45,198	1.4	3,092,110	98.6	2,805,336	89.4	2,452,925	78.2	2,009,991	64.1	1,175,126	37.5	636,746	20.3
11 southern: 4																	
1968.....	11,043,485	7,502,856	67.9	154,121	2.1	7,348,736	97.9	6,560,549	87.4	5,289,667	70.5	3,934,010	52.4	1,851,330	24.7	964,977	12.9
1970.....	11,570,351	7,742,850	66.9	573,786	7.4	7,169,064	92.6	4,929,110	63.7	3,585,450	46.3	2,581,766	33.3	1,197,868	15.5	588,354	7.6

1 Minute differences between sum of numbers and totals are due to computer rounding.

South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.

2 Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia.

3 Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia. 4 Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

TABLE 3-A.—NEGROES IN 100 LARGEST (1970) SCHOOL DISTRICTS, RANKED BY SIZE  
 [Number and percentage attending school at increasing levels of isolation, fall, 1968, and fall, 1970, elementary and secondary school survey]

Districts	Total pupils	Negroes attending minority schools															
		Negro		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
New York, N.Y.:																	
1968	1,063,787	334,841	31.5	65,824	19.7	269,017	80.3	202,517	60.5	174,846	52.2	146,945	43.9	88,233	26.4	34,033	10.2
1970	1,140,359	393,516	34.5	63,981	16.3	329,535	83.7	258,655	65.7	227,673	57.9	185,766	47.2	126,879	32.2	46,947	11.9
Los Angeles, Calif.:																	
1968	653,549	147,738	22.6	7,012	4.7	140,726	95.3	130,272	88.2	122,678	83.0	116,017	78.5	77,026	52.1	18,118	12.3
1970	642,895	154,926	24.1	9,121	5.9	145,805	94.1	134,889	87.1	129,039	83.3	122,779	79.3	85,923	55.5	13,551	8.7
Chicago, Ill.:																	
1968	582,274	308,266	52.9	9,742	3.2	298,524	96.8	278,219	90.3	266,928	86.6	263,159	85.4	234,045	75.9	146,152	47.4
1970	577,679	316,711	54.8	9,502	3.0	307,209	97.0	290,694	91.8	284,013	89.7	270,587	85.4	236,143	74.6	143,900	45.4
Detroit, Mich.:																	
1968	296,097	175,316	59.2	15,781	9.0	159,535	91.0	138,623	79.1	120,993	69.0	103,590	59.1	66,069	37.7	18,510	10.6
1970	284,396	181,538	63.8	10,618	5.8	170,920	94.2	143,946	79.3	134,222	73.9	120,209	66.2	65,349	36.0	24,809	13.7
Philadelphia, Pa.:																	
1968	282,617	166,083	58.8	15,880	9.6	150,203	90.4	127,641	76.9	111,477	67.1	99,277	59.8	72,174	43.5	7,201	4.3
1970	279,829	169,334	60.5	12,541	7.4	156,793	92.6	135,866	80.2	118,596	70.0	106,782	63.1	78,508	46.4	8,668	5.1
Houston, Tex.:																	
1968	246,098	81,966	33.3	4,318	5.3	77,648	54.7	74,482	90.9	72,101	88.0	70,816	86.4	64,907	79.2	52,854	64.5
1970	241,139	85,965	35.6	7,202	8.4	78,763	91.6	73,373	85.4	63,373	73.7	55,895	65.0	29,734	34.6	7,604	8.8
Dade County, Fla. (Miami):																	
1968	232,465	56,518	24.3	7,032	12.4	49,486	87.6	46,362	82.0	45,634	80.7	43,664	77.3	41,115	72.7	27,482	48.6
1970	240,447	60,957	25.4	13,254	21.7	47,703	78.3	32,352	53.1	25,614	41.9	20,317	33.3	12,550	20.6	7,498	12.3
Baltimore City, Md.:																	
1968	192,171	125,174	65.1	9,646	7.7	115,528	92.3	104,886	83.8	98,417	78.6	94,825	75.8	82,629	66.0	54,505	43.5
1970	192,458	129,220	67.1	12,122	9.4	117,098	90.6	104,688	81.0	102,358	79.2	95,838	74.2	87,731	67.9	55,378	42.9
Dallas, Tex.:																	
1968	159,924	49,235	30.8	1,045	2.1	48,190	97.9	45,777	93.0	43,152	87.6	40,431	82.1	26,131	53.1	15,807	32.1
1970	164,736	55,648	33.8	1,528	2.7	54,120	97.3	52,380	94.1	50,884	91.4	47,246	84.9	37,505	67.4	12,899	23.2
Prince Georges County, Md. (District of Columbia area):																	
1968	146,976	22,313	15.2	12,525	56.1	9,788	43.9	5,705	25.6	4,618	20.7	4,618	20.7	3,688	16.5	3,112	13.9
1970	160,897	31,994	19.9	13,040	40.8	18,954	59.2	11,190	35.0	6,470	20.2	3,938	12.3	2,375	7.4	724	2.3
Cleveland, Ohio:																	
1968	156,054	87,241	55.9	4,156	4.8	83,085	95.2	79,221	90.8	75,048	86.0	69,728	79.9	59,174	67.8	21,516	24.7
1970	153,619	88,558	57.6	3,725	4.2	84,833	95.8	80,505	90.9	79,015	89.2	75,162	84.9	60,050	67.8	30,852	34.8
Memphis, Tenn.:																	
1968	125,813	67,395	53.6	1,765	2.6	65,630	97.4	64,290	95.4	62,482	92.7	62,132	92.2	56,181	83.4	49,381	73.3
1970	148,304	76,303	51.5	4,979	6.5	71,324	93.5	68,751	90.1	68,268	89.5	63,749	83.5	56,327	73.8	37,979	49.8
Washington, D.C.:																	
1968	148,725	139,006	93.5	1,253	.9	137,753	99.1	134,166	96.5	130,958	94.2	123,939	89.2	95,608	68.8	38,701	27.8
1970	145,330	137,502	94.6	1,674	1.2	135,828	98.8	133,421	97.0	130,688	95.0	127,792	92.9	95,261	69.3	46,117	33.5
Baltimore County, Md.:																	
1968	123,717	4,299	3.5	4,299	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	133,674	5,097	3.8	5,097	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Fairfax County, Va. (District of Columbia area):																	
1968	122,107	3,322	2.7	3,322	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	133,368	4,214	3.2	4,214	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Milwaukee, Wis.:																	
1968	130,445	31,130	23.9	3,849	12.4	27,281	87.6	23,620	75.9	19,666	63.2	14,783	47.5	9,288	29.8	4,819	15.5
1970	132,349	34,355	26.0	4,197	12.2	30,158	87.8	26,193	76.2	20,740	60.4	15,590	45.4	3,939	11.5	0	0
San Diego, Calif.:																	
1968	128,914	15,004	11.6	3,767	25.1	11,237	74.9	9,643	64.3	8,203	54.7	5,732	38.2	448	3.0	0	0
1970	128,783	16,008	12.4	5,146	32.1	10,862	67.9	9,017	56.3	7,428	46.4	3,522	22.0	0	0	0	0
Montgomery County, Md.:																	
1968	121,458	4,872	4.0	4,872	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970	125,343	6,454	5.1	6,454	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Duval County, Fla. (Jacksonville):																	
1968	122,637	34,638	28.2	4,362	12.6	30,276	87.4	30,276	87.4	30,276	87.4	30,276	87.4	29,446	85.0	26,556	76.7
1970	122,493	36,054	29.4	9,237	25.6	26,817	74.4	20,747	57.5	19,794	54.9	19,794	54.9	19,794	54.9	13,345	37.0
Broward County, Fla. (Fort Lauderdale):																	
1968	103,003	24,516	23.8	3,556	14.5	20,960	85.5	19,545	79.7	19,545	79.7	19,545	79.7	19,075	77.8	16,882	68.9
1970	117,324	27,230	23.2	14,189	52.1	13,041	47.9	11,201	41.1	10,664	39.2	9,212	33.8	6,069	22.3	4,303	15.8
St. Louis, Mo.:																	
1968	115,582	73,408	63.5	5,244	7.1	68,164	92.9	65,321	89.0	64,282	87.6	63,255	86.2	55,632	75.8	36,651	49.9
1970	111,233	72,965	65.6	1,827	2.5	71,138	97.5	64,166	87.9	60,371	82.7	58,794	80.6	57,435	78.7	36,316	49.8
Orleans Parish, La. (New Orleans):																	
1968	110,783	74,378	67.1	6,569	8.8	67,809	91.2	61,942	83.3	60,407	81.2	60,407	81.2	59,700	80.3	46,320	62.3
1970	109,856	76,388	69.5	5,925	7.8	70,463	92.2	62,567	81.9	60,034	78.6	56,996	74.6	54,293	71.1	37,053	48.5
Columbus, Ohio:																	
1968	110,699	28,729	26.0	8,263	28.8	20,466	71.2	16,341	56.9	11,691	40.7	7,222	25.1	2,873	10.0	890	3.1
1970	109,329	29,440	26.9	7,614	25.9	21,826	74.1	15,604	53.0	13,313	45.2	7,181	24.4	1,724	5.9	655	2.2
Indianapolis, Ind.:																	
1968	108,587	36,577	33.7	8,205	22.4	28,372	77.6	22,872	62.5	21,064	57.6	19,347	52.9	13,728	37.5	3,945	





Districts	Negroes attending minority schools																
	Negro		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent		
	Total pupils	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
Corpus Christi, Tex.:																	
1968.....	46,110	2,496	5.4	43	1.7	2,453	98.3	1,960	78.5	1,937	77.6	1,912	76.6	810	32.5	640	25.6
1970.....	46,292	2,590	5.6	71	2.7	2,519	97.3	2,176	84.0	1,398	54.0	998	38.5	317	12.2	12	.5
Flint, Mich.:																	
1968.....	46,495	17,212	37.0	4,165	24.2	13,047	75.8	7,297	42.4	6,425	37.3	6,425	37.3	1,193	6.9	0	0
1970.....	45,659	18,475	40.5	3,512	19.0	14,963	81.0	7,051	38.2	5,621	30.4	4,816	26.1	1,367	7.4	385	2.1
Rochester, N.Y.:																	
1968.....	47,372	13,679	28.9	6,232	45.6	7,447	54.4	4,708	34.4	3,792	27.7	1,652	12.1	0	0	0	0
1970.....	45,500	15,082	33.1	6,161	40.9	8,921	59.1	6,661	44.2	3,651	24.2	3,651	24.2	652	4.3	0	0
Des Moines, Iowa:																	
1968.....	46,532	3,611	7.8	2,057	57.0	1,554	43.0	408	11.3	0	0	0	0	0	0	0	0
1970.....	45,375	3,751	8.3	2,193	58.5	1,558	41.5	24	.6	0	0	0	0	0	0	0	0
Shawnee Mission, Kans. (Kansas City area): <sup>2</sup>																	
1970.....	45,289	140	.3	140	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia Beach, Va.:																	
1968.....	41,272	4,372	10.6	2,719	62.2	1,653	37.8	1,653	37.8	1,653	37.8	1,653	37.8	1,278	29.2	1,278	29.2
1970.....	45,245	4,793	10.6	4,187	87.4	606	12.6	606	12.6	606	12.6	0	0	0	0	0	0
Cobb County, Ga. (Marietta):																	
1968.....	40,918	1,336	3.3	1,246	93.3	90	6.7	90	6.7	90	6.7	90	6.7	90	6.7	90	.76
1970.....	44,504	1,397	3.1	1,397	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Fort Wayne, Ind.:																	
1968.....	41,595	5,760	13.8	1,552	26.9	4,208	73.1	3,291	57.1	1,856	32.2	1,328	23.1	0	0	0	0
1970.....	43,400	6,492	15.0	1,921	29.6	4,571	70.4	3,194	49.2	2,634	40.6	512	7.9	0	0	0	0
Rockford, Ill.:																	
1968.....	36,975	4,434	12.0	2,593	58.5	1,841	41.5	472	10.6	0	0	0	0	0	0	0	0
1970.....	43,116	5,300	12.3	2,965	55.9	2,335	44.1	412	7.8	412	7.8	0	0	0	0	0	0
Muscogee County, Ga. (Columbus):																	
1968.....	42,373	12,517	29.5	884	7.1	11,633	92.9	10,951	87.5	10,951	87.5	10,757	85.9	10,757	85.9	8,768	70.0
1970.....	42,010	13,074	31.1	1,564	12.0	11,510	88.0	11,214	85.8	10,572	80.9	10,421	79.7	9,601	73.4	8,093	61.9
Richmond, Calif.:																	
1968.....	43,123	10,424	24.2	4,006	38.4	6,418	61.6	4,522	43.4	3,627	34.8	2,819	27.0	1,143	11.0	534	5.1
1970.....	41,492	11,389	27.4	5,730	50.3	5,659	49.7	3,781	33.2	3,405	29.9	3,405	29.9	1,621	14.2	343	3.0
Chatham County, Ga. (Savannah):																	
1968.....	42,416	17,440	41.1	1,620	9.3	15,829	90.7	15,102	66.5	15,102	66.5	15,102	66.5	15,102	66.5	13,460	77.1
1970.....	40,897	17,963	43.9	3,499	19.5	14,464	80.5	12,058	67.1	11,587	64.5	8,711	48.5	4,226	23.5	2,804	15.6
Compton, Calif.:																	
1970.....	40,364	33,486	83.0	0	0	33,486	100.0	31,056	92.7	30,299	90.5	27,864	83.2	19,575	58.5	5,303	15.8
Spring Branch, Tex. (Houston area):																	
1968.....	35,704	15	0	15	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970.....	39,771	22	.1	22	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Total (98 districts): <sup>2</sup>																	
1968.....	10,328,038	3,195,127	30.9	415,162	13.0	2,779,965	87.0	2,468,005	77.2	2,298,320	71.9	2,148,363	67.2	1,745,219	54.6	1,745,219	32.6
1970.....	10,482,814	3,387,423	32.3	544,109	16.1	2,843,314	83.9	2,431,526	71.8	2,224,162	65.7	2,000,227	59.0	1,513,616	44.7	710,181	21.0

<sup>1</sup> Minute differences between sums of numbers and totals are due to computer rounding. <sup>2</sup> these two districts are omitted from the totals in order to allow comparisons between 1968 and 1970 for the remaining 98 districts.

<sup>2</sup> 1968 data for Shawnee Mission, Kans. and Compton, Cal. are not comparable with 1970 data due to major consolidations that occurred between the two survey years. Both 1968 and 1970 data for

TABLE 3-B.—SPANISH SURNAMED AMERICANS IN SELECTED LARGE SCHOOL DISTRICTS, RANKED BY SIZE IN 1970  
 [Number<sup>1</sup> and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

Districts	Spanish surnamed Americans attending minority schools																
	Spanish-American		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent		
	Total pupils	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent		
New York, N.Y.:																	
1968.....	1,063,787	244,302	23.0	28,783	11.8	215,519	88.2	164,020	67.1	135,928	55.6	97,373	39.9	42,110	17.2	5,072	2.1
1970.....	1,140,359	292,664	25.7	31,534	10.8	261,130	89.2	203,085	69.4	168,283	57.5	125,311	42.8	66,375	22.7	19,843	6.8
Los Angeles, Calif.:																	
1968.....	653,549	130,450	20.0	42,684	32.7	87,766	67.3	69,088	53.0	54,217	41.6	42,340	32.5	6,348	4.9	647	.5
1970.....	642,895	140,346	21.8	42,360	30.2	97,986	69.8	70,433	50.2	57,901	41.3	45,964	32.8	4,073	2.9	287	.2
Chicago, Ill.:																	
1968.....	582,274	49,886	8.6	19,148	38.4	30,738	61.6	15,792	31.7	5,745	11.5	3,022	6.1	542	1.1	183	.4
1970.....	577,679	56,374	9.8	17,718	31.4	38,656	68.6	19,842	35.2	8,107	14.4	2,834	5.0	631	1.1	143	.3
Houston, Tex.:																	
1968.....	246,098	31,780	12.9	11,301	35.6	20,479	64.4	12,840	40.4	8,404	26.4	3,803	12.0	654	2.1	178	.6
1970.....	241,139	34,759	14.4	10,202	29.4	24,557	70.6	17,558	50.5	7,194	20.7	5,688	16.4	961	2.8	114	.3
Dade County, Fla. (Miami):																	
1968.....	232,465	39,487	17.0	15,364	38.9	24,123	61.1	8,566	21.7	4,545	11.5	2,993	7.6	144	.4	32	.1
1970.....	240,447	49,383	20.5	17,935	36.3	31,448	63.7	18,570	37.6	9,260	18.8	2,956	6.0	199	.4	8	0
Dallas, Tex.:																	
1968.....	159,924	12,196	7.6	5,447	44.7	6,749	55.3	4,057	33.3	2,195	18.0	1,192	9.8	203	1.7	73	.6
1970.....	164,736	13,945	8.5	6,495	46.6	7,450	53.4	4,284	30.7	2,899	20.8	1,726	12.4	1,068	7.7	104	.7
San Diego, Calif.:																	
1968.....	128,914	12,981	10.1	8,485	65.4	4,496	34.6	3,418	26.3	2,492	19.2	1,127	8.7	287	2.2	0	0
1970.....	128,783	13,595	10.6	8,730	64.2	4,865	35.8	3,361	24.7	2,138	15.7	1,459	10.7	0	0	0	0
Broward County, Fla. (Fort Lauderdale):																	
1968.....	103,003	823	.8	762	92.6	61	7.4	61	7.4	61	7.4	61	7.4	42	5.1	42	5.1
1970.....	117,324	1,886	1.6	1,760	93.3	126	6.7	120	6.4	120	6.4	116	6.2	77	4.1	65	3.4
Hillsborough County, Fla. (Tampa):																	
1968.....	100,985	6,766	6.7	5,275	78.0	1,491	22.0	534	7.9	104	1.5	70	1.0	70	1.0	68	1.0
1970.....	105,347	6,756	6.4	5,329	78.9	1,427	21.1	1,046	15.5	289	4.3	208	3.1	157	2.3	148	2.2
Denver, Colo.:																	
1968.....	96,577	18,611	19.3	8,884	47.7	9,727	52.3	4,981	26.8	1,681	9.0	1,527	8.2	342	1.8	0	0
1970.....	97,928	21,898	22.4	8,703	39.7	13,195	60.3	5,373	24.5	2,212	10.1	1,538	7.0	225	1.0	0	0

Footnotes at end of table.

TABLE 3-B.—SPANISH SURNAMED AMERICANS IN SELECTED LARGE SCHOOL DISTRICTS, RANKED BY SIZE IN 1970—Continued  
 [Number <sup>1</sup> and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

Districts	Spanish surnamed Americans attending minority schools																
	Spanish-American		0-49.9 percent		50-100 percent		80-100 percent		90-100 percent		95-100 percent		99-100 percent		100 percent		
	Total pupils	Number	Per cent	Number	Per cent												
San Francisco, Calif.:																	
1968.....	94,154	12,217	13.0	4,098	33.5	8,119	66.5	1,164	9.5	240	2.0	112	.9	44	.4	0	0
1970.....	91,150	12,389	13.6	3,083	24.9	9,306	75.1	2,854	23.0	206	1.7	122	1.0	18	.1	4	0
Fort Worth, Tex.:																	
1968.....	86,528	6,937	8.0	4,058	58.5	2,879	41.5	452	6.5	452	6.5	452	6.5	37	.5	29	.4
1970.....	88,095	8,105	9.2	3,846	47.5	4,259	52.5	853	10.5	445	5.5	412	5.1	29	.4	20	.2
Albuquerque, N. Mex.:																	
1968.....	79,669	28,151	35.3	7,913	28.1	20,238	71.9	7,846	27.9	2,381	8.5	947	3.4	96	.3	0	0
1970.....	83,781	30,844	36.8	9,027	29.3	21,817	70.7	8,162	26.5	5,083	16.5	1,637	5.3	0	0	0	0
Newark, N.J.:																	
1968.....	75,960	7,046	9.3	516	7.3	6,530	92.7	3,869	54.9	3,382	48.0	2,109	29.9	971	13.8	355	5.0
1970.....	78,456	10,401	13.3	1,131	10.9	9,270	89.1	5,504	52.9	4,170	40.1	2,747	26.4	1,251	12.0	294	2.8
San Antonio, Tex.:																	
1968.....	79,353	46,188	58.2	5,731	12.4	40,457	87.6	33,265	72.0	27,697	60.0	23,633	51.2	7,386	16.0	1,357	2.9
1970.....	77,253	47,487	61.5	4,617	9.7	42,870	90.3	35,180	74.1	27,394	57.7	21,402	45.1	5,102	10.7	159	.3
Buffalo, N.Y.:																	
1968.....	72,115	1,278	1.8	866	67.8	412	32.2	142	11.1	140	11.0	137	10.7	119	9.3	0	0
1970.....	70,305	1,620	2.3	932	57.5	688	42.5	202	12.5	127	7.8	120	7.4	107	6.6	5	.3
Long Beach, Calif.:																	
1968.....	72,065	3,840	5.3	3,100	80.7	740	19.3	37	1.0	0	0	0	0	0	0	0	0
1970.....	69,927	4,299	6.2	3,395	79.0	904	21.0	0	0	0	0	0	0	0	0	0	0
Oakland, Calif.:																	
1968.....	64,102	5,241	8.2	792	15.1	4,449	84.9	2,570	49.0	1,282	24.5	586	11.2	137	2.6	26	.5
1970.....	67,830	5,940	8.8	1,038	17.5	4,902	82.5	2,699	45.4	1,320	22.2	900	15.2	56	.9	10	.2
Jefferson County, Colo. (Lakewood):																	
1968.....	60,367	1,118	1.9	1,118	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970.....	67,675	1,346	2.0	1,346	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Palm Beach County, Fla.:																	
1968.....	61,715	1,553	2.5	1,252	80.6	301	19.4	189	12.2	22	1.4	22	1.4	18	1.2	18	1.2
1970.....	66,760	2,199	3.3	1,312	59.7	887	40.3	66	3.0	52	2.4	30	1.4	11	.5	0	0
El Paso, Tex.:																	
1968.....	62,105	33,639	54.2	5,800	17.2	27,839	82.8	22,439	66.7	20,075	59.7	15,929	47.4	5,820	17.3	2,139	6.4
1970.....	62,545	34,892	55.8	5,189	14.9	29,703	85.1	22,632	64.9	20,855	59.8	17,730	50.8	7,652	21.9	3,141	9.0
Fresno, Calif.:																	
1968.....	58,234	11,148	19.1	6,286	56.4	4,862	43.6	1,261	11.3	1,261	11.3	1,077	9.7	489	4.4	5	0
1970.....	57,508	11,274	19.6	6,606	58.6	4,668	41.4	1,045	9.3	601	5.3	601	5.3	400	3.5	5	0
Tucson, Ariz.:																	
1968.....	53,667	13,798	25.7	3,061	22.2	10,737	77.8	5,591	40.5	4,904	35.5	2,527	18.3	769	5.6	0	0
1970.....	57,346	14,902	26.0	3,938	26.4	10,964	73.6	7,486	50.2	4,568	30.7	2,928	19.6	0	0	0	0
San Juan, Calif. (Carmichael):																	
1968.....	53,174	1,126	2.1	1,126	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970.....	55,621	1,433	2.6	1,433	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Austin, Tex.:																	
1968.....	51,760	9,956	19.2	3,020	30.3	6,936	69.7	6,432	64.6	5,822	58.5	2,180	21.9	28	.3	0	0
1970.....	54,974	11,194	20.4	3,390	30.3	7,804	69.7	6,638	59.3	6,638	59.3	4,215	37.7	96	.9	24	.2
Garden Grove, Calif.:																	
1968.....	52,908	4,862	9.2	4,862	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970.....	52,684	5,764	10.9	5,764	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Sacramento, Calif.:																	
1968.....	52,545	6,184	11.8	4,441	71.8	1,743	28.2	278	4.5	34	.5	0	0	0	0	0	0
1970.....	52,218	6,450	12.4	4,450	69.0	2,000	31.0	133	2.1	36	.6	36	.6	0	0	0	0
Mount Diablo, Calif. (Concord):																	
1968.....	48,351	1,863	3.9	1,863	100.0	0	0	0	0	0	0	0	0	0	0	0	0
1970.....	48,395	1,746	3.6	1,746	100.0	0	0	0	0	0	0	0	0	0	0	0	0
Corpus Christi, Tex.:																	
1968.....	46,110	21,490	46.6	3,707	17.2	17,783	82.8	14,178	66.0	13,417	62.4	10,508	48.9	3,190	14.8	921	4.3
1970.....	46,292	22,729	49.1	4,539	20.0	18,190	80.0	15,396	67.7	11,343	49.9	8,674	38.2	2,513	11.1	421	1.9
Rochester, N.Y.:																	
1968.....	47,372	1,553	3.3	999	64.3	554	35.7	234	15.1	213	13.7	41	2.6	0	0	0	0
1970.....	45,500	1,853	4.1	1,239	66.9	614	33.1	378	20.4	248	13.4	248	13.4	8	.4	0	0
Richmond, Calif.:																	
1968.....	43,123	2,253	5.2	1,807	80.2	446	19.8	204	9.1	136	6.0	123	5.5	28	1.2	18	.8
1970.....	41,492	2,298	5.5	1,869	81.3	429	18.7	117	5.1	107	4.7	107	4.7	66	2.9	4	.2
Compton, Calif. <sup>2</sup> :																	
1970.....	40,364	4,605	11.4	0	0	4,605	100.0	3,668	79.7	3,458	75.1	2,727	59.2	1,191	25.9	295	6.4
Total (31 districts):																	
1968.....	4,682,953	768,723	16.4	212,549	27.6	556,174	72.4	383,508	49.9	296,830	38.6	213,891	27.8	69,874	9.1	11,163	1.5
1970.....	4,792,444	870,771	18.2	220,656	25.3	650,115	74.7	453,017	52.0	341,596	39.2	249,709	28.7	91,075	10.5	24,799	2.8

<sup>1</sup> Minute differences between sum of numbers and totals are due to computer rounding.  
<sup>2</sup> 1968 data for Compton, Calif., are not comparable with 1970 data due to a major consolidation with several other districts between the 2 survey years. Both 1968 and 1970 data for this district are omitted from the totals in order to allow comparisons between the 2 years for the remaining 31 districts.

TABLE 4-A.—NEGROES IN 100 LARGEST (1970) SCHOOL DISTRICTS BY GEOGRAPHIC AREA

[Number and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

Area	Total pupils	Negroes attending minority schools—															
		Negro		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
<b>Continental United States:</b>																	
1968 <sup>1</sup>	10,328,038	3,195,127	30.9	415,162	13.0	2,779,965	87.0	2,468,005	77.2	2,298,320	71.9	2,148,363	67.2	1,745,219	54.6	1,041,396	32.6
1970 <sup>2</sup>	10,482,814	3,387,423	32.8	544,109	16.1	2,843,314	83.9	2,431,526	71.8	2,224,162	65.7	2,000,227	59.0	1,513,616	44.7	710,181	21.0
<b>32 northern and western:<sup>3</sup></b>																	
1968 <sup>3</sup>	5,747,849	1,796,111	31.2	248,067	13.8	1,548,044	86.2	1,303,789	72.6	1,171,311	65.2	1,047,760	58.3	752,904	41.9	296,376	16.5
1970 <sup>3</sup>	5,787,264	1,909,984	33.0	250,812	13.1	1,659,172	86.9	1,399,940	73.3	1,269,931	66.5	1,129,751	59.1	801,715	42.0	316,148	16.6
<b>6 border and District of Columbia:<sup>4</sup></b>																	
1968	1,340,469	470,901	35.1	62,122	13.2	408,779	86.8	375,791	79.8	357,807	76.0	343,097	72.9	278,341	59.1	145,386	30.9
1970	1,360,862	487,435	35.8	66,122	13.6	421,313	86.4	383,259	78.6	364,189	74.7	342,118	70.2	286,306	58.7	150,463	30.9
<b>11 southern:<sup>5</sup></b>																	
1968	3,239,720	928,115	28.6	104,973	11.3	823,142	88.7	788,425	84.9	769,202	82.9	757,506	81.6	713,974	76.9	599,634	64.6
1970	3,334,688	990,004	29.7	227,175	22.9	762,829	77.1	648,327	65.5	590,042	59.6	528,358	53.4	425,595	43.0	243,570	24.6

<sup>1</sup> Minute differences between sum of numbers and totals are due to computer rounding.  
<sup>2</sup> 1968 data for Shawnee Mission, Kans. and Compton, Calif. are not comparable with 1970 data due to major consolidations that occurred between the two survey years. Both 1968 and 1970 data for these two districts are omitted from the totals in order to allow comparisons between 1968 and 1970 for the remaining 98 districts.  
<sup>3</sup> Alaska, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming.  
<sup>4</sup> Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, West Virginia.  
<sup>5</sup> Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia.

TABLE 4-B.—SPANISH SURNAMED AMERICANS IN 100 LARGEST (1970) SCHOOL DISTRICTS BY AREA OF SIGNIFICANT POPULATION

[Number and percentage attending school at increasing levels of isolation fall, 1968, and fall, 1970 elementary and secondary school survey]

Area	Total pupils	Spanish surnamed Americans attending minority schools—															
		Spanish Americans		0 to 49.9 percent		50 to 100 percent		80 to 100 percent		90 to 100 percent		95 to 100 percent		99 to 100 percent		100 percent	
		Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent	Number	Per-cent
<b>Continental United States:</b>																	
1968 <sup>1</sup>	10,328,038	811,749	7.9	239,871	29.5	571,878	70.5	391,892	48.3	302,343	37.2	216,683	26.7	70,607	8.7	11,373	1.4
1970 <sup>2</sup>	10,482,814	924,383	8.8	254,320	27.5	670,063	72.5	464,699	50.3	349,327	37.8	254,526	27.5	92,848	10.0	25,392	2.7
<b>5 Arizona, California, Colorado, New Mexico, Texas:</b>																	
1968 <sup>3</sup>	2,378,981	416,361	17.5	139,916	33.6	276,445	66.4	190,101	45.7	146,690	35.2	108,063	26.0	25,858	6.2	5,393	1.3
1970 <sup>3</sup>	2,390,038	448,175	18.8	142,306	31.8	305,869	68.2	204,204	45.6	150,940	33.7	115,139	25.7	22,259	5.0	4,293	1.0
<b>4 Connecticut, Illinois, New Jersey, New York:</b>																	
1968	1,878,483	304,371	16.2	50,552	16.6	253,819	83.4	184,062	60.5	145,408	47.8	102,682	33.7	43,742	14.4	5,610	1.8
1970	1,955,415	363,291	18.6	52,803	14.5	310,488	85.5	229,016	63.0	180,490	49.8	131,260	36.1	68,372	18.8	20,285	2.5
<b>1 Florida:</b>																	
1968	937,053	49,431	5.3	23,447	47.4	25,984	52.6	9,350	18.9	4,732	9.6	3,146	6.4	274	.6	160	.3
1970	986,033	61,025	6.2	27,264	44.5	33,941	55.5	19,809	32.4	9,721	15.9	3,310	5.4	444	.7	221	.4
<b>39 other States and the District of Columbia:</b>																	
1968 <sup>3</sup>	5,133,521	41,586	.8	29,956	62.4	15,630	37.6	8,379	20.1	5,513	13.3	2,792	6.7	733	1.8	210	.5
1970 <sup>3</sup>	5,151,328	51,712	1.0	31,947	61.8	19,765	38.2	11,671	22.6	7,716	14.9	4,817	9.3	1,773	3.4	593	1.1

<sup>1</sup> Minute differences between sum of number and totals are due to computer rounding.  
<sup>2</sup> 1968 data for Shawnee Mission, Kans. and Compton, Calif. are not comparable with 1970 data due to major consolidations that occurred between the 2 survey years. Both 1968 and 1970 data for these 2 districts are omitted from the totals in order to allow comparisons between 1968 and 1970 for the remaining 98 districts.

**CONCLUSION OF MORNING BUSINESS**

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

**QUORUM CALL**

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr.

ALLEN). Without objection, it is so ordered.

**THE MILITARY SELECTIVE SERVICE ACT**

The PRESIDING OFFICER. The hour of 10:30 a.m. having arrived, pursuant to previous order the Chair lays before the Senate the unfinished business, H.R. 6531, a bill to amend the Selective Service Act of 1967, which the clerk will state by title.

The assistant legislative clerk read the bill by title, as follows:

A bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize Military active duty strengths for fiscal year 1972; and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The pending amendment is amendment No. 123 by the Senator from Alaska (Mr. GRAVEL), which the clerk will read.

The assistant 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 thereof "when a state of war declared by the Congress exists".

The PRESIDING OFFICER. Under the previous order, debate on this amendment is limited to 2 hours, to be equally divided between the author of the amendment, the distinguished Senator from Alaska (Mr. GRAVEL), and the distinguished Senator from Mississippi (Mr. STENNIS).

Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. GRAVEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDER OF BUSINESS

Mr. GRAVEL. Mr. President, a point of clarification. We are not under the rule of germaneness, and I wonder if I might make a few comments not related to the subject under discussion.

The PRESIDING OFFICER. The rule of germaneness does not apply when the time is under control, so the Senator may use his time in any way that he sees fit.

#### AMENDMENT NO. 123

Mr. GRAVEL. Mr. President, my amendment 123 is a very simple one, and I hope that the manager of the bill, the distinguished Senator from Mississippi (Mr. STENNIS), will find it within his prerogatives to accept what I think is a simple concept, a simple change to conform with existing fact, but one that is most fundamental to the situation we find ourselves in today as a result of having conscription in this freedom-loving country—a conscription which has laid the basis upon which we were able to slip into the morass of Vietnam, and which I think has laid a foundation which will cause us to slip into further wars of this nature, and a foundation for bringing about an erosion of the concept of freedom which we have enjoyed through decades and centuries. I say centuries: Numerous centuries, because it is all tied to the history of the development of Western man, upon which our freedom and our representative Government are based.

The most important reason I feel so strongly about doing away with conscription in this country is the direct effect it would have on impeding our activities in South Vietnam, and indirectly on stopping the war; but certainly another reason why I rise to battle against conscription in a free society, in a country that is not under threat of invasion, is the simple fact that conscription under such circumstances does much to bring about militarism in our society, and to lay the seeds of future despotism.

I love this country, as I am sure every Member of this body loves this country, and to see the basic freedom and trust of our society played away almost without notice—and it is without notice—I am sure if all the Members of this body could perceive the full extent of what is going on, the Senate would rise up in unanimity and strike down this erosive, corrosive legislation.

I shall discuss, as a part of my floor presentation, some information that I have brought together in the hope of persuading my colleague from Mississippi to agree with my views. I shall proceed with the presentation of my re-

marks, and then yield the floor, in the hope that my presentation may have persuaded my colleague to accept the amendment.

In June of 1968, an article appeared in the Harvard Law Review from which I shall quote repeatedly during the course of my remarks. The article was entitled "Congress, the President, and the Power To Commit to Combat," and it states the problem as follows:

The question of the legality of the Vietnam conflict has two distinct aspects: The justifiability of the United States intervention under international law, and the constitutionality of such actions under domestic law. The first has been the subject of considerable debate; the second has received less attention. Where it has not been dismissed as academic the issue has been approached polemically. One side vigorously asserts the constitutional authority of the President to act as commander-in-chief of the armed forces, while the other side with equal vigor brandishes the provision of the Constitution which gives Congress the power to declare war. The two sides assert claims which have support in constitutional history and are not incompatible but which bypass the real issue: How is the President's authority as Chief Executive and commander-in-chief to be reconciled with Congress' power to declare war?

That, to my mind, is the fundamental issue, not only of the amendment that I propose, but of the Hatfield-McGovern proposition as well. It is really the underlying basis for the tension between this body with its duties in juxtaposition to what its Members feel the President should be permitted to do, as affecting the health of this Nation.

I hope that the Members of the Senate are seeking an answer to this question. To do less, I believe, would be to shirk our responsibility as representatives of the American people.

Increasingly, our Armed Forces have participated in military operations without a congressional declaration of war. The Mexican War, the Boxer Rebellion, Korea—these among other historical military actions involving American troops have led to a steady erosion of the congressional power to declare war. The United States has intervened with troops on numerous occasions in Latin America, most recently in 1965 in the Dominican Republic, without the Congress having a word to say about it. The President has often presented Congress with a fait accompli which for all intents and purposes precludes meaningful congressional participation in the decision to take military action.

What Senator has not felt the pressure of the necessity of protecting "our boys" who are already "over there"? In the name of such "protection," we have witnessed a continual widening of the war in Vietnam, most recently into Cambodia and Laos; we have never received a formal request from the President asking our approval. We just have to read it in the newspapers like everyone else, and then are forced to "do whatever is necessary to protect the troops." Like Damocles, we all have swords dangling above our heads, and we cannot seem to get out from under them.

For a moment, then, let us look at what the Constitution says on this matter and what the framers of that document intended.

As we all know, the Constitution gives Congress the power to "declare war." The word declare is somewhat ambiguous, but the intent of the Constitutional Convention on the matter is not. To quote from the Harvard Law Review article previously mentioned:

An earlier draft of the committee on detail gave Congress the power to "make" rather than "declare" war. . . . When the proposal to substitute "declare" for "make" was introduced, the debates over the issue indicate that the new wording was not intended to shift from the legislature to the executive this general power to engage the country in war. At the most, the sole reason for the substitution was to confirm the executive's power to "repel sudden attacks."

Thomas Jefferson once wrote, in referring to this "declaration of war" clause:

We have already given . . . an effective check to the dog of war by transferring the power of letting him loose from the executive to the legislative body, from those who are to spend to those who are to pay.

As the Law Review article further points out, in fact, during his administration when the Bey of Tripoli threatened and then declared war:

Jefferson dispatched a squadron of frigates to the Mediterranean to protect American Commerce . . . doubtful of the extent of his power to act without Congressional approval, Jefferson instructed his commander to release any vessels captured after having disarmed them. In the President's view his authority to act in defense of the country did not extend to taking further aggressive action, even against a declared adversary, in the absence of Congressional authorization.

Thus, Jefferson was quick to place even the very restrained actions which he had taken under congressional scrutiny. Nor is he the only President to have acted strictly in this manner. When confronted with the need for military intervention in Formosa in 1955 and in the Middle East in 1957, President Eisenhower, a great military leader and a man with the strongest sense of constitutional duty, hastened to seek immediate congressional approval for his actions.

It is interesting to note—this is just as an aside—that Dwight Eisenhower, whose career was in the military, had a greater propensity to recognize constitutional authority than those Presidents who found their base, who had their career concretely established, in the legislative process.

Alexander Hamilton, I should note, disagreed with Jefferson's position, as one might expect from history, but he argued only that the President need not consult Congress so long as the United States needs to take strictly defensive measures against direct attack.

I am sure that no one would challenge the need for immediate Presidential action in the case of invasion, insurrection, or nuclear attack. I certainly do not. The President's powers, not as Commander in Chief but as "executor of the laws," including treaties, and protector of national peace, would clearly require him to act immediately in such situations.

It is a false assumption that because he is Commander in Chief, however, the President has the right to do anything he wishes to do with the Armed Forces. Clearly the Constitution does not say

this, and although he commands the Armed Forces, the President can find nothing in that clause of the Constitution which allows him to judge when and where they are to be used. Let me quote again from the definitive Harvard Law Review article on this subject:

For the most part the United States escaped the type of attack which would justify the Presidential use of defensive war-making powers. By far the most difficult struggle between the Congress and the President over the power to control the use of the military has occurred in attempting to decide what limits are to be placed on the President's power to use force in all other situations—situations where, though the country itself has not been attacked, its interests and national aims abroad are threatened and require force for their protection or advancement. Although the President early assumed the power to enforce all sorts of national aims, Congress' power to declare war, if it is not to be purely formal must include the power to decide when the country will go to war to protect such aims.

While the President must still be left with the power to judge in the first instance whether a given event constitutes an imminent threat to our survival and demands a response which leaves no time to seek Congress' acquiescence in that judgment, such limited discretion falls far short of authorizing assumption of his defensive war-making powers whenever the interest jeopardized is labelled a vital security interest. . . .

At the same time, however, it must be recognized that there will be cases where in the executive's judgment there simply is no time to secure congressional authorization before acting. In such cases, where he believes that Congress would agree with his judgment that the interest at stake is worth defending at the risk of war, the President should be able to take action while simultaneously seeking congressional authorization.

These cases should be few. None of the recent military actions appears to have involved such genuine urgency as to preclude congressional participation in the decision to employ the military. Even fewer should be the cases where the demands of secrecy preclude resort to Congress.

Although the difficulty in drawing the line cannot be avoided and must ultimately be left to the discretion of the President, at least the general presumption in accordance with which that discretion is exercised would be reversed: Instead of assuming that the President may deploy American forces as he sees fit and only in the exceptional case need he seek congressional approval, the assumption should be that congressional collaboration is the general rule wherever the use of the military is involved, with the presidential initiative being reserved for the exceptional case.

What the legal scholars indicate to us is the need for Congress to insist on its rights to the determination of the functions of the military. It has become evident to many of us that if the erosion of the framers' intent that Congress have the ultimate warmaking authority is not stopped, that power will pass forever from Congress and become a meaningless formality.

Now is the time for Congress to assert its authority, for in the future it is not likely that we shall see "declared" wars of variety of the two World Wars. Rather we shall see countless undeclared actions throughout the world. If we participate in these numerous conflicts, we will be repeating the mistakes of Vietnam. For this reason Congress must insist upon

its responsibility as the representatives of the people who end up suffering and dying when we commit our military forces to the field.

If I may cite one more quotation from that excellent Harvard Law Review article:

Much of the burden of making resolutions meaningful devices for securing congressional consent must fall on Congress itself. . . . In situations where real emergencies are involved and unilateral executive action may be required, the burden falls on Congress either to voice its disapproval or to give its consent without needless delay.

Congress, unfortunately, has not chosen, through the vehicle of the Hatfield-McGovern resolution, to place any restraint on the President's activities. I would hope that it would see the vehicle for placing such a restraint in a reaffirmation of the constitutional prerogatives that we hold.

I would further hope that in the near future we can agree on some measure such as the one the distinguished Senator from Mississippi (Mr. STENNIS) has proposed, which would state Congress' views on the limitation of Presidential authority to commit the Armed Forces of the United States. I have privately commended the Senator for his actions, and I now do so publicly. I find it difficult to see how he could not reconcile his action to the action I propose today.

May I remind my colleagues that the clause that Congress shall have the power "to raise and support armies" and "to provide and maintain a navy" is at stake here. I propose that we jealously guard that power lest we further lose it. I can think of no power which has a greater effect on the lives of people than the power to induct. Let us be sure that Congress maintains ultimate control of this power as a first step toward regulating ultimate control of the military.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ALLEN). Who yields time?

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state it.

Mr. STENNIS. Do I understand correctly that there is an hour to each side on this amendment?

The PRESIDING OFFICER. The Senator from Mississippi has 57 minutes remaining of his time.

Mr. STENNIS. I thank the Chair.

Now, Mr. President, this is not a complicated matter. For one reason, we have already had four rollcall votes that went to the same issue as now presented by the Senator's amendment. One of the rollcall votes was under debate the equivalent of a week. The others were debated for a reasonable length of time. The last one we passed on was yesterday.

The pending amendment pertains to the power of the President to induct inductees under the Selective Service Act into the armed services. I say it has been four times because we were debating each of those times how long, if any time, we would extend the present law so as to permit the President to induct inductees.

The first amendment that I mentioned was not the first one voted on, but the Senator from Oregon (Mr. HATFIELD)

had an amendment that provided that there would be no power vested in the President beyond June 30 of 1971 to induct inductees; and that, in effect, is what the pending amendment would do, only in another way.

Reading the Senator's amendment into the bill, on page 21, line 20, if the amendment were to be adopted, the bill would read like this:

The President is authorized from time to time, when a state of war declared by the Congress exists, to select and induct into the armed forces . . .

In other words, unless there is an actual declaration of war under the Senator's amendment, the President would have no power to induct anyone.

Now, Mr. President, I am not out of sympathy with the idea about the need for a declaration of war. In fact, I have in a resolution on that subject, and I hope that will be one of the things that comes out of this war, and that we will have learned a lesson from.

But, that is not the issue here today. We are already at war. The power of the President to induct inductees is on the verge of expiring. It will expire 12 days from now with a slight exception. There is no other plan that can be put into operation to supply the needed manpower.

We have a Navy with ships, submarines, and carriers scattered all over the world. We have Polaris submarines stationed all over the world with nuclear weapons. They are our frontline deterrent. Those crews are made up of men who are in the services under the inducement, according to the records, of the Selective Service Act.

I have all the figures here but we have been over them many times during debate, so there is no use repeating them now.

That is true of the carriers. Of the carrier crews that serve, even out on the decks with the planes taking off and landing, approximately 40 percent are in the Navy through the inducement of the Selective Service Act.

That is also true of our intercontinental ballistic missile crews stationed in the United States—the big missiles. That is true, right along with the Polaris submarines; they are also our first line of deterrence.

We gradually lose those men as their terms expire. They are in for more than 2 years, but they are in there through the inducement of the draft. As their terms expire, many of them leave.

Mr. President, the effect of the adoption of this amendment if it should become law—it would cut off these sources of manpower, not just for the men and the things that have to be done in our military society, but also for the extraordinary positions and the very delicate and sensitive positions I have described, many of which require 12 or 18 months of training to qualify before they can be performed. In addition to that, we have no other source except those that happen to be inclined to volunteer, even with the new law with its added inducement, some of whom would not be trained in the military in any way,

and many of those assignments require extraordinary care and persistence and duration of time and proper training.

So, there is no alternative to which we can go. There is no buildup and no preparation for any source of manpower.

Mr. GRAVEL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield briefly.

Mr. GRAVEL. Mr. President, I would hope the Senator from Mississippi could see the same inefficiencies that I do.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GRAVEL. Mr. President, if it takes 18 months of training, and a person is drafted for 2 years, it would strike me as grossly inefficient with respect to the use of tax dollars to meet the technological requirements the Senator speaks of.

I would hope that we would have the foresight and the wisdom to provide sufficient incentives—which I think we have in the pay scales which the Senate has agreed to—that we could get people to actually enlist for 3 years. If it takes 18 months to train them, we would have at least a year and a half of value from them.

Mr. STENNIS. Mr. President, the Senator makes a good point except that perhaps I did not make myself clear. The Senator overlooks the fact that in my remarks concerning the men on the submarines, the *Polaris*, and the carriers, I said they were draft induced. I believe that 42 percent of the men on the carriers are draft induced and their term is for 3 years. In the Air Force it is 4 years. It shows on the record that they are volunteers, and they are volunteers for that term. However, according to their own version, that percentage is draft induced.

Mr. President, you can imagine how things should be, and you would be right, but they are not that way; they are different. The realities are that we do not have any system ready to take care of our needs to protect our people at home except the Selective Service Act, and we have passed on that many times.

Mr. GRAVEL. I had hoped I had persuaded my colleague earlier, because this point was taken up by us before in colloquy. It is interesting that my colleague continues to pursue the argument that these men are draft induced. Today we have approximately 2.7 million men under arms. I do not know what percentage my colleague wants to use with respect to draft inducement, but I do know that based on military records that I have entered in the Record, our strategic force numbers 134,000 men. So I would hope that my colleague would have some figures. It would disturb me deeply if other figures were to indicate that the draft induced men were of such a number that we were unable to have the 134,000 men that my colleague speaks of with respect to the Poseidon submarines and the Minuteman missiles. I would hope that this Nation would at least have such a patriotic resolve that 134,000 Americans would volunteer to defend it. The argument that these people are there because of draft inducement must mean that all the other

people who make up the figure of 2.7 million are draft induced.

I do not think those are the figures with respect to draft inducement. If they are, my colleague should come forward at this time and tell us because we are in serious trouble and we have been misinformed.

Mr. STENNIS. We have been debating this point off and on for these 6 weeks. The strongest answer I can give the Senator is the vote on the Hatfield proposal which would have provided a zero month extension of the draft. The Senator's amendment is almost the equivalent of that. The Senate voted against that proposal by a vote of 67 to 23 on June 4, 1971, which is a recognition that the draft must be extended to meet the present situation.

Mr. GRAVEL. Mr. President, will the Senator yield?

Mr. STENNIS. I would like to finish my presentation, unless the Senator has a question.

Mr. GRAVEL. I do. I think I have been unsuccessful in bringing home the point to my colleague. I say that respectfully because I think the deficiency is mine.

I do not relate my amendment to the McGovern-Hatfield amendment.

Mr. STENNIS. I said the Hatfield amendment that provided for a zero extension of the draft.

Mr. GRAVEL. I do not relate it to that amendment either. My point was that if this body wants to sustain what is going on, let us declare war; but at least let us be straightforward with ourselves, with our consciences, and with the consciences of the people of the world. If we need the draft, let us declare war. I would have no problem there at all. I have said that repeatedly. In fact, at my age, I would enlist because I am young enough to bear arms. If we are not at war, we do not need this draft. This amendment brings that point home for everyone in this Chamber to realize.

Mr. STENNIS. I say with all deference to the Senator, would the Senator introduce a resolution calling for a state of war between us and North Vietnam?

Mr. GRAVEL. If my colleague will accept this amendment, I will, so we could learn what the American conscience truly is.

Mr. STENNIS. With all respect to the Senator, I have a resolution that a declaration of war be required in the future, but as a practical matter, I totally except the present war in which we are involved from the terms of that resolution because I know that after getting into a war a country cannot get out by saying, "We are not at war." We already are at war and the question is how do we get out.

Mr. GRAVEL. Will the Senator yield so I may ask one more question in that regard?

Mr. STENNIS. I yield.

Mr. GRAVEL. My colleague knows I share his view on that resolution, and I will support it when it comes before the Senate. The reason for the great malaise in this country is that we, who are leaders, stand here and make statements to the effect that we cannot do it quite now.

The Senator states we should only do these things under a declaration of war,

and he has a resolution to do this some time in the future. If it is worth doing in the future, why can it not be done today?

Mr. STENNIS. The main reason I accepted the present war from my resolution—one of the main reasons—is that I have been here long enough to know they would not be passing on the resolution but passing on the war. The only way to get the resolution passed would be to except the present war.

Now, I would like to finish my presentation, which will be brief, and if the Senator is willing, after listening to him on his final argument, perhaps we could shorten the time by agreement.

Mr. President, continuing with the matter of whether or not the President is going to have the authority to induct selectees into the Armed Forces after June 30, 1971, that matter was passed on directly on June 4 of this year. It was debated as an amendment to this bill. The Senate defeated that amendment by a vote of 67 to 23.

A few days before that the question came up on the amendment offered by the Senator from Colorado for an 18-month extension of the draft—for 18 months only—and that amendment was rejected on May 26 by a vote of 67 to 8. In other words, eight out of 100 Senators voted for only an 18-month extension and 67 Senators voted against the 18-month extension, which left the bill at 24 months, as the committee recommends.

Then, on June 4 there was another vote on the question of how long, if any, the provision should be extended for the President to induct under present conditions. That matter came up on the amendment of the Senator from Pennsylvania who proposed a 12-month-only extension. It should be remembered that the bill provides for a 24-month extension. That amendment received 43 votes for the 1-year extension and 49 votes against the 1-year extension. So that amendment was defeated, and left the 2-year provision in the bill.

Then, yesterday, this same problem was attacked by another amendment by the Senator from New York (Mr. BUCKLEY), who proposed that the President have this power for only 20 months as contrasted to the 24 months now in the bill. Thirty-five Senators voted in favor of a 20-month extension and 48 Senators voted against it, which left the bill reading 24 months.

So there it is. The matter has been presented in four rollcall votes extending over a period from May 26 until June 18. The matter has been debated pro and con, back and forth, with various extensions, and always, except for the one vote, an appreciable majority were, in effect, voting for the 24 months. The vote of 49 to 43 was the only one anywhere near close and that was a choice between 12 months and 24 months.

Now, the Senator has offered this amendment. If we were not already at war it would be a different proposition. I am talking about the need, as I emphasize, not just for the war. We already have this military machine and we are proposing that the manpower be reduced some and the ceiling on the number of inductees already is in the bill.

We are proposing other things. But there is no declaration of war in existence now, and I do not know of anyone who is planning to introduce such a declaration, and I feel it would not pass if it should be introduced. So where are we going to get the manpower?

I point out that it is absolutely necessary that we get it. We get some volunteers. We are adopting a system under which we are hopeful of getting more volunteers. Let me point out that one can go down here to 12th Street and Pennsylvania Avenue and get some bodies, or go to Chicago or San Francisco or any of the other cities or States and he will get some men under that inducement, but he will not get enough. We will not get enough men capable of training and having the aptitudes. We will not get enough of them who have the aptitudes and talents to go into the key positions.

We hope that something is going to devolve over the years that will lead to a volunteer system, but every time there has been a rollcall vote, I have enumerated how a majority of the Senate has said we have to have the power to induct. They disagree somewhat about the time, but always the Senate has said we must have the power to induct.

When the question came up on whether or not the President should have direct power to induct, only 23 Senators out of 100 were willing to vote that way.

So I say this question has been conclusively settled, not one time but four times, right here during this debate.

I hope we can move on now, after hearing the Senator fully, and vote on the amendment, and vote it down by a substantial majority.

Mr. GRAVEL. Mr. President, will the Senator yield?

Mr. STENNIS. Yes, I yield.

Mr. GRAVEL. Let me say most respectfully that I certainly look forward to further discussion without being dilatory, but the Senator gave us a legislative history which in my opinion does not advance the argumentation or does not go to the issue with respect to this amendment. So if it is just a question of killing time, I want to go on record that I will share that charge in the future with my colleague. I say that most respectfully.

Let me go back to the point in question; that is, that my colleague constantly calls it facetious that one would offer a resolution declaring war. I have had a few moments to reflect on that. I assure my colleague that I will do that. I appreciate that he may not want to accept that amendment, but I would do it to try to bring to the attention of the American people the fact that we are at war, and though we politicians may not want to accept this fact and prefer to couch it in special terms, we are at war and that we ought to have the honesty and straightforwardness to say so and do so legislatively.

I have just asked my staff assistant to prepare such an amendment, to be tacked onto this bill, to declare war. In that manner, I think we would have no complications at all about tying the draft to the war.

I think that the American people are very fed up with people in high office—and I include myself—who make speeches and statements, define their statements, but never get to the decisiveness that these issues require. The decisiveness in this case is very specific.

My colleague, and I am sure many colleagues in the Senate, realize that the draft should be in existence only if there is a state of war. All this amendment says is that we will use the draft if we declare war, but if we do not declare war, we will not use the draft.

Studies made today have shown that we could have 2.4 million men under arms on a voluntary basis. So why should we have the draft, with all that it does, the injustices that it perpetrates on our young? Why should we have it?

Mr. STENNIS. Mr. President, if the Senator will excuse me a moment, I will yield the floor. I can yield only for a question under the rules. I am glad to stretch that, but I am glad to yield the floor now.

Mr. GRAVEL. Let me just say that I am prepared to introduce an amendment—

The PRESIDING OFFICER. The Chair understood the Senator from Mississippi to yield the floor. If so—

Mr. STENNIS. No, Mr. President. I thank the Chair, but I will yield myself 3 minutes and yield to the Senator.

Mr. GRAVEL. I thank the Senator. I will introduce a resolution to declare war. That will permit the draft to continue under the requirements that my colleague feels are necessary.

What I am saying is that in putting forward a resolution to declare war if it is adopted then the draft can go on under that proviso, and I would then be willing to halt my filibuster.

Mr. STENNIS. Very well. I thank the Senator for his remarks. He has a right, of course, to introduce an amendment. We do not want to restrict him, or try to.

Mr. GRAVEL. Then, I take it the answer of my colleague is that he would not wish to pursue this legislative procedure to first, declare war and then second, to utilize the draft for that war?

Mr. STENNIS. It is up to the Senator to offer what he wants to. I assume he will introduce it at the appropriate time. I thank the Senator.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

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

The PRESIDING OFFICER. The Senator has 31 minutes.

Mr. GRAVEL. How much time does my colleague from Mississippi have left?

The PRESIDING OFFICER. The Senator has 25 minutes.

Mr. GRAVEL. Mr. President, I should like to continue with my formal presentation, and I certainly appreciate the courtesy of my colleague from Mississippi.

The Constitution means to limit the power of the President and his government in the field of military and foreign affairs. The U.S. Congress, particularly the Senate, was designed as the instrument of that limitation. As the direct voice, both of the people as a whole and

of the States, Congress was intended to have final say in major foreign and military commitments.

The Constitution was written at a time when the United States had little reason for a large military, little capability for maintaining a large Federal force, and little interest in foreign affairs. She was geographically isolated, and with the help of the British Navy and the Monroe Doctrine she intended to remain so.

George Washington's famous suggestions for keeping out of Europe's troubles were both practical and fortuitous. At least a dozen presidential elections in this country were held without a reference to the military or to foreign policy.

Rereading our history, it is shocking to see how far we have departed from the historic basis of our constitutional war-making powers.

Every member of our constitutional convention and virtually every member of the State legislatures that ratified the Constitution opposed the creation of a large standing military force. The idea of drafting men to serve in such a force was so remote from political reality that it never even entered serious discussions. It was even rejected totally and firmly at the darkest moments of the revolution.

Further, all of our Founding Fathers feared a large standing army.

In the midst of the Revolutionary War, Connecticut proposed that no peace-time army be allowed.

Thomas Jefferson termed the draft, "The last of all oppressions."

Samuel Adams said:

A standing army, however necessary it may be at some times, is always dangerous to the liberties of the people.

As James Madison told the constitutional convention:

A standing military force, with an overgrown executive, will not be a safe companion to liberty.

These are interesting quotations, and I think most relevant to today's debate.

No one knows oppression quite as well as the man who has suffered it and survived it.

There is no question that the idea of a large standing army, fed by unlimited Executive powers to draft, except in times of the most extreme and obvious danger, was not incorporated into the Constitution. That constitutional question has never been resolved by our courts, but we can resolve it today with the passage of the amendment under discussion.

The Civil War changed things with regard to the military. President Lincoln, essentially a Conservative when it came to State power, reluctantly took revolutionary powers to himself as Commander in Chief, and built for himself perhaps the first truly modern armed force. Nevertheless, no conscription law was passed by Congress until the low point of the Civil War. Even then, generous escape clauses were allowed for young men called into the service. The whole purpose of the Civil War draft law was not to raise a citizen army, but to stimulate enlistments. The idea that every able-bodied man drafted would be compelled to serve was still foreign and re-

mote to our experience, even at the time of the greatest threat to our survival as a nation.

Then came a revised "manifest destiny" and the age of imperialism. Although the United States rejected outright colonialism, after its brief flirtations in the Spanish War and in Hawaii, foreign and military affairs became and remained paramount as our Nation increased its political and economic interests to include the whole globe.

Two World Wars, and, most of all, the pressure of the total "cold war," have increased to gigantic proportions the size, the scope, and the goals of our military-foreign policy. We in fact do have a garrison state—the mightiest garrison in world history.

There are those who argue that the very size and scope of our military and foreign interests demand more "flexibility" for the President as Commander in Chief. That is certainly the position of the Executive. The record of the Presidency is unambiguous—more and more Presidential initiative in military and foreign policy.

On September 17, 1962, Secretary of State Dean Rusk gave a list of American interventions abroad to a joint meeting of the Senate Committee on Foreign Relations and the Armed Services Committee. These interventions were meant to justify his request for passage of a resolution authorizing President Kennedy to use force against Cuba, just prior to the "missile crisis" of October 1962.

A few of the 160 Executive interventions will indicate the extraordinarily expanded power of the Presidency.

In 1854, in Nicaragua, July 9 to July 15, San Juan Del Norte, also called Greytown, was destroyed to avenge an insult to an American minister.

From 1900 to 1934, in China, Marines were stationed to protect foreign lives in the Boxer Rebellion, right at the turn of the century. That intervention lasted 34 years.

It is interesting that there is no equal parallel as a result of which we should fear the Chinese, because there has been no period in our history when they have occupied our land.

From 1903 to 1914, with brief intermissions, U.S. Marines were stationed in Panama—without treaty—I underscore, from November 4, 1903, to January 21, 1914.

That period, of course, included 1 year in Cuba, which was an intervention to "install stable government," and then again from 1912 to 1925, in Nicaragua, to protect American interests. All of this was tied to an American foreign policy of "speak softly but carry a big stick."

It is interesting, Mr. President, that we still have a foreign policy that is tied to the foreign policy of Teddy Roosevelt. I would have hoped that this Nation, with its great economic wealth and the might it has been able to acquire through its great economic prowess, would have matured beyond what I consider an archaic concept in world affairs—that is, that you take a switch and whip the little ones into line with your policy.

But let me continue with this list of involvements that took place at the direc-

tion of the President of the United States, without the action of Congress.

From 1916 to 1924, we went into the Dominican Republic to establish and maintain order.

From 1914 to 1917, in Mexico, we had an undeclared war, where hostilities included the capture of Vera Cruz and Pershing's expedition into northern Mexico, which was, of course, without the benefit of a declared war.

In retrospect, I have heard it said: "Thank God we had that experience in Mexico, so that we could train our American boys to make them more qualified when we went into the First World War."

Maybe the training we are getting in Vietnam will train our American boys for other wars. I think that logic falls of its own weight.

Then from 1915 to 1934, we went into Haiti. These, of course, were not two separate dates; we went into Haiti in 1915 and stayed there until 1934, in order to maintain order in a situation where there was chronic and threatened insurrection.

I ask Senators if that historic effort has been worthwhile to the American people, when we see the type of government that that nation now enjoys.

From 1918 until 1920, without the benefit of congressional restraint, the United States of America, under the President, sent to the Soviet Union—to Russia—15,000 marines. For what purpose? To thwart the efforts of the insurrectionists, the Communists, in line with the views of Czarist monarchists, and of course in line with the views of the Kerensky government. No war was declared against the Soviet Union.

Of course, we still wonder why they might have a paranoia, why they might fear that this peace-loving nation would invade the Soviet Union. We find it difficult to understand why the Chinese and the Soviet Union might think that we would invade, when we know that we would not. We know that we are a peace-loving nation. Perhaps an examination of history might give them, objectively, some justification to have some fear, might give them some justification to be paranoid, though we know, as honest men and peace-loving men, that we mean them no harm, just as we know, as honest and peace-loving men, that we mean no harm to the people of Northwest Laos.

We realize that that is not related to our extrication from South Vietnam. We know this to be true. But perhaps an examination of history would give us some understanding as to why this fact may not be entirely clear to "our enemies."

All these interventions were without any congressional consent. Some were kept secret from the people, and a few were secret even from Congress until they were accomplished.

The Executive claims that such powers are essential because of the necessity for speed and secrecy in modern foreign affairs. Because of the increase and importance and size of our military and of our foreign interests, the need for a congressional limitation on the Executive powers in these areas is more in order

than ever before. Some method of checking, monitoring, and, where necessary, countering Executive initiative is demanded. If the recent release of the McNamara papers demonstrates one thing, it is precisely that proposition.

Today, instead of protecting U.S. interests in this hemisphere, unrestrained Executive power is used to invade Laos and Cambodia; and in the case of both dangerous adventures, the President held Congress as suspect, without information, just as we treated "the enemy." It is interesting that Congress, wherein the war powers are supposed to lie, was treated the same way as the enemy.

I know the realities of the situation to inform so many people would, of course, not permit us to have the shroud of secrecy to attack effectively. I realize that. But I think the point still is well taken that despite the sacred and sacrosanct power we are supposed to have, the oddity of the situation would require that Congress be treated in the same way as North Vietnam.

Conscription allows the President to combine his enormous power of intervention with the actual war powers of maintaining a prolonged major occupation or police action. This is what happened in Vietnam. He had this power to move people around in great force, and he did it. The Chief Executive of this country did it and brought us into a prolonged war that this body has not passed upon and has not had the straightforwardness and the courage to pass upon.

It comes to a point that the decision is considered almost humorously, as a colloquy earlier this morning demonstrated, when even the thought of declaring a war that everybody knows exists is considered as something almost ridiculous.

To what level have we, as public leaders, fallen, that we cannot even confirm the obvious? What hypocrits must we be regarded by the American people, when they know we are at war, when we know we are at war, but nobody is prepared to formalize the fact that we are at war?

Little wonder that the youth of this Nation is disenchanted with the leadership of the Nation. If there is anything we are all tired of, it is speechmaking, because, as we examine the rhetoric, we can find an argument to sustain any activity, and we have done that.

The draft is not needed for sudden and limited retaliation or intervention. A Lebanon or a Congo crisis, or even a Berlin, which is of short duration and emergency in nature, cannot possibly utilize the draft. As Maj. Gen. Leroy H. Anderson, manpower expert in World War II and later member of the Armed Forces Committee, pointed out in his testimony last year before the Armed Forces Committee:

The draft is low in its effect. It never helps in a sudden emergency. It takes time to enlist and train new draftees. The draft is only needed when the involvement requires a slow and major buildup with an eye toward a long operation.

Vietnam was such a slow and major buildup. It has become America's longest war and most costly war.

Vietnam was begun without congressional consent and with the knowledge of

very few Americans. The Executive steadily increased draft calls from a zero level in 1963 to more than 40,000 monthly by 1965. If the American people could be given this fact today and could understand the import of this simple fact, I think we would see a revolution of the people with great spontaneity—if we should repeat this fact and cry out, in the hope that the people can hear it. Vietnam was begun without congressional consent and with the knowledge of very few Americans. The Executive steadily increased draft calls from zero in 1963 to more than 40,000 per month by 1965. This was the tool of Vietnam. This was the tool of war that we all now decry.

The power to conscript is the power to make war, to involve the Nation in a major way in some new adventure. That is how the Presidency has increased its warmaking powers still further in the postwar period. That is the tragedy of today. The nub of the problem with respect to the issue of conscription is that the power to conscript, in the hands of the Executive, is the power to make war without Congress.

The fact that we have had this example for the past 6 years before us daily as an issue facing Congress, as an issue facing the American people, and to find that Congress cannot react in the face of this burdensome proof, defies comprehension and is why the American people have become so disenchanted with the processes of government and have begun to wonder how—to use the characteristic phrase—the establishment works. I hope and pray that it does.

The Constitution is still valid in this matter. The President needs to be checked by the people. The Constitution places the power to make war in the hands of Congress. That is valid. If anything is demonstrated today, it is that the American people must appreciate that the Congress must check the President. The Congress represents the people, and only the Congress can do that directly. We have given up our constitutional power to control the size of the military by allowing the President the power to conscript.

In fact, in recent history, I would say that the last President to have any grip on the military was Dwight Eisenhower. If I could quote a statement that I think is one of the finest statements that has ever been made by any Chief Executive—it is one which I can paraphrase almost accurately and almost verbatim. Mr. Eisenhower made it in August 1959, in the twilight of his service as President; that was that the people will want peace someday so bad that they will have to put aside the government in order to get peace.

What better situation do we see than the situation that exists today, where we have before us the total incapacity of constitutional government to respond to the will of the people. We need but ask the people. They are against war. They are against the draft. They have greater wisdom than the leadership, because they can perceive that to give the President the power to conscript is to give him the power to make war, and to give him the power to make war without the

action of Congress. The proof of that has been in the events of the past 6 years.

It is obviously simple, but unfortunately we see no reaction to it. Surely, we would reject a Presidential recommendation for unlimited power to spend, even for military purposes.

Yet we have given that type of blank-check authority over human lives with respect to the draft, and we have done it for 20 years. In that 20-year period this Nation has gone from a supreme power to a trajectory which leads to its own annihilation, politically, economically, and morally.

All we ask now is that that power be reconstituted where it belongs; namely, in the hands of Congress.

If there is to be any draft at all, surely it must be limited to a state of war. The very principle of the draft is that all must serve their country in its dire need unless and until a war is declared. Neither the peril nor the need can be said to be great enough for all to serve.

My amendment would allow the President to induct only after Congress has declared a state of war. This would not hamper the President in his wide powers to intervene around the world in emergencies with existing active duty and reserve forces.

I would favor other legislation to do that. But this issue should stand on its own merits. The President can still send people around the world. He can still send them into Lebanon. He can still send them into Cuba. He can still send them into Israel. But the difference is, if he wants to keep them there, he has got to come back to Congress to sustain his activities.

This amendment would make it impossible for any President to expand such an intervention into a permanent American involvement.

Of course, that is exactly what took place in Vietnam.

We started out in the early 1960's with draft calls of zero, and at the height of presidential activity in 1965 those draft calls went up to 40,000 a month without Congress, doing a thing.

Is there any other proof that the draft is the tool that the Chief Executive uses to wage undeclared war?

Now, if that proof is not seen, then I suggest that no amount of events in the course of American history will effect a change, and that what has happened in the past 20 years is that we have created a psychology in the American people that there is no way to change.

We can appeal to the foundation of this Government by our forefathers. We should repeat over and over again that the reason why people came to this country and why this country was founded on a system of representative government was that our forebears did not want to be pressed into service in foreign armies; they did not want to fight wars for monarchs or emperors like Napoleon who came to power under conscripted armies. Our forebears left Europe because they understood the tradition of oppression brought about by conscription.

In fact, they felt this so deeply that in the death throes of the Revolution it-

self they took no recourse to conscription. That is the foundation of this country.

The PRESIDING OFFICER (Mr. BENTSEN): The time of the Senator from Alaska has expired.

Mr. STENNIS. Mr. President, I will yield to the Senator some time later, if I may, but now I want to yield 10 minutes to the distinguished Senator from South Carolina (Mr. THURMOND).

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 10 minutes.

Mr. THURMOND. Mr. President, the pending amendment, No. 123, offered by the distinguished Senator from Alaska (Mr. GRAVEL), would bring this Nation to its knees as a world military power.

This amendment would limit the President's authority to induct personnel into military service only during a period in which a state of war was declared by the Congress.

Mr. President, the last time it was necessary for the Congress to declare a state of war was at the outset of World War II. The author of the amendment fails to recognize that small deployments of U.S. forces may be required to insure our national security short of an all-out state of war. Often these commitments cannot be made without a small pool of replacement manpower.

The effect of this amendment is to end the draft at the conclusion of the current fiscal year. Numerous unfavorable results would flow from such a short-sighted decision.

At the outset, Mr. President, it should be pointed out that the decision involved in this amendment has already been made by the Senate over these many weeks during the debate on this bill.

The Senate has rejected an all-volunteer Armed Force beginning in July of this year. This amendment would force upon the Government such a situation.

The Senate has rejected many other amendments which would prohibit our Nation from achieving adequate military manpower levels for the next few years. This amendment, if passed, would undo all of these wise decisions already made by the Senate.

Mr. President, I would like to discuss a few adverse results which would flow from approval of this amendment.

First, if the draft ends in July experts predict the Nation's Reserve and Guard personnel strength levels will nose-dive. At present the high state of personnel strength in the Guard and Reserve depends on the draft which encourages men to seek military service in these units in an effort to avoid active service.

The 2 years between the expiration of the current draft law and the 1971 Selective Service Act are needed to make the difficult transition from a draft-supported military force to one maintained purely with volunteers.

This applies to Guard and Reserve Forces as well as Regular Forces. Service in the Guard and Reserve must be made more attractive if the Nation is to expect men to participate.

Second, passage of the pending Gravel amendment would have the effect of limiting the ability of the President to

maintain in peacetime the necessary military strength levels.

If the United States allows its military forces to fall apart then our enemies around the world will move on many fronts, and our friends will side with the nation maintaining its military power.

This amendment would push America into an isolationist stance and bring into disrepute the over 44 mutual defense treaties we have with nations around the world. These treaties have helped preserve the peace in many areas of the world since World War II.

Third, without the draft the military could not obtain the necessary numbers of physicians and health specialists to give adequate medical care to men serving in uniform.

Other specialists such as technicians to operate the complicated weapon systems in our military arsenal would also be difficult to acquire.

Further, only 4 percent of those first entering service volunteer for combat arms. So without the draft the necessary numbers of fighting men could not be obtained.

Mr. President, the Commander in Chief of this Nation has traditionally had the power to make initial troop deployments in the interest of national security.

Ever since World War II we have had the draft to provide an adequate military force to enable the President to take this action if he deems it necessary.

This amendment seems to be aimed at crippling the ability of the President to make such a commitment. The amendment apparently stems from our unpleasant experience in Vietnam.

The Senate must realize that it has many avenues, mainly through control of military spending, to force the President out of a military involvement if the Congress feels it is an unwise step. It would be a mistake to rope and tie the President to an extent that he has no flexibility in responding to military situations around the world.

Passage of this amendment would in effect strip the President of his authority as Commander in Chief of the Nation. In his stead the Congress as a whole would act as commander of our military forces for it would take a declaration of a state of war for the President to send military forces of any size to any location.

Mr. GRAVEL. Will the Senator from South Carolina yield?

Mr. THURMOND. If the Senator will wait a moment, I will be through and I will then be pleased to yield to him.

Mr. President, in conclusion this amendment amounts to a surrender by this Nation in meeting its responsibilities as the leader of the free world. I urge the Senate to defeat it decisively and let the world know we are not beaten and defeated in body or spirit as the result of our efforts to assist South Vietnam and other free nations in resisting a takeover by world communism.

Mr. President, I will be pleased to yield now to the Senator from Alaska if I have the time.

Mr. GRAVEL. Mr. President, how much time remains to the Senator from South Carolina?

The PRESIDING OFFICER. The Sen-

ator from South Carolina has 2½ minutes remaining.

Mr. GRAVEL. Mr. President, I am sure the Senator from Mississippi will yield us sufficient time to complete the colloquy.

Mr. STENNIS. Mr. President, does the Senator from South Carolina need more time?

Mr. THURMOND. Mr. President, I understand that I have 2½ minutes remaining. I will be pleased to yield to the Senator from Alaska if it meets with the approval of the Senator from Mississippi.

Mr. STENNIS. That is agreeable with me.

Mr. GRAVEL. Mr. President, I would like to ask some questions of the Senator from South Carolina. I think there is some misunderstanding of what the amendment seeks to do. This amendment would not strip the President of any power. If the President wanted to, he could take all of the forces and move them to Cuba under this measure.

The amendment very simply provides that if we want a draft, we should have a declaration of war from Congress.

This amendment does not impair the President's power. It does not make Congress the head of the Navy. Perhaps I misunderstood the Senator's remarks, or perhaps the Senator from South Carolina misunderstood the intent of the amendment. The amendment does not stop the President from having 2 million, 3 million, or even 4 million men under arms, and have the power he now has.

Mr. THURMOND. Mr. President, is it not true that this amendment would end the draft at the end of the current fiscal year?

Mr. GRAVEL. Of course not. It would not end the draft tomorrow or 5 years from now. All it does is to say that if we want the draft, we have to declare war. We happen to be at war in Vietnam and everyone knows it. Let us be at least straightforward enough to declare war if we want to use draftees there.

Mr. THURMOND. Mr. President, we cannot get volunteers. If we do not have volunteers, we cannot remain strong. If we do not remain strong, we will be attacked. We know that the goal of the Communists is to take over the world. This Nation must remain strong militarily. If it does not, we can expect to be attacked, and I am sure that the Senator from Alaska realizes that.

Mr. GRAVEL. Mr. President, if the Senator from South Carolina would permit me, I would like to say that we both want a strong America. I love this Nation, and I want it to be very strong. The Senator from South Carolina says this amendment seeks to cripple the President. That is not the aim of this amendment. All this amendment does is to make us fish or cut bait. If we want a draft, let us be honorable and say that we want a declaration of war to secure it.

Let us not back up to the trough as we have done for 20 years. In the early 1960's we were drafting no men and in 1956 we were drafting 40,000 men a month. That is how we got into this un-

declared war. Let us have the forthrightness to say "There is a war, let us declare it."

Mr. THURMOND. Mr. President, will the Senator from Mississippi yield to me for 1 additional minute so that I may reply?

Mr. STENNIS. I yield 1 additional minute to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, in reply to the distinguished Senator from Alaska, whom I hold in high esteem, he has the cart before the horse. We should not have to declare war to maintain a strong military establishment. The way to avoid war is to maintain a strong military establishment. If we do that we can avoid war. But under the Senator's theory we would have to declare war before the draft could go into effect. How can we maintain a strong military establishment if we do not get the soldiers unless we have the draft? It is that simple.

The PRESIDING OFFICER. The time of the Senator has expired.

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

The PRESIDING OFFICER. The Senator from Mississippi has 10 minutes remaining.

Mr. STENNIS. Mr. President, I am willing to yield back my time.

Mr. GRAVEL. Mr. President, I would be happy to use some of the Senator's time if the Senator would be willing to share it.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Alaska, one-half of my remaining time.

The PRESIDING OFFICER. The Senator from Alaska is recognized for not to exceed 5 minutes.

Mr. GRAVEL. Mr. President, I would like to reiterate a few basic points before we vote. I would like to reiterate what this amendment is and what it is not. It is not an attempt to cripple the draft; it is not a repetitious amendment. This issue has not been faced by this body. We have voted on other issues. The amendment is a very simple amendment.

Like our forefathers, I feel the draft is something that is very extreme for representative government. With the draft we take away a person's freedom and say, "Go serve." That is extreme. The basic reason this Nation was founded was to get away from the invasion of these liberties.

Because the draft is an extreme action, I would like to see it tied to another extreme action, and that is the action of a declaration of war.

The argument that this will make us weak is not valid. We have studies to demonstrate that we can, on a voluntary basis, have 2.5 million men under arms. If we can have that many men under arms without a draft, and if we are not secure at that time, God help us because we will never be secure.

The argument that we need the draft to be secure is mistaken. If an emergency exists, a war, then let Congress declare war, and then let us have the draft.

I have tried to make the case this morning with respect to this amendment that the reason Vietnam occurred, and the reason we have been involved historically in undeclared wars, has been the simple fact that we permit the Executive unlimited manpower.

I do not understand how we, in our minds, differentiate between human beings and property, but for some historical, psychological reason we have more laws respecting property than human beings. We require through an appropriations process that we legislate military property every year. But for some reason when it comes to human beings we do not sanctify them to the same degree. I do not understand why. I am not a psychologist. I have thought and I have probed the depth of my psyche as to why we should be so tight with money and property, but when it comes to human beings we do not give them a second thought. We give the President the power, and history is very clear on this point.

In the early 1960's we were drafting no people. At the height of the Vietnam war we were drafting 40,000 men per month.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield the Senator 2 additional minutes.

Mr. GRAVEL. I thank my colleague.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. GRAVEL. I can think of nothing more conclusive that would require passage of this amendment than that if the Chief Executive wants all this manpower at hand to go to war, let him at least come to Congress. That is not too much to ask. This amendment would in no way impair the President's ability to send troops to Europe or anywhere in the world. It will in no way lower the level of troops we have today. It will have no effect on the situation today other than to say, "If you want the draft you have to declare war."

It should be understood by all of us that we have made a mistake in the last 6 years. We should be intelligent enough to say, "Let us learn something from that lesson and do something about it."

My colleague from Mississippi has a resolution pending in this body to do something about it but he wants to do something about it next year; next year is when we should have a law saying, "If you want a draft you have to declare war." It does not refer to this year.

I would hope we realize that giving the President the power to have the draft gives him the power of making unlimited war without the consent of Congress.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, there are only 3 minutes remaining. I would like to yield back my time and leave 1 minute. If the Senator from Alaska wants the other 2 minutes I am happy to yield.

Mr. GRAVEL. I would be happy to take the time. My colleague is very generous.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 2 minutes.

Mr. GRAVEL. Mr. President, maybe through repetition some of this might sink in. Let me go back one more time.

Vietnam was begun without congressional consent and with the knowledge of very few Americans. The Executive of this country steadily increased draft calls from zero in 1963 to 40,000 monthly by 1965.

If people ask themselves how we got into this mess that we are in today, we got into this mess because we have the draft. We have had it for 20 years. The draft is a weapon of crises. Certainly we cannot have lived in a crisis for 20 years. Our human lives are not ordained that way. We have moments of crisis, and when we do we should have the tools to meet them.

This tool makes no sense. What it does is produce a true garrison state.

To refer back to the statement I quoted from Thomas Jefferson, he stated clearly that he considered the draft the last of all oppressions.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Alaska. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota (Mr. BURDICK), the Senator from California (Mr. CRANSTON), the Senator from Indiana (Mr. HARTKE), the Senator from North Carolina (Mr. JORDAN), the Senator from Montana (Mr. METCALF), the Senator from California (Mr. TUNNEY), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Florida (Mr. CHILES), the Senator from Idaho (Mr. CHURCH), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Washington (Mr. JACKSON), the Senator from Utah (Mr. MOSS), and the Senator from Virginia (Mr. SPONG) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), the Senator from California (Mr. TUNNEY), and the Senator from North Carolina (Mr. JORDAN) would each vote "nay."

Mr. SAXBE. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from Michigan (Mr. GRIFFIN), the Senator from Iowa (Mr. MILLER), the Senator from Illinois (Mr. PERCY) and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Tennessee (Mr. BAKER), the Senators from New York (Mr. BUCKLEY and Mr. JAVITS) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Pennsylvania (Mr. SCOTT) is absent by leave of the Senate on official business.

The Senator from Arizona (Mr. FANNIN), and the Senator from Vermont (Mr. PROUTY) are detained on official business.

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. FANNIN), the Senator from South Dakota (Mr. MUNDT), the Senator from Pennsylvania (Mr. SCOTT) and the Senator from Ohio (Mr. TAFT) would each vote "nay."

On this vote, the Senator from Massachusetts (Mr. BROOKE) is paired with the Senator from Iowa (Mr. MILLER). If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 12, nays 58, as follows:

[No. 104 Leg.]

YEAS—12

Bayh	Hughes	Nelson
Gravel	Inouye	Pastore
Hart	Mansfield	Proxmire
Hatfield	McGovern	Schweiker

NAYS—58

Aiken	Ellender	Montoya
Allen	Ervin	Pearson
Allott	Fong	Pell
Anderson	Gambrell	Randolph
Beall	Goldwater	Ribicoff
Bentsen	Gurney	Roth
Bible	Hansen	Saxbe
Boggs	Harris	Smith
Byrd, Va.	Hollings	Sparkman
Byrd, W. Va.	Hruska	Stennis
Cannon	Humphrey	Stevens
Case	Jordan, Idaho	Stevenson
Cook	Kennedy	Symington
Cooper	Long	Talmadge
Cotton	Magnuson	Thurmond
Curtis	Mathias	Tower
Dole	McClellan	Weicker
Dominick	McGee	Young
Eagleton	McIntyre	
Eastland	Mondale	

NOT VOTING—30

Baker	Fannin	Mundt
Bellmon	Fulbright	Muskie
Bennett	Griffin	Packwood
Brock	Hartke	Percy
Brooke	Jackson	Prouty
Buckley	Javits	Scott
Burdick	Jordan, N.C.	Spong
Chiles	Metcalf	Taft
Church	Miller	Tunney
Cranston	Moss	Williams

So Mr. GRAVEL's amendment was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I have cleared the following request with the minority side, and I propose it at the suggestion of the majority leader after having discussed it with the manager of the bill and with Senators who are principal movers of the amendments.

I ask unanimous consent that on Tuesday next at the hour of 12 o'clock noon the Chair lay before the Senate amendment No. 165 by the Senator from Kentucky (Mr. COOK), the Senator from

Alaska (Mr. STEVENS), the Senator from Missouri (Mr. Eagleton), and the Senator from Indiana (Mr. HARTKE), and that time thereon be limited to 4 hours, the time to be equally divided between and controlled by the principal mover of the amendment, (Mr. COOK), and the manager of the bill, (Mr. STENNIS); provided further that amendments thereto be germane and be limited to one-half hour on each amendment, the time to be equally divided and controlled by the mover of the amendment in the second degree and the distinguished manager of the bill, (Mr. STENNIS); provided further that the time on any amendment to the amendment be taken from the 4 hours allotted on the Cook amendment; provided further that Senators in control of time on the Cook amendment may allot time therefrom to any Senator on any amendment thereto, or on any motion, or appeal, with the exception of a motion to lay on the table.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Mr. STENNIS. Mr. President, as I understand it, with respect to the time allowed on the amendment as a whole, the 4 hours, if those in control of the time see fit to do so, they can allow any part of that time to be used on one of the amendments to the amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD of West Virginia. Mr. President, time on any amendment to the amendment would be limited to one-half hour. The one-half hour would come out of the 4 hours that are allotted on the basic amendment. In addition to that one-half hour, the Senators in control of time on amendment No. 165 could yield time therefrom to any Senator on any amendment, motion, or appeal, except a motion to lay on the table.

Mr. STENNIS. Mr. President, reserving the right to object, would this unanimous consent proposal work out that the final vote on the amendment would begin at 4 o'clock?

Mr. BYRD of West Virginia. Mr. President, would the Senator like that?

Mr. STENNIS. Mr. President, I think that would make it more certain and would be more acceptable to the membership as a whole.

Mr. BYRD of West Virginia. Then the Senator would preclude any motion to table amendment No. 165.

Mr. STENNIS. Well, I think so; yes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the vote on Amendment No. 165 occur at 4 o'clock p.m. on Tuesday next.

Mr. STENNIS. Mr. President, reserving the right to object on that, I can see the possibility that a rollcall vote may be in progress on one of these amendments to the amendment when 4 o'clock comes. Of course, if that should happen, we would have to complete that rollcall vote under the rules of the Senate.

Mr. BYRD of West Virginia. The Senator is correct.

Mr. STENNIS. We would then have the final vote.

Mr. BYRD of West Virginia. Precisely.

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

Mr. STENNIS. Mr. President, I yield myself 2 minutes on the amendment.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 2 minutes.

Mr. STENNIS. Mr. President, that means, under the unanimous consent agreement, that this amendment will be taken up at noon on Tuesday and the next 4 hours would be allotted to debate and would be used, I am sure. Senators are put on notice that votes can start very soon after 12 o'clock and will continue until 4 o'clock or a few minutes beyond.

These are all considered by the Senator from Mississippi as being important votes because there is no way now to judge what is important or unimportant. So, I think they are all important. I want to give notice to that effect. I am sure that our respective assistant leaders will send out their written notices to that effect, also, so that all may be advised.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it may be in order to order the yeas and nays at any time on amendment No. 165.

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

#### THE UNANIMOUS-CONSENT AGREEMENT READS AS FOLLOWS:

Ordered further, That on Tuesday, June 22, 1971, at 12:00 o'clock noon, amendment No. 165 by the Senator from Kentucky (Mr. Cook) be laid before the Senate. Debate thereon is to be limited to 4 hours to be equally divided and controlled by the mover and the manager of the bill. A vote on amendment No. 165 shall occur at 4:00 p.m. on June 22, 1971. Provided, That amendments to amendment No. 165 must be germane and that time on each such amendment be limited to ½ hour to come out of the time on amendment No. 165 to be equally divided and controlled by the mover thereof and the manager of the bill. Provided further that time on amendment No. 165 may be allotted to debate on any amendment thereto. (June 18, 1971)

#### AMENDMENT NO. 137

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate amendment No. 137, offered by the distinguished Senator from Oregon, on which 1 hour of debate has been ordered, and on which the yeas and nays have been ordered.

The assistant legislative clerk read as follows:

On page 35, between lines 4 and 5, insert the following:

SEC. 107. (a) Section 505(c) of title 10, United States Code, is amended to read as follows:

"(c) The Secretary concerned may accept original enlistments in the Regular Army, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, (1) of male persons for the duration of their minority or for a period of two years, and (2) of female persons for a period of two years. The Secretary concerned may accept an original enlistment in the case of any person for a specified period longer than two years, but not more than four years, where the cost of special education or training to be afforded such person would make a shorter enlistment period impracticable."

(b) Section 505(e) of such title is amended to read as follows:

"(e) The Secretary concerned may accept

reenlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, for unspecified periods and for periods commensurate with the cost of any special education or training to be received by any member, as may be prescribed in regulations of the Secretary concerned. In no case shall the Secretary concerned specify a period of more than four years of obligated service because of special education or training to be received by any member."

(c) Section 509(a) of such title is amended by striking out "Under" and inserting in lieu thereof "Subject to the provisions of section 505(e) and".

(d) The Secretary of Defense shall promptly conduct a comprehensive study to determine the term of service which should be required of enlisted members who receive various types of special education or training programs. The Secretary concerned shall, on the basis of the conclusions reached in such study, prescribe by regulation the term of service required to be performed by enlisted members who receive special education or training.

(e) Section 1169 of such title is amended to read as follows:

"§ 1169. Regular enlisted members: limitations on discharged

"Any enlisted member who has completed his original period of enlistment and who has been reenlisted for an unspecified period shall be discharged upon written request, except that—

"(1) the Secretary concerned may refuse to grant a discharge during any period of war or national emergency;

"(2) a member shall be required to fulfill a term of service commensurate with the cost of any special education or training received by him, as prescribed in regulations of the Secretary concerned;

"(3) the Secretary concerned may refuse to grant a discharge to any enlisted member who has been assigned to sea duty or duty outside the United States; or

"(4) as otherwise provided by law."

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, will the Senator yield to me, briefly?

Mr. HATFIELD. I yield.

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

#### UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday, on the disposition of the Hatfield amendment No. 130, the Senate proceed to the consideration of amendment No. 131, by Mr. HATFIELD.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon the disposition of the Hatfield amendment No. 131 on Monday, the Chair lay before the Senate amendment No. 145, by Mr. KENNEDY.

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

Mr. BYRD of West Virginia. I ask unanimous consent that time on amendment No. 145 be limited to 2 hours, the time to be equally divided between the distinguished mover of the amendment and the distinguished manager of the bill; that amendments thereto be limited to 20 minutes, the time to be equally divided between the mover of the amendment in the second degree and the manager of the bill, and that no nongermane amendments be received thereto.

The PRESIDING OFFICER. Is there objection. The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. I ask unanimous consent that upon the disposition of amendment No. 145 on Monday, the Senate proceed to the consideration of amendment No. 134, by Mr. HATFIELD.

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

Mr. BYRD of West Virginia. I ask unanimous consent that the previous agreement with respect to a time limitation of 20 minutes on amendments to amendments obtain with respect to the amendments I have just enumerated.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it be in order to order at any time the yeas and nays on amendment No. 130.

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

The unanimous-consent agreement, later prepared in written form, reads as follows:

*Ordered*, That, during the further consideration of H.R. 6531, an act to amend the Military Selective Service Act of 1967, debate on the following amendments be limited to 1 hour to be equally divided and controlled by the mover of the amendment and the manager of the bill (Mr. Stennis): No. 125 by the Senator from Alaska (Mr. Gravel); No. 117 and Nos. 127-134 inclusive and 138 by the Senator from Oregon (Mr. Hatfield).

*Ordered further*, That debate be limited to 2 hours to be equally divided and controlled between the mover of the amendment and the manager of the bill on amendment No. 145 by the Senator from Massachusetts (Mr. Kennedy).

*Ordered further*, That on June 21, 1971, at 11:30 a.m., amendment No. 127 be laid before the Senate and made the pending question. After the disposition of amendment No. 127, the Chair will lay before the Senate in the order listed the following amendments as soon as the one preceding it in the list is disposed of: amendment No. 130 by the Senator from Oregon (Mr. Hatfield); amendment No. 131 by the Senator from Oregon (Mr. Hatfield); amendment No. 145 by the Senator from Massachusetts (Mr. Kennedy); and amendment No. 134 by the Senator from Oregon (Mr. Hatfield).

*Provided*, That the debate on all amendments to amendments enumerated above be limited to 20 minutes to be equally divided and controlled respectively by the mover and the author of the original amendment (first degree), except on amendments numbered 127, 130, 137, and 145 on which the time on all amendments to amendments will be controlled by the mover of the amendment in the second degree and the manager of the bill.

*Ordered further*, That amendments not germane to the amendments enumerated above shall not be received.

*Ordered further*, That on Tuesday, June 22, 1971, at 12:00 o'clock noon, amendment No. 165 by the Senator from Kentucky (Mr. Cook) be laid before the Senate. Debate thereon is to be limited to 4 hours to be equally divided and controlled by the mover and the manager of the bill. A vote on amendment No. 165 shall occur at 4:00 p.m. on June 22, 1971. *Provided*, That amendments to amendment No. 165 must be germane and that time on each such amendment be limited to 1/2 hour to come out of the time on amendment No. 165 to be equally divided and controlled by the mover thereof and the manager of the bill. *Provided further*, That time on amendment No. 165

may be allotted to debate on any amendment thereto.

Mr. STENNIS. Mr. President, will the Senator from Oregon yield to me so that I may yield 2 minutes to the Senator from Alaska?

Mr. HATFIELD. I yield.

Mr. GRAVEL. I thank the Senator.

Mr. President, I hope the distinguished majority whip will correct me if I am in error. The yeas and nays have been ordered on my amendment No. 150. The Senator from Mississippi is prepared to accept my amendment with modifications, and I am happy to make these modifications; so we do not see the need for a vote on my amendment. Therefore, I ask unanimous consent that the order for the yeas and the nays on my amendment No. 150 be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. GRAVEL. At this time I give notice that there will be no need for a vote.

Mr. STENNIS. We will have a vote, of course, but it will not be a rollcall vote.

Mr. GRAVEL. I thank the Senator.

I hope all Senators are aware of the fact that the distinguished Senator from Mississippi has accepted one of my humble contributions to this distinguished piece of legislation.

Mr. STENNIS. I congratulate the Senator from Alaska on his overwhelming success. He overwhelmed me.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a 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, in which it requested the concurrence of the Senate.

#### ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 617) to authorize an ex gratia contribution to certain inhabitants of the Trust Territory of the Pacific Islands who suffered damages arising out of the hostilities of the Second World War, to provide for the payment of noncombat claims occurring prior to July 1, 1951, and to establish a Micronesian Claims Commission.

#### HOUSE BILL REFERRED

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 was read twice by its title and referred to the Committee on Armed Services.

#### THE MILITARY SELECTIVE SERVICE ACT

The Senate continued with the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Oregon yield for a question?

Mr. HATFIELD. I am happy to yield.

Mr. BYRD of West Virginia. So that Senators will be on notice, is it the intention of the distinguished Senator from Oregon to ask for the yeas and nays on his amendment No. 137, which is now pending?

Mr. HATFIELD. It is my intention to ask for the yeas and nays.

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

Mr. President, in view of the fact that the yeas and nays have been withdrawn on amendment No. 150, by Mr. GRAVEL, the only remaining rollcall vote today will occur on amendment No. 137, by the Senator from Oregon (Mr. HATFIELD), and it will occur no later than 2 p.m. today.

Mr. HATFIELD. Mr. President, I yield myself 10 minutes, if I have that much time remaining.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on the amendment begin running as of now.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator has the full time remaining.

Mr. HATFIELD. I thank the Senator from West Virginia.

Mr. President, this amendment does basically two things. First, it gives to the Secretary of Defense greater latitude and authority to establish periods of enlistment for enlisted personnel.

Second, it applies some of the same principle which now exists for officer personnel to that of the enlisted personnel. Specifically, it gives the Secretary of Defense the authority to accept enlistments for 2 years for any branch of the Armed Forces.

It eliminates the present system of obligated terms of enlistment by prescribing that a man can receive a discharge upon request from the service with the following exceptions:

He will not receive discharge if it conflicts with special training or education programs in which the individual is participating, if the member has received orders for overseas duty or sea duty, and he will not be given a discharge if there is a war or a national emergency. He will not be given a discharge if he has failed to fulfill the period of time set by the Secretary of Defense following a special period of training, which would account for the cost factor involved in providing him with that training.

This is not so radical a departure from the present practice as it might seem

initially. I would hope that careful study would be made of the exact language of the amendment, because the officers are treated in the same manner and there has been no adverse effect on officer retention, nor have we had any trouble in attracting officers.

The increased freedom of choice should make our armed services more attractive to enlisted personnel and potential enlistees. Enlisted men should be obligated to fulfill the terms of service commensurate with the cost of the training that they receive.

Let me just discuss that point in detail a little bit.

It is quite obvious that there has been a great change in the military service of this country over the past 20- to 30-year period. We are now involved in a military system in this country where we have sophisticated weapons and sophisticated procedures and, therefore, there is great demand for technical and sophisticated training. But also there is a great variation in assignments in the military between the various aspects of activities as well as within each branch of the service. Consequently, some training will be more detailed and more profound and will be a more complex training program than other training programs for other assignments.

It is reasonable that there should be flexibility as to the period of service required after the training to fulfill the cost factor in giving such training to the individual.

In other words, we do not want the service to end up being a training program and then, at the end of that training period, to have the individual leave the service for civilian employment without at least fulfilling some period of service following his training period. We have given the Secretary, under this amendment, the flexibility to establish a reasonable time limit both for the training period and for the service required following the receiving of such training.

The Defense Department should undertake a study to determine the length of obligation of service to be carried out for the various training programs. That is provided for in the amendment.

It would be rather unreasonable to indicate, at this time, that we would be able to develop the cost-to-benefit ratios without careful study and analysis of each position and training program.

The discharge request should be denied during the times of national emergency, or war, as it does with officers. That is provided for in the amendment.

In other words, let me make amply clear that this would not provide the opportunity for a young man to come into the service for, say, the training period and then fulfill a part of the obligated term following that training and then ask for a discharge. He could receive that discharge for two reasons; one, if he did not fulfill the period of the training; and two, if this country is engaged in a national emergency, he could not assume to acquire that discharge by stating he had taken the training period and the period obligated after the training.

By passing this amendment, we would

in no way be jeopardizing national security, because adequate safeguards are provided for in the legislation. In fact, I believe, quite the contrary, that we will probably be increasing national security by providing more opportunities within the services for various training programs and opportunities for advancement and, thereby, enhance the individual's feeling of freedom of choice.

I believe that we should look to the fact that among draftees there exists a 95-percent turnover. No organization, including the military services, can operate effectively, economically, or efficiently with such a high rate of turnover. I feel, therefore, that by developing this kind of flexibility for enlisted personnel, as we have now for officer personnel, it would be more attractive for the true volunteer and, with more attraction for the true volunteer, we would have less of a turnover by depending for much of the manpower on the draft program.

This is again an opportunity for the Senate to improve the activities and the programs of the armed services. It is an opportunity to improve on the problem of the turnover rate which now hampers much of the efficiency of the armed services.

I would urge all Senators, sometime, to read the Navy magazines and other armed services magazines which talk about "personnel turbulence." Personnel turbulence is a phrase used in the military to identify the real problem of personnel turnover.

The Navy magazine has said frequently that personnel turbulence is the most serious problem the Navy faces today.

Let us bear in mind that the Navy depends more on and has more true volunteers than other branches of the armed services, with the possible exception of the Air Force. Even among the true volunteers, there is a high rate of turnover, so far as efficiency and economy are concerned.

Therefore, it would probably not only improve efficiency but certainly be more economical to provide for this kind of flexibility, to reduce the turnover rate, or personnel turbulence, as it is referred to by the military leaders themselves.

I again would say that this is not a new proposal that is being made today. It has been given careful study over years and years of time. It carries with it the stamp of approval of various distinguished military personnel, like General Gruenther and General Norstad.

It also carries with it the support of such distinguished civilian leadership in military matters as the former Secretary of Defense, Thomas Gates.

Thus, this is a program which represents some of the best thinking from within the military as well as those who have been called upon to evaluate military problems from outside the military organizations.

Mr. President, I would urge the Senate to give careful consideration to this proposal, because I believe it will do the things I have enumerated today in this brief presentation.

Mr. STENNIS. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER (Mr. HUMPHREY). The Senator from Mississippi is recognized for 15 minutes.

Mr. STENNIS. Mr. President, I very seriously warn the membership that this is a very serious amendment. It would be far-reaching in its application. It would be very expensive. If it should become law, it would greatly increase the training costs for one thing, as I shall enumerate in detail in a few minutes.

It might have been included in the bill which the Senator from Oregon introduced before the committee. I am not certain. But it was never taken up by the committee.

Mr. HATFIELD. If the Senator will yield momentarily to clarify the situation, this amendment as well as the previous amendment were included in the presentation made to the Senator's committee during the hearing provided for that purpose.

Mr. STENNIS. I thank the Senator. We certainly did consider his bill. It was out on the table and we called for anyone that wanted to move its passage. But I was not familiar with this. I have not really had a chance to have any consultation with any of the recruiting officers and those in personnel who have charge of this. But we do have a firm position on the part of Department of Defense, that they think it would gravely affect their enlistment program. We are heading in the direction now where everything will depend on the enlistment program.

Mr. President, this amendment represents an attempt to make a very strong and radical change in the manpower policies of our Armed Forces. The change seems to be a rather simple one. But it is far more than a simple change. Currently, enlisted men may originally enlist or reenlist in any of the armed services under the law for a period of 2, 3, 4, 5, or 6 years.

The amendment would change this to authorize only 2-year initial enlistments, unless it be in a case where the cost of the education involved would be such as to make 4-year reenlistments more reasonable. The amendment would permit reenlistments for unspecified periods for enlisted men.

Mr. President, I do not want to prejudge this issue. This recommendation represents, as I have said, a very fundamental change in the manpower policies for all of our Armed Forces. It is an issue involving complex questions which require thorough study by the Defense Department and each of the services. I think it should require a very careful study, too, by those in Congress who work with these problems year after year.

Mr. President, there are obvious reasons that very clearly show why such a change as this should not be made precipitately and could not be made precipitately. There is the additional reason that they are moving or going to attempt to move into a new system under which they will have only volunteers in all of the services, if the system works. It is really a case where they will have to feel their way in the darkness or semidarkness. So to put a mandatory change like this in the law could prove to be a road-block.

The substantive changes in this amendment were recommended, it is true, by the Gates Commission. However,

even that commission granted that this change "may appear dramatic," to use their words, but it passed off any difficulties with the comment that such a change "should not create serious problems for the military."

Mr. President, I challenge that statement, "should not create serious problems for the military." The military also challenges that statement. More especially it is true that in this formative stage this system has to learn to crawl before it can walk, and it has to learn to walk before it can run. I think this amendment would throw a roadblock in front of the system and very seriously impair the chances of its getting off the ground.

Mr. President, I must object to the passage of an amendment making such a fundamental change in an important part of our fundamental national security policies which has nothing behind it except slightly over one page of print in the Gates Commission report. There were no Senate hearings and no House hearings, so far as I know. I do not think they have had hearings. In fact, I am sure they have not.

Mr. President, as I have said before, the Gates Commission was comprised of notable and respected individuals and I have only the greatest respect for its distinguished chairman. But simply because the Gates Commission has recommended a step does not cast some magic blessing upon it. It has to be passed upon by the legislative body after weighing the problem. The Gates Commission merely recommended it. This amendment would write it into law without any real trial and without any real test.

This is a legislative body and a deliberative body. It is our obligation to examine proposals in detail, to make changes—particularly changes of this magnitude—only after we are thoroughly familiar with the implications of them and have reached a judgment that such policy would be in the best interests of the United States. Let us not ever think that this is a simple thing.

Mr. President, the amendment would make very fundamental changes in the manpower policies for all of our Armed Forces. Our manpower policies have been evolved by the respective services over a period of years. Currently the Air Force accepts initial enlistments of 4 years, the Navy 3 years, and the Army and the Marine Corps 3 years. The latter services have begun recently to accept some 2-year enlistments, but these represent only a small proportion of their overall enlistments. They do not want to be forced to go into this thing in a precipitate way.

Thus, an amendment which cuts in half the permitted initial enlistment period for the Air Force and reduces by one-third the initial period of enlistment for all the other services would surely increase the initial training costs for all services.

The initial training costs would be doubled for the Air Force and would be increased by about 50 percent for the other services if this amendment should become law, because more men would have to be brought into the system in order to obtain the same number of man-years, and that is what they have to have.

That is what they rely on. I am talking about the enlisted man's level.

Initial training costs for the services are now approximately \$1.7 billion a year. Passage of this amendment could thus increase them by at least 50 percent, and thus cost an additional \$800 to \$900 million a year.

This would be just like jumping off a cliff into the dark. The fact that we do not have the money has now become an incidental matter and is no longer a major point. However, I think it ought to be mentioned. We do not have the money. We are already billions of dollars behind in the fiscal year that will close in a few days. The estimates already are that there will be a deficit of around \$20 billion for the new fiscal year.

So, as I say, that does not control anyone any more or bother them very much either. I suppose that it does bother them some. However, I think it ought to bother them a lot more. We would be adding to the \$1.7 billion a year another \$800 to \$900 million. These are just estimates, but they are hard figures. In a few weeks now we will have a lot of votes on the floor to reduce the military budget.

Mr. President, the analogy between the enlistment and reenlistment policy now followed for officers and that to be followed for enlisted men under the amendment is only superficially plausible. The military can manage a system of unspecified reenlistment periods for officers because there are comparatively few of them and because such a high percentage receive special training which requires them to be obligated for specific periods. But a policy of unspecified enlistments for the enlisted men of all services would be a major and radical change to our entire military manpower system.

Mr. President, I can think of no reasonable argument to support the proposition that, merely because a commission has recommended such a step, we should legislate it here in Congress without study, without preparation, and without careful assessment.

Mr. President, I know the author of the amendment is not trying to criticize or discredit the military. There is already a lot of criticism of the military in these days. However, they know their credits with reference to these enlistments and reenlistments and personnel problems. The most difficult area, in my opinion, of all the military problems, all the military machinery, in all the military services is the matter of personnel and the matter of enlistment and reenlistment.

I can tell Senators no one is finer than many of these young fellows, but with some of them it takes more than 2 years to find out if they want to keep them or not. I say that with respect to all of them. They come in and many of them are immature, and the training tends to mature them. More than 2 years is needed. Under these 3- and 4-year enlistments, they find the best talent they have, and in many cases these young men find their life vocations and they are happy about it. They find things in the military life they love and like; and they make the finest noncommissioned officers.

I do not want it limited to just 2 years for all of them.

Now, there is another group. I do not find a finer group of Americans anywhere

than I find when I have a chance to visit with some of these noncommissioned officers. I refer to the sergeants and other noncommissioned officers. They have their clubs and when I get an invitation to luncheon from them when I am on a military base—and I am not able to be there often—I always accept the invitations as much as possible because of my great appreciation for what they are doing for the military service.

When they get up to that bracket, I would be willing to give them an indefinite enlistment to stay as long as they can. I refer to the man who is already seasoned and it is known what he is going to do. If we get into trouble, it is known he will not go to "thinning out" and decide to terminate his military career.

If we get all of these young people in here and turn them loose with indefinite enlistments and if the going gets hard, some of them will not like the military as well as they thought they would like it and we might not have enough of the right kind of men who would stay.

I think those in the military now who deal with this problem of enlistments, reenlistments, and training know far more about this subject. I know they know far more than I do and I think they know more than the study, or lack of study, indicates.

If we put a stumbling block in front of the new system that is coming in it would undermine the fine foundation we have in the enlisted area of our services and it would add to what is already a tremendous training cost.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. HATFIELD. Mr. President, I yield myself 5 minutes.

Mr. President, with all due respect and deference to the senior Senator from Mississippi, the chairman of the Committee on Armed Services, I would like to clarify some misstatements that were made relating to this amendment.

This amendment in no way requires the Secretary of Defense to provide for 2-year enlistments. On page 1, lines 8 and 9, it states:

The Secretary concerned may accept an original enlistment in the case of any person for a specified period longer than two years, but not more than four years.

So there is no great change here at all as relates to the power of the Secretary to make changes if he deems necessary. In other words, the Secretary is not required to do this, as was stated.

Mr. President, I also want to say we would not do some new or engage in a great radical experiment, as was intimated. This program has been in force for many years now and has been successful as it relates to officer personnel. This is not a new program. When the Senator from Mississippi raises these questions he is raising straw men. He is not addressing himself to the wording of the amendment.

The wording of the amendment makes amply clear that this will be discretionary authority exercised by the Secretary of Defense.

I have no quarrel with the chairman of the Armed Services Committee when

he states that these matters should be considered in hearings by the committee. However, I would remind him that there were hearings before his committee and a number of us appeared at that hearing. If there has been inadequate attention given to this matter, it is not my fault. We were there and we presented these matters. Every one of these amendments being considered on the floor was presented to that committee.

It is interesting that we hold so sacrosanct the principle that every amendment must be presented before the committee, yet yesterday we had an amendment by the Senator from Ohio which never had a hearing and it was even accepted without a rollcall vote. Why is it we apply sanctity of hearings to amendments with which we do not agree and yet we do not apply the sanctity of hearings to amendments with which we do agree.

If the hearing procedure is so sacred, the hearing procedure should be applied to all amendments. I think we see the inconsistency of the argument demonstrated in this Chamber, as it was yesterday.

Again, I emphasize we have had adequate testing by the military branches of the service when they have applied and had this kind of program available to officers all these years. There is no roadblock. If there is a roadblock, it is the present law that provides the roadblock. The present law is so inflexible that it requires specific periods of enlistment. If we are really concerned about reenlistments and attracting young men to the services, we would make it possible to have a more flexible program for enlistments and reenlistments. That is what this amendment would do.

It is interesting that we hear cries loud and long about helping the military. I would like to know what we have done in the Senate to help the military. I have not seen anything coming from the Senate or the Armed Services Committee to correct some of the problems. Everything that has happened has been by force of amendment. These problems are not new. The military has had the problem of enlistments and manpower for years, but what has happened to correct these problems by this august body of Senators?

We must look at the whole question, and not so much worship the god of status quo. I have not heard such a demonstration as I have over the last weeks that the sanctity of the status quo must be maintained at all costs; that we cannot entertain any new change that might disturb the status quo.

I would like to have Senators read the military history written by Liddell-Hart, one of the most outstanding historians of our time, who died recently. He wrote about the mentality of the status quo and how damaging it has been to the military forces and that even with the power of legislative body we have had such a mentality.

The military needs help.

The PRESIDING OFFICER. The time of the Senator allotted to himself has expired.

Mr. HATFIELD. Mr. President, I yield myself 5 additional minutes.

We have not helped the military. Much of the criticism of the military

today is our fault, because we have demonstrated that same inflexibility and status quo worship that has been ascribed to the military.

So I would like to say that this amendment is not antimilitary. It is a help to the military. It provides doing something that we have not seen happen from the committee procedures or out of the committee's work.

I think anyone who would read the amendment carefully would realize that we would give the military an opportunity to diversify their programs and provide more incentives to the enlisted personnel.

We treat military personnel as if they were youngsters. We treat them as children. We certainly do not consider them children when we send them to the bloody battlefield of Vietnam in an unholy war. We did not consider them children when we sent them out in World War II to defend this Nation. But, somehow, we feel we must treat them as children. I think some of the most demeaning comments of the military are referring to these youngsters as not being dry behind the ears. This is not serving the cause of correcting the problems of the military. Also I think it adds much to the ammunition of those who are definitely antimilitary and who are trying to create an antimilitary attitude today.

It reminds me of some of the writings of Charles de Gaulle who confronted this same difficulty in France between World War I and World War II. Nothing should be changed. Everything should be maintained within the mentality of the maginot line. Here was one man who was trying to warn the people of France that their military needed updating and change, but, no, the politicians and the military, all alike, could not see that change was important or that change should be brought about.

All we have had today are strawmen provided for arguments against the amendment. The opposition has not addressed itself to the amendment; they have offered only strawmen.

I know the military is not going to live or die on this amendment, but, again, I think if anyone reads the RECORD carefully, it will be an interesting study of the kind of attitudes that have been expressed here today, yesterday, and the last 4 or 6 weeks—change nothing; let us worship, worship, worship the status quo. Anybody who suggests change is not in keeping with what we want to do.

Let the RECORD show this is one Senator who is willing to consider new ideas and offer constructive changes which will assist and build the military into a viable organization for the defense of this Nation and which will meet some of the very problems the military has identified for itself, and in which we have given so little help to the military in trying to bring about these changes.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I think the Senator from Oregon and I have covered the pros and cons of this matter.

I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Mississippi yields 5 minutes to himself.

Mr. STENNIS. Mr. President, I am compelled to object very strenuously to this drastic, untried change in the whole system of enlistments just as we are entering into what has been depicted as the golden era of enlistments.

We are going to mandate into law that all services must limit their enlistments to 2 years, except that they can make the term as high as 4 years where the cost of special education or training would make a short enlistment impracticable.

Not a great percentage of enlistees go into special education or training. So when we limit the initial enlistments to 2 years, we are saying we are limiting a very high percentage of them—80 to 85 percent.

I see the Senator from Ohio (Mr. SAXBE) has come into the Chamber. He is experienced in the matter of enlistments and personnel. I wish he would correct me if I am in error.

This amendment provides a very drastic change in all enlistment systems that I have ever heard of. The amendment would mandate and provide by law that all reenlistments shall be for unspecified periods and for periods commensurate with the cost of special training. There is some exception for the matter of special training.

Again, those who go into that special training of the kind the Senator is talking about are highly important, but they are by no means half of the reenlistments. So we would soon find ourselves without an appreciable percentage of reenlistments who are under any obligation to keep them from walking off, except, in definite terms, with respect to reenlistments because of special training.

If for any reason a man does not want to be in the Navy any more, for example, he would just walk off. Perhaps a few cases might be found where he would not mind staying, but perhaps his wife did not want him to stay, and so he would walk off for that reason. That is natural. In the Army it would be the same way. So we would have a group that can come and go, and there would be a reenlistment group. There would be a group of raw recruits and, of course, to be of any value, they have to go through half of their enlistment period, anyway, before they are able to contribute very much.

So here, on the verge of the golden era of enlistments, going to an all-volunteer basis, we have a tremendous roadblock, because, in order to have any effective service that we can depend on, we must be able to rely on it on cloudy days and sunshiny days. I mean by that that when war clouds appear in the far, far distance, there would be an exodus, and when those clouds got closer and closer, there would be more and more of an exodus. That is human nature. So we would be cutting a very thin base if we adopted the amendment.

I repeat, if there were involved the mature and seasoned sergeants who are the backbone of the service, I would be willing to take them on a voluntary basis, but they constitute a very small number. On top of these other uncertainties, according to the most careful estimates and the most prudent estimates that we have, we would increase the cost of the training program from around \$1.7 bil-

lion which it now is by another \$800 or \$900 million.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield myself 1 minute.

It would add \$800 to \$900 million in additional dollars that we do not have to the actual training cost.

So I hope, in the wisdom of the Senate, in the scant chance it has had to consider this amendment, it will not approve the amendment.

In the course of the development of the voluntary system, if something like this can be evolved based on the hard facts of life and experience, then it could be entertained, but this amendment was a small part of a very elaborate bill that the Senator introduced, and on which he gave a fine, knowledgeable presentation in the hearing.

But I do not remember where this was emphasized, and I do not remember hearing it mentioned. I do not think this point was mentioned at all in our deliberations, and we did deliberate on this bill for days and days. We have a fine report here, on the bill as a whole, of some 150 or more printed pages.

Mr. President, I yield the floor.

Mr. HATFIELD. Mr. President, I yield myself 5 minutes.

I must keep the record clear on this matter. With all due respect, the Senator from Mississippi has constantly misstated the amendment. He has said it mandates the Secretary of Defense to provide for unlimited or unspecified terms of reenlistment.

Mr. President, that is simply not true. There is nothing at all in the language of the amendment that says the Secretary of Defense is mandated for an unspecified reenlistment, or for 2 years. It gives the Secretary of Defense the authority to have specific or nonspecified periods of enlistment and reenlistment. It does not mandate him at all. There is no language in here whatsoever that mandates the Secretary for unspecified terms of reenlistment.

The Senator has said that a man could just walk out of the Navy any time he wishes, or walk out of the Army any time he wishes. That is simply not so. There is no language in the amendment whatsoever that could be interpreted to permit a man to walk out of the Army, the Navy, the Air Force, the Marine Corps, or the Coast Guard any time he wishes. He must, as in the case of an officer at the present time, file for a discharge, and then that discharge must be approved by the Secretary of Defense. He cannot walk out. He would be AWOL if he walked out without that kind of approval.

The Secretary is not even without limitations as to the reasons upon which he must justify his approval of such a request. There are restrictions upon the Secretary of Defense as well.

The Senator has said we cannot go into something untried. Mr. President, it has been tried. It has been proved, in the case of the officers, by experience over many years.

This again, let me emphasize, is a matter of keeping our eyes on the facts and on what the amendment says, and not

on a lot of straw men that are raised in opposition.

I would like to know where the Senator gets the figure of \$1 billion additional costs. Is that pulled out of the air? I think if Senators will only look at this matter carefully, they will see it would reduce the costs, not increase them. The turnover is the big factor in the cost of military personnel today—the high rate of turnover. Consequently, it would not only provide for greater flexibility for the Secretary of Defense as to terms of service of enlisted personnel, such as we now have for officers, but I believe, Mr. President, it would also enhance the efficiency of the military and help them in correcting one of their very serious problems, which is retention rates, and would provide better acceptance of the Military Establishment by the people of this country.

This is very understandable language. It was not written by a Philadelphia lawyer. I am not a lawyer, but I can read it and understand it. I cannot see why the Senator refuses to address himself to the language of the amendment.

The amendment does not mandate the Secretary of Defense. It is not possible for a person to walk out of the Navy at will, like a person walking off the job.

These are the correct words. I urge Senators to read them for themselves, and then I hope the Senate will support the amendment.

Mr. STENNIS. Mr. President, I thought I had concluded my argument, but I feel compelled to respond to the argument of my friend from Oregon.

This word "may" here in this military language and the language of the law is phrased a little differently.

The present law says that the Secretary of the Navy may enlist men for a certain period of years. He is permitted to make a contract, more or less, where they volunteer, for 3 years. He "may" do it.

That is the way the language of the act is drawn. Congress has the authority, but it permits the Secretary to exercise that authority. He "may" do it. The Senator's amendment repeals all that old law, strikes it all out, and substitutes this system.

He uses the word "may." The Secretary "may" make these offers to these volunteers along the lines that the Senator has stated in his amendment, and he "may" offer 2 years, or he "may" offer additional years to Mr. X, if he is one of those who is going to take this special training.

Then, after he is no longer an initial enlistee, the Secretary, say the Secretary of the Navy again, may—"may"—let this man stay in the Navy for an indefinite time, or for such time as Mr. X would like to enlist, unless he is one of those who is going to take this special training, in which case the Secretary "may" enlist him for a definite time, and there he has to sign on the dotted line.

Our present system for these reenlistments carries a bonus provision. Reenlistment, not enlistment; this is different from the bonus we argued about the other day. That is based upon a contractual agreement. The man makes a contract to stay a certain number of

years, and the bonus is based upon the contract. These provisions are all written in terms of permissive language, because no one has to volunteer, and the Secretary has only such authority as Congress will give him.

But I do not budge 1 inch from the proposition that, except for those reenlistments where it is for special education, and he signs up, commits himself for a definite period of time with the Secretary of the Navy, the rest of them can walk off when they want to under this amendment, and that is true for the Army, the Navy, the Air Force, and the Marines. So we are walking around here in darkness, in an unknown, untested, and untried field, where the military services think they would be at a total loss, and could not function or operate.

If we are going into this new system, let us let it crawl before it walks, and walk before it runs. Time will tell us a lot about what to do.

I do not discount at all the Senator's efforts, and I think he has made a good argument. It is nice to have it in the Record, but for the time being, I do not think we can agree to his amendment.

Mr. HATFIELD. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. HATFIELD. Will the Senator describe for the Senate what the present provisions are for officers, as to their periods of enlistment?

Mr. STENNIS. The officers are under a different system altogether. I mentioned that in my argument here. Those men who become officers are already trained, to be put into special categories. Certainly, if they stay there very long, they have to show greater proficiency. And then they are bound there. Their schooling, the special courses, have a lot to do with it, and as I understand, if an officer is permitted to go to one of those special schools that they have, then he has to promise, before he is given that privilege, "I expect, now, that I will stay on here *x* years." He does not sign a contract, as I understand it, but it is altogether a different system.

Mr. HATFIELD. How?

Mr. STENNIS. Well, I say it is altogether a different system. The officers and the enlisted men, there is a difference; you just cannot—it is a different assignment, a different type of training, a different outlook; and many graduate from one into the other, but I think any officer whom I have ever known who went up through the ranks had no complaint about what the situation was when he was not in the ranks.

I have a memorandum which reads:

No bonuses for officers.

That goes without saying. But the system is different because it is adapted to different purposes, different obligations, and they both work fairly well.

Mr. HATFIELD. I yield myself 2 minutes.

Mr. President, I think we have very clearly stated that what the Senator from Mississippi has described as a system for officers is the very thing we are trying to apply here for enlisted personnel. With respect to the difference between officers and enlisted personnel—I say this with all due respect—once you

take the uniform off and if they are standing in their shorts, you will not be able to tell one from the other.

I have been in the Navy; and to those who say there is a world of difference between the officers and the enlisted personnel, I say it is not in the man, himself; there is a team effort.

Everyone fits into his slot; everyone fits into a specific assignment. I do not think it is logical to say that a system that is working well today for the officers somehow will not work for the enlisted men because they are enlisted men. Enlisted men are part of the team. A ship cannot run without enlisted personnel; an army cannot run without enlisted personnel.

All I am saying is that the system is not new. It has functioned, and has functioned well, for the officer personnel. All we want to do is to give the Secretary of Defense the flexibility, so that if he wants to install this system for enlisted personnel, he may do so. On page 3, the flexibility of that is indicated.

Mr. STENNIS. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator has only 1 minute remaining.

Mr. HATFIELD. I will yield time to the Senator.

Mr. STENNIS. With all deference to the Senator, the word "may" is simple authority for the Secretary to act, and he is limited by the Senator's amendment on this time, as we have already said.

I have a one-sentence quotation from the Gates Commission report, with reference to the terms of enlistment. It reads:

Within the limits prescribed by law, this means that enlisted men would generally be granted discharges upon request.

Here is the father of this amendment, the original father—

Mr. HATFIELD. Mr. President, will the Senator yield?

I suggest that he read page 3 as to what those requests are.

Mr. STENNIS. We have already gone into that. I say that unless we find them within these exceptions, these men will be discharged upon request.

I believe that is all the time I have.

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

The PRESIDING OFFICER. The Senator has 4 minutes.

Mr. HATFIELD. I yield myself 1 minute.

I just want to make clear for the RECORD we are not seeking to enact here language from the Gates Commission report that has just been read. We are asking, in the introduction to this amendment, to enact the language of the amendment; and on page 3 it is clearly stated that a man has to do more than request a discharge. This is carefully stated in subsections (1), (2), (3), and (4), as to the provisions required for that discharge to be approved.

So it is not just a matter of either walking out of the Navy, as was indicated before, or merely saying, "I want a discharge," and that discharge being granted. There are very carefully drawn provisions here only upon which discharges could be approved by the Secretary of Defense.

Mr. THURMOND. Mr. President, the

pending amendment, offered by the distinguished Senator from Oregon, Mr. HATFIELD, would provide for four items:

First, original enlistments of males, in all Services except the Navy, for the duration of their minority or for a period of 2 years, and enlistments of females for 2 years, except for persons given special education or training who may be enlisted for up to 4 years;

Second, reenlistments for unspecified periods and for periods commensurate with the cost of any special education or training, but not more than 4 years;

Third, a comprehensive study to determine the term of service which should be required of enlisted members who receive various types of special education or training programs, and

Fourth, authority for the discharge of persons who have reenlisted for unspecified periods, upon request, with certain exceptions.

Mr. President, present law authorizes original enlistments in all Services of males for the duration of their minority or 2, 3, 4, 5, or 6 years and for females for 2, 3, 4, 5, or 6 years. The Defense Department feels that the provisions of the present law are necessary to provide greater flexibility and stability in the forces. During periods of manpower stringencies, shorter enlistments can be accepted, but longer enlistments, in general, provide a more stable and effective force at less costs than shorter enlistments. Legislation governing tour length should be deferred until experience during the transition to a volunteer force proves that it is needed and beneficial.

Mr. President, a comprehensive study by the Department of Defense to determine terms of service for enlisted members who receive various types of special education or training is not necessary. In all military departments, individuals are screened to determine the length of the remaining service prior to making a training commitment. The length of special education or training is related to the complexity of the course and the resultant service obligations are related to this factor. Where service obligations are incurred, enlistment contracts or reenlistment commitments are negotiated prior to the start of the training.

Finally, Mr. President, the provision which could authorize the discharge of persons who have reenlisted for unspecified periods, upon request, with certain exceptions, would create inequities among members on sea duty or those assigned arduous overseas hours. This could cause some members to request discharge before being assigned to those duties.

For these reasons, Mr. President, I am opposed to amendment No. 137 offered by Senator HATFIELD.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Oregon. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota (Mr. BURDICK), the Senator from

California (Mr. CRANSTON), the Senator from Georgia (Mr. GAMBRELL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from North Carolina (Mr. JORDAN), the Senator from Maine (Mr. MUSKIE), the Senator from California (Mr. TUNNEY) and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that the Senator from Florida (Mr. CHILES), the Senator from Idaho (Mr. CHURCH), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Washington (Mr. JACKSON), the Senator from Utah (Mr. MOSS) and the Senator from Virginia (Mr. SPONG) are absent on official business.

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL), the Senator from Washington (Mr. JACKSON), the Senator from California (Mr. TUNNEY) and the Senator from North Carolina (Mr. JORDAN) would each vote "nay."

Mr. SAXBE. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Utah (Mr. BENNETT), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Tennessee (Mr. BROCK), the Senators from New York (Mr. BUCKLEY and Mr. JAVITS), and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Pennsylvania (Mr. SCOTT) is absent by leave of the Senate on official business.

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from South Dakota (Mr. MUNDT), and the Senator from Ohio (Mr. TAFT) would each vote "nay."

On this vote, the Senator from Massachusetts (Mr. BROOKE) is paired with the Senator from Pennsylvania (Mr. SCOTT). If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 19, nays 55, as follows:

[No. 105 Leg.]		
YEAS—19		
Alken	Humphrey	Pell
Bayh	Inouye	Percy
Cooper	Mansfield	Proxmire
Curtis	McGovern	Ribicoff
Gravel	Mondale	Schweiker
Hart	Nelson	
Hatfield	Pastore	
NAYS—55		
Allen	Ervin	Montoya
Allott	Fannin	Pearson
Anderson	Fong	Prouty
Beall	Goldwater	Randolph
Bellmon	Gurney	Roth
Bentsen	Hansen	Saxbe
Bible	Hollings	Smith
Boggs	Hruska	Sparkman
Byrd, Va.	Hughes	Stennis
Byrd, W. Va.	Jordan, Idaho	Stevens
Cannon	Kennedy	Stevenson
Case	Long	Symington
Cook	Magnuson	Talmadge
Cotton	Mathias	Thurmond
Dole	McClellan	Tower
Dominick	McGee	Weicker
Eagleton	McIntyre	Young
Eastland	Metcalf	
Ellender	Miller	

## NOT VOTING—26

Baker	Fulbright	Mundt
Bennett	Gambrell	Muskie
Brock	Griffin	Packwood
Brooke	Harris	Scott
Buckley	Hartke	Spong
Burdick	Jackson	Taft
Chiles	Javits	Tunney
Church	Jordan, N.C.	Williams
Cranston	Moss	

So Mr. HATFIELD's amendment (No. 137) was rejected.

Mr. STENNIS, Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SAXBE, Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### VISIT TO THE SENATE BY HIS EXCELLENCY, SWAREN SINGH, THE MINISTER OF EXTERNAL AFFAIRS FOR INDIA

Mr. SPARKMAN, Mr. President, the Senate is honored with a visit by a very distinguished friend of the United States, His Excellency Swaren Singh, the Minister of External Affairs for India.

In this connection, Mr. President, we have our own Ambassador to India present on the floor with us, a former Senator, Senator Keating. We also have a former Ambassador to India who is likewise on the Senate floor in the person of the Senator from Kentucky (Mr. COOPER), a former Ambassador to India.

We are delighted to have this distinguished visitor with us. The Foreign Relations Committee had the opportunity to meet and talk with him during lunch. It is a genuine delight to have him visit us.

(Applause, Senators rising.)

#### THE MILITARY SELECTIVE SERVICE ACT

The Senate continued with the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

##### AMENDMENT NO. 150

The PRESIDING OFFICER. Under the previous order, amendment No. 150 by the Senator from Alaska (Mr. GRAVEL) is the pending business.

Mr. STENNIS, Mr. President, may we have order in the Senate? I think that this can be disposed of without a rollcall vote. However, the amendment certainly deserves the attention and consideration of the Senate.

Mr. GRAVEL, Mr. President, I ask unanimous consent to modify my amendment No. 150. I send the modification to the desk.

The PRESIDING OFFICER. The modification will be received and reported.

Does the Senator ask unanimous consent for the modification?

Mr. GRAVEL, I do.

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

Does the Senator want the modification read?

Mr. GRAVEL, No.

The PRESIDING OFFICER. Is there

objection? The Chair has none, and it is so ordered.

The modified amendment reads as follows:

On page 29, between lines 3 and 4, insert the following:

(22) Insert a new section 7 to read as follows:

"Sec. 7. (a) The Director shall formulate and administer an intensive counseling program in cooperation with public and private secondary schools in the United States under which comprehensive information pertaining to this Act and the administration thereof shall be made available to every male student in his last academic year of high school and to other male students who have attained the eighteenth anniversary of the date of their birth regardless of their school year.

"(b) The counseling program provided for in this section shall include the opportunity for a representative of the Selective Service System to meet and confer with students. Such program shall also provide an opportunity for the representative of any responsible group or organization, making application through the school concerned, to meet and confer with students. Every reasonable effort shall be made to accommodate groups and organizations representing differing religious and political points of view. Members of the medical profession shall also be given an opportunity to meet with and confer with students to whom counseling service is made available under this section.

"(c) To the extent funds are made available for purposes of this subsection, the Director is authorized to reimburse any State for the salary of any person designated by such State to coordinate and supervise in such State the Selective Service Counseling program provided for in this section.

"(d) The Director shall compile and publish at government expense and make available to all persons engaged in counseling work under this section a booklet, or other publication, describing in detail the functions and operations of the Selective Service System; all options, rights, privileges, and opportunities available to a registrant under this Act; and opportunities and limitations available with respect to voluntary enlistment in military service, including information pertaining to pay and allowances and other benefits for military personnel. The Director shall also include in such booklet the comments and views (regarding the Selective Service System) of a number of responsible national organizations to be selected by the Director, which request the opportunity to include material in such booklet; but the Director may determine and impose reasonable limitations on the amount of space to be made available for such purpose. The Director shall provide for such revisions of the booklet as may be necessary to keep it current.

"(e) The Director shall formulate and administer a counseling program for registrants under this Act who are unable to receive such service in a secondary school. Such counseling services shall be provided as soon as possible after such persons register under this Act and shall be comparable to those counseling services provided in secondary schools.

"(f) The Director is authorized to issue such rules and regulations as he deems necessary to carry out the provisions of this section.

"(g) There are hereby authorized to be appropriated to the Director such funds as may be necessary to carry out an effective counseling program under this section."

Renumber paragraphs (22) through (32) of section 101(a) of the bill as paragraphs (23) through (33), respectively.

##### ORDER OF BUSINESS

Mr. GRAVEL, Mr. President, I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, there will be no further rollcalls for the day in view of the fact that the yeas and nays which had previously been ordered on amendment No. 150 have been vacated by unanimous consent at the request of the Senator from Alaska.

The PRESIDING OFFICER. What is the wish of the Senate with respect to amendment No. 150 as modified?

Mr. STENNIS, Mr. President, I yield myself 5 minutes or so much thereof as I may use.

This amendment in its original form contained a provision about pay to school teachers or anyone who assisted with reference to certain material. I was opposed to that provision. The members of the draft boards and appeal boards all serve without pay. I thought we ought not to make an exception to that general pattern and change the whole nature of the system.

There were other provisions on which we were in disagreement. The Senator from Alaska agreed to modify or to strike those out.

I think the amendment in its modified form has merit and should be accepted. I will support the amendment and will do the best I can on it.

I commend the Senator and commend him for modifying his amendment.

Mr. President, I am going to recommend that the amendment do pass.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. STENNIS. I yield back all of my unused time.

Mr. GRAVEL, Mr. President, there can be no doubt that the average registrant under the Selective Service Act is forced to wander in a labyrinth of rules and regulations without the slightest awareness of his rights and his responsibilities.

The selective service law is immense and imposing, and without the proper counseling, the registrant is left with a feeling of inadequacy and despair which, in some circumstances, very quickly transfers itself into distrust and hostility.

It should therefore be a fundamental goal of this Congress to insure that everything is done to provide registrants, and those about to become registrants, with all of the pertinent information which is necessary for them to recognize what the Selective Service System demands of them, and what they may demand of the Selective Service System.

I am proposing an amendment to H.R. 6531 which I believe will remedy the shortcomings of the Selective Service Act in this vital respect.

The amendment simply provides that every male who in his last year of high school, or who has attained the age of 18, will have available to him personal counseling and written information to assist him in learning of his options, rights, privileges, and other opportunities as a registrant under the Selective Service Act.

It is no doubt true that much of the information and counseling which is provided for by this amendment may be obtained through a local draft board or through other printed material published by the Selective Service System,

but the difficulty with this is that very few registrants take advantage of this service largely because they are unaware of its existence, or because they distrust the source of the information.

Furthermore, the amendment provides for comprehensive information about the law relating to conscription, which unfortunately most local boards are simply not equipped to provide because the boards, themselves, lack the essential knowledge with respect to a great many areas of the Selective Service law.

A registrant who does attempt to obtain some information from his local draft board is also hampered by the severe handicap of not knowing precisely what questions to ask, simply because he lacks an awareness of the totality of the Selective Service System, and therefore is without a frame of reference which, in many situations, renders his questions meaningless and the answers to those questions without much value.

A point that was mentioned before should perhaps be emphasized in support of the need for this amendment. Although most local draft boards demonstrate an admirable ability to administer the Selective Service Act, there are, nonetheless, many local draft boards which, in relationships with registrants, maintain an attitude of vagueness which unjustly deceives the registrants with respect to their rights and options under the act.

I do not mean to suggest that some local boards are actively engaged in a conspiracy of deception to lure registrants in an unflinching course to military service. But there are sufficient examples of registrants who were not aware of possible deferments or of their ability to qualify for these deferments simply because their local board did not receive their requests for information with an attitude commensurate with fair and equitable administration of the law.

It is not the purpose of this amendment to provide registrants with information and counseling which will enable them to evade service in the Armed Forces of the United States. However, equity and justice demand that those who do not wish to serve, either because of physical infirmity or because of deep-felt moral convictions about military service, have the opportunity to know of their rights and the alternatives available to them.

Furthermore, it should be noted that much of the information and counseling which this amendment would provide includes information about voluntary enlistments in military service, including information pertaining to pay and allowances and other benefits for military personnel. The thrust, then, of this amendment is not to frustrate the purposes of the Selective Service Act, but rather to bring about a more efficient administration of the act through the education of those most directly affected by it.

It is unfortunate, indeed, that the vast majority of the counseling services made available to registrants in this country is through private sponsorship. It is unfortunate in two respects.

First of all, this fact points out that

the Government has essentially abdicated its responsibilities to provide assistance to those persons most affected by its laws, and has condemned them to a state of ignorance which hinders their ability to understand and comply with those laws.

This suggests, perhaps, a conscious attempt at coercion through manipulation of the ability afforded registrants to recognize their rights, and thereby to more effectively frustrate registrants' statutory rights under the Selective Service Act.

Second, this private counseling is deficient in many respects. Many of the counselors are volunteers who do not, themselves, possess sufficient knowledge of selective service law to adequately counsel registrants with respect to the act.

It is admirable that such persons have given their time to remedy a situation too long ignored, but, nevertheless, it is vital that there be some assurance that the information which is transmitted to registrants be correct and in accordance with the purposes of the Selective Service Act.

Also, by virtue of this amendment, we may be assured that every person has the opportunity to receive counseling, not just those few who are fortunate enough to be aware of the private counseling available, and who have initiative enough to seek it out.

We have seen a great deal of criticism about the selective service system in recent years. Most of this criticism is justified. The system appears at times to be arbitrary, secretive, and totally at cross-purposes with the interests of the citizens of this country. Much of what constitutes the basis for these criticisms can be devined to be a result of a lack of understanding about the manner in which the Selective Service System operates, and the demands it makes on its registrants.

All is not right with the selective service, and much remains to be done to provide that it operate within the bounds of good public administration.

But until the bulk of those who come within its domain are adequately educated. Neither the individual nor the system can ever hope for an efficient and effective balance between the rights of the individual and the obligations which a government demands of its citizens.

This amendment, in a small way, provides the opportunity for the selective service system to cast-off its attitude of officiousness, and bring the administration of the law down to a level where those who must abide by it can have an equal opportunity to understand it. The provisions of this amendment are long overdue.

**THE PRESIDING OFFICER** (Mr. ROY). Is all time yielded back?

Mr. GRAVEL, Mr. President, I yield back my time unless someone wishes to speak on this matter.

Mr. STENNIS. I yield back my time.

Mr. BYRD of West Virginia, Mr. President, has the amendment been stated?

**THE PRESIDING OFFICER**. Unanimous consent was granted that the amendment not be read.

Mr. BYRD of West Virginia, I thank

the Chair. But the modified amendment will be printed in the RECORD.

**THE PRESIDING OFFICER**. The Senator is correct.

Mr. BYRD of West Virginia, I thank the Chair.

**THE PRESIDING OFFICER**. All time having been yielded back, the question is on agreeing to amendment No. 150 of the Senator from Alaska (Mr. GRAVEL), as modified. (Putting the question.)

The amendment was agreed to.

#### AMENDMENT NO. 127

Mr. BYRD of West Virginia, Mr. President, I ask that amendment No. 127 be laid before the Senate.

**THE PRESIDING OFFICER**. Under the previous order, the Chair now lays before the Senate amendment No. 127.

The amendment was read, as follows: On page 40, between lines 5 and 6, insert the following:

"Sec. 206. (a) The Secretary of Defense shall formulate as soon as practicable after the date of enactment of this Act a new pay structure for the uniformed services. Such pay structure shall—

"(1) provide salary schedule of pay which combine basic pay rates and present allowances for quarters and subsistence;

"(2) provide for cash contributions to a retirement system similar to the civil service retirement system provided for Federal civilian employees; and

"(3) take into account the amount lost as the result of the termination of separate allowances for quarters and subsistence and the amount which will be contributed to a retirement system, including loss of any tax advantage realized under current law.

The Secretary is authorized to include such other features in any new pay structure as he determines necessary or appropriate to make such pay structure fair and equitable and to attract qualified personnel to the uniformed services.

"(b) The Secretary of Defense shall submit to the Congress the new pay structure formulated by him pursuant to this section not later than three months after the date of enactment of this Act."

On page 40, line 6, strike out "Sec. 206" and insert "Sec. 207".

Mr. BYRD of West Virginia, Mr. President, under the agreement, I ask that time on the amendment not begin running until Monday next.

**THE PRESIDING OFFICER**. That has already been ordered.

Mr. BYRD of West Virginia, I thank the Presiding Officer.

**THE PRESIDING OFFICER**. The Senator from Illinois is recognized.

(The remarks of Mr. PERCY when he introduced S. 2097 appear in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

#### NATO

Mr. PERCY, Mr. President, on a subject of deep interest and concern, I should like to comment just briefly once again on the problem of our NATO balance of payments.

In 13 days, on June 30, the current United States-German offset arrangement expires. With estimated U.S. balance-of-payments costs for fiscal 1972 for our troops in Germany of \$1.2 billion, it is imperative that we negotiate a meaningful offset arrangement to take effect from July 1.

As I stated last week on the floor, there have been two negotiating sessions

to date between the United States and Germany with a third one scheduled for late this month in Bonn, Germany. To date there has been no agreement with both sides far apart on what they think is an equitable settlement. President Nixon and Chancellor Brandt have discussed this topic this week and it is hoped they have paved the way for negotiators on both sides to arrive at a rapid solution of this problem when they meet later this month.

The United States can no longer carry so much of the burden for NATO defense by itself. It is time for an impressive demonstration by the European nations of their willingness to bear more of the defense and monetary burden of NATO. I am confident greater cohesion and sharing of NATO burdens will be particularly important for NATO countries as the first tentative steps are made toward mutual balanced force reductions in Europe.

Secretary Rogers has recently suggested an initial arms cut in Europe by both sides as a symbolic step toward further mutual reductions in the future. Chancellor Brandt has expressed initial approval of this idea. But as these negotiations continue toward mutual reductions, it is imperative that NATO countries be unified and one way to help insure that, is meaningful cooperation on the part of European NATO members to help relieve the U.S. balance-of-payments deficit associated with the U.S. commitment in Europe.

Mr. President, I should like at this time to express deep appreciation to the Chancellor of West Germany, Willy Brandt, for the time he has taken to consult with the President of the United States and other leaders in this country during his visit this week. Some of us in the Senate had the pleasure of an opportunity to converse at length with him at the German Embassy at a dinner hosted by Ambassador Rolf Pauls, an able, dedicated, and distinguished member of the diplomatic corps in Washington. He is widely recognized as one devoted not only to his own country's interests, but also to the interests of all nations that are working together to find an equitable, fair, and just basis for establishing peace in the future.

It is my deep hope that these personal consultations at the highest levels that have been carried on by the Chancellor and the President will now advance the negotiations, which I believe have been on dead center, and which, from what I have been able to learn of the negotiations to date, leave us in a totally unsatisfactory position with respect to finding an acceptable answer to this very difficult problem.

I ask unanimous consent to have printed in the RECORD an article entitled "Rogers and Dobrynin Confer on Talks to Cut Europe Troops," written by Chalmers M. Roberts and printed in yesterday's Washington Post, which refers to the Brandt visit and the possibilities of mutual arms reduction.

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

#### ROGERS AND DOBRYNIN CONFER ON TALKS TO CUT EUROPE TROOPS

(By Chalmers M. Roberts)

The United States and the Soviet Union yesterday opened what has every appearance of being a long dialogue on how to conduct East-West talks on reducing troops and arms in Europe.

Secretary of State William P. Rogers met for 50 minutes with Soviet Ambassador Anatoly F. Dobrynin after which a State Department spokesman said the issues "certainly were not clarified sufficiently to get us started into negotiations."

Dobrynin told newsmen as he left that they had had a "useful exchange on questions of mutual arms, troops and armament reduction in Europe. We agreed to continue this discussion having in view to begin negotiations." No date was set, however, for another meeting.

The contact came as West German Chancellor Willy Brandt wound up a Washington visit in which the prospective negotiations played a part. They were discussed by Brandt with both President Nixon and Rogers.

The Rogers-Dobrynin talks form part of a NATO effort by many member governments to find out just what the Soviet Union has in mind. Soviet leader Leonid Brezhnev on May 14 called for negotiations on "reduction of armed forces and armaments in Central Europe."

Currently, Western eyes are on the East-West talks on a new status for West Berlin and on access to it, a matter Brandt also discussed here. He is known to have thought the recent NATO ministers meeting in Lisbon was overenthusiastic in its report of progress. However German sources said the Soviet Union has in fact agreed to accept responsibility for a new agreement and for the consideration of any disputes arising out of it, a major change in Moscow's position.

There is no formal NATO link between a successful Berlin negotiation and the Western call for talks on what it calls mutual balanced force reductions in Europe. However, there is a psychological tie well known in both East and West.

Thus the Rogers-Dobrynin talks now beginning and other such East-West conversations are likely to continue the rest of the year while the Berlin talks go on.

#### "SYMBOLIC STEP"

In a Tuesday night speech here, Brandt referred to what he said was a Rogers suggestion for an initial arms cut as a "symbolic step" and said he was inclined to agree. State Department officials said the secretary had thrown out that idea to the allies at Lisbon. It is known that a small percentage cut on both sides as a starter has been considered within the Nixon administration.

Brandt yesterday met with members of the Senate Foreign Relations Committee, many of whom favored the defeated amendment of Sen. Mike Mansfield (D-Mont.) to cut in half the American troop level in Europe. But Mansfield was not present and the issue was touched on only lightly.

The Western position is that NATO first proposed the East-West talks three years ago but that until the Brezhnev speech there was no real response.

Dobrynin yesterday, in reply to a newsmen's question, said he did not want to "say who's guilty and who's not guilty" in relation to the delay but that "you are prepared. We are looking forward to negotiations."

However, there is as yet no United States position on exactly what should be negotiated. Once there is, and that is expected shortly, it will go to NATO to be worked into an alliance proposal. In this phase the West Germans will have a major say and much is likely to depend on the outcome of both the Berlin talks and the strategic arms limitation talks (SALT) both of which may come to some conclusion by winter.

#### BRANDT HEARTENED

Brandt left Washington feeling that he has the full administration support on his Ostpolitik, or Eastern policy, according to well informed German sources. These sources said that Brandt and the President agreed that the Ostpolitik was not an isolated German policy but part of an alliance policy of both defense and detente.

Much of Brandt's concentration in his talks with the President, it was said, was on the relations between the United States and the European Common Market after the expected admission of Britain. Brandt argued that Britain's entry will assure that the Market will be more outward looking and not a protectionist trade organization.

Once again Brandt argued while in Washington for some institutional apparatus to discover economic problems and resolve them or at least narrow the gap before they turn into trans-Atlantic crises.

While both France and Britain have taken a restricted view of the Common Market evolving into a strong federation, Brandt is known to feel that the European organization in time will develop at least elements of a common foreign policy.

#### PRIORITIES IN ARMY RECRUITING

Mr. PERCY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "Fouled Up Priorities, Again" published in the Chicago Sun-Times of this morning, Friday, June 18, 1971.

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

#### FOULED UP PRIORITIES, AGAIN

The Army has invested more than \$10 million in a 13-week television and radio recruiting campaign which, by one estimate, drew only 2,500 men into the service at a cost of over \$4,000 each. Yet, the Illinois State Employment Service can't get \$35,000 a year in federal funding for a proven program that has trained approximately 5,000 young men to pass Army enlistment tests in the past three years.

Obviously, the priorities are all fouled up, again. The Illinois program is a simple one: It gives second-chance courses in elementary studies to individuals who tried once to volunteer for Army service but were rejected for educational inadequacies. Last year alone, 2,687 persons took the courses and 1,934 made it into uniform. Over all, the program has an 80 per cent rescue rate.

Despite this achievement, the Illinois program was funded only in its first fiscal year. In the past two fiscal years, the program has been subsidized by the manpower division of the Labor Department, which is not a military recruiting agency by any means.

The Illinois State Employment Service in this instance has done a positive job not only of helping volunteers into the Army, but in giving them a solid chance to make a contribution to themselves and society. We think the reward should be direct federal funding of the rejectee program and an order that similar programs get under way in other major cities—some of which started in but dropped out when the first money was gone. There are enough bad projects around—such as that multimillion-dollar TV recruitment campaign. The good ideas ought to be nurtured.

Mr. PERCY. The editorial points out that the Army has invested some \$10 million in a 13-week television and radio campaign, which has been estimated to have drawn a disappointingly small number of men into the service.

Certainly this experiment, I think, had to be made. It had to be tried. But I

would bring to the attention of the Senate an exceptionally good program that was instituted in the State of Illinois, in which, in contrast with the \$10 million spent on a television and radio recruiting program, \$35,000 a year could fund a program that has been proven, and has successfully trained approximately 5,000 young men to pass Army enlistment tests over the past 3 years.

Certainly, with this kind of a program, where men indicate their willingness to serve in the military service, and yet for one reason or another are turned down, how wise it is to spend a modest amount of money to do the rehabilitation necessary—sometimes it required additional schooling, sometimes it requires the correction of a medical deficiency—to correct problems and handicaps that young men have who want to serve in the military service, rather than resorting to a hard-sell, Madison Avenue, "LS-MFT" approach, carried on at tremendous expense—a cost of about \$4,000 per man recruited thus far with far less significant results.

I am not in any way criticizing the military forces for trying this program, but having tried it, if we find it now to have failed, I would hope we would drop it and go about funding programs that have proven themselves to be more effective. The cost to society for rehabilitating a man is far less, apparently, than the cost of just trying through advertising to locate and entice someone.

These, as I say, are men who have the will and desire to serve. Not only that, through the rehabilitation process by which they are preparing to serve their country in the military forces, after they are discharged from that service, they return to society ready to take up a useful, productive role. Thus, for a few hundred or a few thousand dollars invested in a man at this time, we invest in a lifetime of benefit to that human being as well as benefit to the Government that shares, certainly, through income taxation, in all the revenue that that man earns.

Once these television commercials are aired, they are gone forever. There is nothing deader than a television ad or radio commercial that has just gone off, as many candidates who were defeated in the last election, found, to their sorrow, having felt they could poll an unlimited number of additional votes by taking a large amount of radio and television time. To the contrary, the matter is far more complex than simply taking a 1-minute or 2-minute radio or television commercial.

So I feel that this editorial, which is, as I say, entitled "Fouled Up Priorities, Again," should remind us that there are proven programs that cry out to be adequately funded.

#### THE UNITED STATES-JAPAN PACT ON OKINAWA

Mr. PERCY. Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks an article published in the Chicago Tribune yesterday, June 17, written by Samuel Jameson, in the Bob Cromie column, entitled "Guest Salutes United States-Japan Pact."

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

Mr. PERCY. This is a remarkably perceptive article, that talks about the importance of the United States-Japan pact that was signed simultaneously yesterday, in Tokyo and in Washington.

I believe that this pact will cement for the future—despite some of the uprisings that occurred yesterday—a more lasting and binding relationship between these two countries.

At some time in the future, when this matter is before the Senate, I would like to comment on my own personal observations on the island of Okinawa concerning what I consider to be the impossibility of maintaining a military base in that area without the full support and cooperation of the Okinawans. These people seem to want strongly to become a part of Japan once again, so far as administration of their affairs is concerned.

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

#### GUEST SALUTES UNITED STATES-JAPAN PACT (By Samuel Jameson)

TOKYO.—Today, just for a moment, let me step out of the role of newsmen.

Today I speak only as an American—because it is a proud day for America.

Today the United States and Japan sign a treaty like none there has ever been before. It is a treaty by which the United States will give up control of Okinawa, an island chain it won with blood in war but now has decided to relinquish with understanding in peace.

There have been treaties ending wars and terminating occupations before. Many of those, however, sliced off chunks of territory of the vanquished nations. Indeed, the 1951 San Francisco Peace Treaty with Japan was one of those. It gave the United States what could have been permanent possession of Okinawa, where one million Japanese live today.

Since that treaty was signed, the United States has held on to Okinawa for 19 years—mainly because the U.S. had built a billion dollars' worth of military bases there.

It was clear, however, that the United States never really intended to make Okinawa its own, as so many other nations might have.

It did not evacuate Japanese residents, as did the Soviets when they took over Japan's northern islands after World War II. It did not even force the Japanese residents to be educated in the language of the conqueror, as did Japan itself in its pre-war colonies.

Today, the administrative side of the American government takes the hard decision to turn Okinawa back to Japan.

A price will be paid by the United States, by Japan and by Okinawa itself. The U.S. no longer will have a free hand to use its military bases there as it might wish. Japan will have to be consulted first.

Japan will be paying a cash sum expected to run to about \$4 billion to buy civilian assets from the U.S. and help maintain American bases. It also will be subsidizing Okinawa's economy for decades to come.

Japanese in Okinawa are bound to suffer as the military economy subsides and special privileges that accrued to them as citizens of a virtual "nation state" disappear.

The decision to return Okinawa is not yet final. The U.S. Senate and the Japanese Diet [parliament] will have to ratify the treaty. Political acrimony on both sides of the Pacific is likely. Some Americans will be complaining about Japanese textiles and economic relations with Japan. Some Japanese will be questioning whether the U.S. really will remove all of its nuclear weapons from Okinawa

and others will complain about the continued maintenance of any American bases.

I was a member of the so-called "silent 50s" college generation, but one who remembers a childhood of inspiration in studying American history and ideals. One of those ideals was expressed in the Atlantic Charter.

In the charter the President of the United States and the prime minister of Great Britain declared that neither nation was fighting World War II for the purpose of acquiring territory.

Like many ideals, those of the Atlantic Charter were blemished in practice. The blemish was Okinawa, which remained in American hands for more than a quarter of a century after World War II ended.

Several years ago I escorted a Japanese friend to the Iwo Jima Marine memorial in Arlington National Cemetery. I wanted to show how much Iwo Jima meant to the United States as a symbol—and yet how much America had acted in line with American tradition by returning that war-won island to the nation that lost it.

Okinawa is more than a symbol. It is a valuable military base and there perhaps are good military reasons to keep it.

There also are good diplomatic reasons to give it back. One is the hope of closer relations with Japan. Another is the calculation that Japanese on Okinawa were reaching the limit of their patience with alien rule and that their support was necessary for the continued maintenance of the American bases there.

The best reason, however, was the purely American one expressed in the Atlantic Charter.

In a day when Americans are questioning values, Americans are dying in Viet Nam and when some accuse the U.S. government of being arrogant of its power, today—for me—is a very special American day.

(NOTE.—Bob Cromie has turned over his column today to Samuel Jameson, chief of the Tokyo bureau of the Chicago Tribune Press Service. Jameson asked if he could express his feelings as a citizen about the treaty the United States and Japan sign today, agreeing to return Okinawa and the other Ryukyu Islands to Japan after 26 years of American rule.)

#### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia, Mr. President, I ask unanimous consent that there now be period for the transaction of routine morning business, with statements therein limited to 3 minutes, not to extend beyond 3:30 p.m., today.

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

#### QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

#### ORDER FOR ADJOURNMENT TO 10:45 A.M., MONDAY, JUNE 21, 1971

Mr. BYRD of West Virginia, Mr. President, I ask unanimous consent that when the Senate completes its business today,

it stand in adjournment until 10:45 a.m. on Monday next.

The PRESIDING OFFICER. Without objection it is so ordered.

(Later this order was changed to provide for the Senate to adjourn until 10:30 a.m. on Monday.)

#### ORDER FOR RECOGNITION OF SENATOR GRAVEL ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the recognition of the two leaders under the standing order, the distinguished Senator from Alaska (Mr. GRAVEL) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection it is so ordered.

#### ORDER FOR RECOGNITION OF SENATOR JAVITS ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon the conclusion of the remarks by distinguished Senator from Alaska (Mr. GRAVEL) on Monday next, the distinguished Senator from New York (Mr. JAVITS) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection it is so ordered.

#### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the recognition of the Senator from New York (Mr. JAVITS) on Monday next, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to extend beyond 11:30 a.m.

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

#### QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. GRAVEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROTH). Without objection, it is so ordered.

#### THE VIETNAM PAPERS

Mr. GRAVEL. Mr. President, I rise for a few moments to talk about what I think is a very important subject, one that may have extreme consequences.

I hold in my hand a newspaper article entitled "Nixon Urged A-bomb Use, Study Reports" written by Thomas B. Ross of the Chicago Sun-Times, where he goes into some detail as to what may be involved in the McNamara papers, the publication of which has been blocked by the courts.

One of the items he speaks of is the

fact that now President Nixon—but then Vice President Nixon—advocated the use of tactical nuclear weapons as part of shoring up the crumbling French influence in Indochina back in the mid-1950's.

I find this extremely disturbing, but I also find that there may be some measure of accuracy to the statement. I do not know, because we are not privileged to see the documents. But I want to make reference to a speech made at that time by then Vice President Nixon to a luncheon meeting of the Executives Club of Chicago, on March 17, 1955, as reported in the March 18, 1955 New York Times. Let me quote from the speech made at that time by then Vice President Nixon:

It would be insanity and madness for them [Chinese Communists] to embark on additional aggression in the face of the consequences we have made clear will follow. \* \* \* It is foolish to talk about the possibility that the weapons which might be used in the event a war breaks out in the Pacific would be limited to the conventional Korean and World War II types of explosives. We are not prepared to fight an effective war in the Pacific with those types of explosives if they wanted to.

Tactical atomic explosives are now conventional and will be used against the targets of any aggressive force.

That is the end of the quote from Vice President Nixon's speech in 1955, which I think offers some documentation to the article written by Mr. Ross in the Chicago Sun-Times of today's date, referring to what may be hidden in some of the papers that the present administration has blocked by injunction.

I would hope that the court, in a judicious manner, will release these papers for publication so that the American people may be able to make a thorough review of the policy processes employed in this democratic Government.

Mr. President, I ask unanimous consent to have the article written by Mr. Ross printed in the RECORD.

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

#### NIXON URGED A-BOMB USE, STUDY REPORTS (By Thomas B. Ross)

The unpublished portion of the top secret Pentagon history of the Vietnam war covers the period in 1954 in which President Nixon played a key role in the debate over dropping the atomic bomb and committing U.S. troops.

Eisenhower administration officials assert that Nixon, then the vice president, supported the use of tactical nuclear weapons and the commitment of U.S. combat forces to prevent the downfall of the French.

But they said they did not know whether Nixon's position was documented in the Pentagon's history of the war.

A number of unofficial accounts have portrayed Nixon as then advocating the use of tactical nuclear weapons and U.S. combat forces in North Vietnam to prevent the downfall of the French.

The issues were debated by the Joint Chiefs of Staff and the Pentagon history, which runs from 1945 to 1968, presumably contains documented citations of Nixon's position.

The fourth installment of the Times' article, which has been blocked by the court, deals with the Kennedy years and reportedly would prove acutely embarrassing to a number of prominent citizens who now declare themselves doves.

Later installments deal with the Truman and Eisenhower years.

Officials who served the U.S. Embassy in Saigon during Kennedy years said the Pentagon history would undoubtedly reveal the intimate awareness of high ranking officials in Washington of the plot to eliminate the late president Ngo Dinh Diem.

These embassy officials said the upper echelon of the Kennedy administration did little to protect Diem from the South Vietnamese army officers whom they knew were planning to arrest and possibly execute him.

The embassy officials said the Pentagon history will show that Ambassador Henry Cabot Lodge arranged for a plane to take Diem out of the country, but other than that did little to protect him.

The officials said the Pentagon documents should disclose that Lodge overruled a proposal to provide an honorable funeral and burial for Diem in 1963.

#### ORDER FOR ADJOURNMENT TO 10:30 A.M. ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 10:30 a.m. on Monday next.

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

#### RECOGNITION OF SENATOR HUGHES ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the remarks of the distinguished Senator from New York (Mr. JAVITS) on Monday next, the distinguished Senator from Iowa (Mr. HUGHES) be recognized for not to exceed 15 minutes.

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

#### WAIVER OF THE RULE OF GERMANENESS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, in view of the fact that a time sequence has been agreed upon for calling up amendments on Monday next, and in view of the fact that a time limitation has been agreed to, the Pastore rule of germaneness be waived throughout the day on Monday next.

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

#### QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. BYRD of West Virginia when, on behalf of Mr. WILLIAMS, he introduced S. 2098 and submitted a statement by Mr. WILLIAMS are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

## QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I am authorized by the distinguished majority leader to make the following unanimous-consent requests which I have cleared with the manager of the bill, the Senator from Mississippi (Mr. STENNIS), the acting minority leader, the Senator from Ohio (Mr. SAXBE), and the authors of the amendments involved.

Mr. President, I ask unanimous consent that when the Senate completes its work on amendment No. 134 by the Senator from Oregon (Mr. HATFIELD) on Monday next, the Chair lay before the Senate at that time amendment No. 172 by the Senator from New York (Mr. JAVITS), and that it be made the pending business.

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

## ORDER FOR ADJOURNMENT FROM MONDAY TO 9 A.M. TUESDAY, JUNE 22, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stand in adjournment until 9 a.m. Tuesday next.

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

## ORDER FOR TRANSACTION OF MORNING BUSINESS ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, immediately following the recognition of the two leaders under the standing order on Tuesday next, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to extend beyond 9:20 a.m.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at 9:20 a.m. Tuesday next, the Chair lay before the Senate amendment No. 172 by the distinguished Senator from New York (Mr. JAVITS); that the time thereon be limited to 1 hour, the time to be equally divided and controlled by the distinguished mover of the amendment, the Senator from New York (Mr. JAVITS), and the distinguished manager of the bill, the Senator from Mississippi (Mr. STENNIS).

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that amendments to amendment No. 172, if any there be, be limited to 10 minutes, the time to be equally divided between the mover of the amendment in the second degree and the manager of the bill, the time to come out of the time allotted to amendment No. 172.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes the disposition of amendment No. 172 by the Senator from New York (Mr. JAVITS) on Tuesday next, the Chair lay before the Senate amendment No. 147 offered by the Senator from Alaska (Mr. GRAVEL); that the time on that amendment be limited to 1 hour, the time to be equally divided and controlled between the Senator from Alaska (Mr. GRAVEL) and the manager of the bill, the Senator from Mississippi (Mr. STENNIS); that any amendments thereto be limited to 20 minutes, the time to be equally divided between the mover of the amendment in the second degree and the manager of the bill; and that the time on any amendment thereto come out of the time allotted to amendment No. 147.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on the disposition of the Cook-Stevens amendment on Tuesday next, the Senate proceed to the consideration of amendment No. 173 by the Senator from Illinois (Mr. STEVENSON); that the time thereon be limited to 2 hours, the time to be equally divided between the mover of the amendment and the manager of the bill, with amendments thereto limited to 30 minutes, the time to be equally divided between the mover of the amendment and the manager of the bill; and that the time for any amendment to the amendment come out of the time allotted to amendment No. 173.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Tuesday next, upon disposition of the Stevenson amendment No. 173 the Senate proceed to the consideration of amendment No. 126 by the Senator from Alaska (Mr. GRAVEL).

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that time on amendment No. 126 be limited to 1 hour, the time to be equally divided between the mover of the amendment and the manager of the bill, and that any amendment thereof be limited to 20 minutes, the time to be divided between the mover of the amendment in the second degree and the manager of the bill, and that time thereon come out of the time allotted on amendment No. 126.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that no amendments not germane to the enumerated amendments be received.

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

The unanimous-consent agreement reads as follows:

*Ordered*, That, during the further consideration of H.R. 6531, an act to amend the Military Selective Service Act of 1967, debate on the following amendments be limited to 1 hour to be equally divided and controlled by the mover of the amendment and the manager of the bill (Mr. STENNIS): Nos. 125, 126, and 147 by the Senator from Alaska (Mr. Gravel); No. 117 and Nos. 127-134 inclusive, and 138 by the Senator from Oregon (Mr. Hatfield); and No. 172 by the Senator from New York (Mr. Javits).

*Ordered further*, That debate be limited to 2 hours to be equally divided and controlled between the mover of the amendment and the manager of the bill on amendment No. 145 by the Senator from Massachusetts (Mr. Kennedy), and on amendment No. 173 by the Senator from Illinois (Mr. Stevenson).

*Ordered further*, That on June 21, 1971, at 11:30 a.m., amendment No. 127 be laid before the Senate and made the pending question. After the disposition of amendment No. 127, the Chair will lay before the Senate in the order listed the following amendments as soon as the one preceding it in the list is disposed of: amendment No. 130 by the Senator from Oregon (Mr. Hatfield); amendment No. 131 by the Senator from Oregon (Mr. Hatfield); amendment No. 145 by the Senator from Massachusetts (Mr. Kennedy); amendment No. 134 by the Senator from Oregon (Mr. Hatfield); and amendment No. 147 by the Senator from Alaska (Mr. Gravel), except that time control on amendment No. 147 will not begin until Tuesday, June 22, 1971.

*Provided*, That the debate on all amendments to amendments enumerated above be limited to 20 minutes to be equally divided and controlled respectively by the mover and the author of the original amendment (first degree), except on amendments numbered 126, 127, 130, 131, 134, 137, 145, 147, 172 and 173 on which the time on all amendments to amendments will be controlled by the mover of the amendment in the second degree and the manager of the bill, and the time on these amendments shall come from allotted time given to the amendments in the first degree. On amendment No. 172, amendments to the amendment will be limited to 10 minutes to be equally divided, and on amendment No. 173, amendments to the amendment will be limited to 30 minutes equally divided.

*Ordered further*, That amendments not germane to the amendments enumerated above shall not be received.

*Ordered further*, That on Tuesday, June 22, 1971 at 9:20 a.m. the Chair lay before the Senate amendment No. 147. After the disposition of amendment No. 147 the Chair will lay before the Senate amendment No. 172. Following disposition of amendment No. 172 at 12 o'clock noon amendment No. 165 by the Senator from Kentucky (Mr. Cook) be laid before the Senate. Debate thereon is to be limited to 4 hours to be equally divided and controlled by the mover and the manager of the bill. A vote on amendment No. 165 shall occur at 4:00 p.m. on June 22, 1971. *Provided*, That amendments to amendment No. 165 must be germane and that time on each such amendment be limited to ½ hour to come out of the time on amendment No. 165 to be equally divided and controlled by the mover thereof and the manager of the bill. *Provided further* that time on amendment No. 165 may be allotted to debate on any amendment thereto. Following the disposition of amendment No. 165, the Chair will lay before the Senate amendment No. 173 and following the disposition of amendment No. 173 the Chair will lay before the Senate amendment No. 126.

#### WAIVER OF GERMANENESS RULE ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, in view of the fact that a time sequence has been effectuated with respect to amendments on Tuesday next, and also in view of the fact that all amendments are under control, as far as time is concerned, I ask unanimous consent that the Pastore rule be waived for the day on Tuesday next.

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

#### QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ORDER OF BUSINESS ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I have one minor change to be made with respect to the schedule on Tuesday. I am informed that the distinguished Senator from New York (Mr. JAVITS) would like his amendment No. 172 to be the second amendment considered that day.

Therefore, I ask unanimous consent that at 9:20 a.m. on Tuesday next the Chair lay before the Senate amendment No. 147 by the Senator from Alaska (Mr. GRAVEL), and that upon disposition of the Gravel amendment No. 147, the Chair lay before the Senate amendment No. 172 by the Senator from New York (Mr. JAVITS).

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

#### ORDER OF BUSINESS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, upon disposition of amendment No. 134 by the Senator from Oregon (Mr. HATFIELD), the Chair lay before the Senate and make the pending business—with time thereon not to run on Monday—Amendment No. 147 by the Senator from Alaska (Mr. GRAVEL).

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

#### ALLOCATION OF TIME FOR AMENDMENTS TO AMENDMENTS

Mr. BYRD of West Virginia. Mr. President, I think all bases have been covered. However, as a coverall, I ask unanimous consent that on all amendments scheduled for Monday and Tuesday—amendments Nos. 127, 130, 131, 145, 134, 147, 172, 165, 173 and 126—the time on any amendments to those amendments

come out of the time allotted on the respective enumerated amendments.

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

#### PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for Monday is as follows: The Senate will convene at 10:30 a.m. Following the recognition of the two leaders under the standing order, the following Senators will be recognized each for not to exceed 15 minutes, and in the order stated: Messrs. GRAVEL, JAVITS, and HUGHES.

Following the orders stated, there will be a period for the transaction of routine morning business with statements there-in limited to 3 minutes, the period not to extend beyond 11:30 a.m.

At 11:30 a.m. the Chair will lay before the Senate amendment No. 127, by Mr. HATFIELD. Time thereon will run for 1 hour. The yeas and nays have been ordered and there will be a rollcall vote at 12:30 p.m. on Monday.

On the disposition of the Hatfield amendment No. 127, the Chair will lay before the Senate amendment No. 130 by Mr. HATFIELD. The time thereon is limited to 1 hour.

Upon the disposition of the Hatfield amendment No. 130, the Chair will lay before the Senate amendment No. 131 by Mr. HATFIELD. The time thereon is limited to 1 hour.

Upon the disposition of the Hatfield amendment No. 131, the Chair will lay before the Senate amendment No. 145 by Mr. KENNEDY, with time thereon limited to 2 hours.

On disposition of the Kennedy amendment No. 145, the Chair will lay before the Senate amendment No. 134 by Mr. HATFIELD, with a time limitation thereon of 1 hour.

Upon the disposition of the Hatfield amendment No. 134, the Chair will lay before the Senate and make the pending business amendment No. 147 by Mr. GRAVEL. Time will not begin to turn thereon until Tuesday next.

Mr. President, the Pastore rule has been waived throughout the day on Monday next.

One yea and nay vote is assured, the yeas and nays having already been ordered.

Senators are on notice that there is, in all likelihood, going to be a total of at least five rollcall votes on Monday next.

The distinguished majority leader has indicated that the leadership will introduce a motion on Monday to invoke cloture, and, under rule 22 of the Standing Rules, a vote on that motion would then occur on Wednesday next.

The time for convening on Wednesday has already been set for 12 o'clock. That time, of course, is subject to change, but in the event of change it will be the intention of the leadership to get unanimous consent that the 1 hour under rule XXII on the motion to invoke cloture will begin running at 12 o'clock noon on Wednesday, so that all Senators will be on notice that the vote on cloture—which is an automatic rollcall vote under the

rule—will occur at around 1:15 p.m. on Wednesday next.

#### ADJOURNMENT UNTIL MONDAY, JUNE 21, 1971, AT 10:30 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10:30 a.m. on Monday next.

The motion was agreed to; and (at 3 o'clock and 32 minutes p.m.) the Senate adjourned until Monday, June 21, 1971, at 10:30 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 18, 1971:

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Merlin K. DuVal, Jr., of Arizona, to be Assistant Secretary of Health, Education, and Welfare.

##### RAILROAD RETIREMENT BOARD

Wythe D. Quarles, Jr., of Virginia, to be a member of the Railroad Retirement Board for the remainder of the term expiring August 28, 1973.

##### U.S. CIRCUIT COURTS

Roy L. Stephenson, of Iowa, to be a U.S. circuit judge, eighth circuit.

##### U.S. DISTRICT COURTS

Jack M. Gordon, of Louisiana, to be a U.S. district judge for the eastern district of Louisiana.

R. Blake West, of Louisiana, to be a U.S. district judge for the eastern district of Louisiana.

##### IN THE ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

##### To be lieutenant general

Maj. Gen. Carroll Hilton Dunn, **XXXX**  
**xxx-...** U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

##### To be lieutenant general

Maj. Gen. Glenn David Walker, **xxx-xx-xxxx**  
**xxx-...** U.S. Army.

##### IN THE AIR FORCE

The nominations beginning Peter D. Ablor, to be first lieutenant, and ending John M. Zinkievich, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 1971.

##### IN THE ARMY

The nominations beginning Robert M. Wilson, to be Professor of Mechanics, U.S. Military Academy, and ending Henry V. Wysocki, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on June 1, 1971.

##### IN THE NAVY

The nominations beginning Hugh W. Marcy, to be ensign, and ending Gary W. Blair, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 1971.