higher in Blue Hills (or most other city neighborhoods) than in surrounding suburbs. "Street crime"—purse-snatchings, say—are higher, but no higher than other single- and two-family residential neighborhoods in the city.

But the problems aren't overwhelming, or people would be moving out in droves. They aren't. And those who move in—both whites from the suburbs and blacks getting their first chance at home ownership—are more determined to solve the problems than most areas of the city.

And that's a big plus.

DEMOCRATS VERSUS DRUGS

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 22, 1971

Mr. MYERS. Mr. Speaker, Andrew Tully, in his column "Capital Fare" in the June 16 issue of the Alexandria Gazette, points up the miserable Democrat record in the field of drug abuse prevention. He notes that nothing much was done during the Kennedy and Johnson administrations despite the tremendous drug problem existing in the 1960's. Now, Democrat presidential candidates are attempting to conceal the dereliction of their party by contending the problem is a new one.

Mr. Speaker, the menace of drug addiction is a problem of long standing; it is only drive to solve it that is new. Only under the leadership of President Nixon has this Nation launched an all-out assault to destroy the drug menace.

I commend Mr. Tully's article to the attention of my colleagues.

DEMOCRATS VERSUS DRUGS

(By Andrew Tully)

WASHINGTON.—It can be said without successful contradiction, I believe, that every one of the announced or potential Democratic candidates for President is publicly appalled by the drug problem among American troops in Vietnam. Bully for them.

What I find hard to swallow is the preposterous suggestion contained in their sanctimonious public utterances that Richard Nixon is to blame for this tragedy. Listening to their whimperings, one gets the impression that the tragedy is the direct result of the President's refusal to end the war yesterday.

Nixon may not be able to win this one, because everybody wants an end to the war, but at least one citizen, namely me, finds himself underwhelmed by the Democratic position. The record shows it is based on both a false premise and a disdain for the facts.

If we buy the argument that American youths became drug addicts because they were shipped to Vietnam, which, as we shall see, is not necessarily tenable, then we find the Democrats indicting themselves. It was not Nixon who shipped the GIs to Vietnam, but two Democratic Presidents named John F. Kennedy and Lyndon B. Johnson. Although his critics seem unaware of the fact, Nixon is bringing the boys home. (Too slowly, maybe, but let's not get into that at this time; I'm not writing a book.)

Now, neither Kennedy nor Johnson was able to concoct this piece of villainy on his own. They had to be, and were, aided and abetted by a succession of Democratic Congresses. The Democrats ran (and still run) the armed services, foreign affairs and appropriations committees of the Congress which approved the Kennedy-Johnson policies and provided the money with which to implement them.

Today, when even some generals want to get out of Indochina, Democratic "peacemongers" so far have been unable to persuade their Democratic colleagues to cut off the dough for the fighting.

Although it is now called "Nixon's War," the still-Democratic Congress has refused to use its control over the purse strings to disavow it. Some peace mongering.

This leads us to an examination of the howls emitted by Democratic polls over American dope addiction in Vietnam. The fact they so blithely ignore is that the U.S. has had a drug problem here at home since, roughly, 1960, well before the buildup in Vietnam. If kids could go junkie on campus and street, where it was officially considered naughty and even, sometimes, criminal, it follows they would have no trouble enjoying their addiction in Indochina, where taking dope for centuries has been a part of the life style.

I say drug addiction was considered naughty in the Sixties, but I don't know. Nothing much was done about it by either the Kennedy or Johnson administrations, perhaps because permissiveness was the fashionable mot. On the other hand, the Nixon administration spearheaded by Atty. Gen. John Mitchell immediately took a tough line on the problem, and since 1969 has pursued it with extraordinary vigor.

Some figures: In 1965, when dope-taking was near its height, the Bureau of Customs seized only 24 pounds of heroin; in 1970, it confiscated 402 pounds. Marijuana seizures are up 498 per cent; cocaine seizures up 441 per cent; hashish seizures up 324 per cent. Yup, I'm going to be a cad and wonder what Lyndon Johnson's cops were doing all that time.

But nobody should have to wonder what the Democrats' scapegoat, Richard Nixon, was doing during those heady days of Camelot and the Great Society. A check of newspaper files will reveal that he was practicing law.

SENATE—*Wednesday, June 23, 1971*

The Senate met at 11:30 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:

Eternal God, father of all men, in the heat and burden of these feverish days, which drain our strength and demand our best, we turn to that living water which alone can restore our souls and bodies. May we drink of that fountain which flows from the rock of our salvation that we no longer thirst. Cool our fevered lips and our hot spirits with the living water Thou hast promised.

Send us forth, O Lord, into the duties and the decisions of this day with a serene and calm strength which no difficulty can strain or break. Give us a part in winning a redeemed world, delivered from hate and injustice, where men and nations live in peace. In these demanding days which cry aloud for wisdom and character, help us to quit ourselves as men of God, ever improving the Nation and advancing Thy kingdom on earth.

We pray in the name of Him who is the truth and the way. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, June 22, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

MILITARY SELECTIVE SERVICE ACT

QUALIFICATION OF AMENDMENTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all amendments which will have been submitted at the desk to H.R. 6531 at the time the vote on the motion to invoke cloture is announced may be considered as having been read, so as to qualify under rule XXII.

The PRESIDENT pro tempore. Is there objection?

Mr. GRIFFIN. Mr. President, reserving the right to object, I would inquire of the distinguished majority whip if I am correct in my understanding that any Senator who had an amendment at the desk could have it read if we did not have unanimous consent, and thereby have it qualified?

Mr. BYRD of West Virginia. The distinguished assistant Republican leader is correct.

Mr. GRIFFIN. So that we are, in a sense, just saving some time by doing it by unanimous consent?

Mr. BYRD of West Virginia. The Senator is correct. The unanimous-consent request, if granted, will be saving the time of the Senate, and it will also give any Senator who has submitted an amendment heretofore, but who has not had it read, the opportunity to call up his amendment after cloture is invoked, if invoked.

Mr. GRIFFIN. Would the majority whip withhold that request for a few more moments?

Mr. BYRD of West Virginia. Yes; I will be glad to withhold my request. May I say to the assistant Republican leader, the Senator will recall that the unanimous-consent request of the majority leader yesterday had effect only up to that moment, and there have been Senators who have contacted me expressing a desire to get amendments in today, feeling there might not be an opportunity to have them read, and this is just an effort to protect all Senators.

I withhold my request.

The PRESIDENT pro tempore. The Senator from West Virginia withholds his request?

Mr. BYRD of West Virginia. Yes, I withhold my request for now.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL FRIDAY AT 11:30 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow, it stand in adjournment until 11:30 a.m. on Friday.

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

Mr. BYRD of West Virginia. That convening hour, of course, is subject to change.

ORDER FOR RECOGNITION OF SENATOR RIBICOFF AND SENATOR McINTYRE ON FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Friday, following the recognition of the majority and minority leaders under the standing order, the very distinguished senior Senator from Connecticut (Mr. RIBICOFF) be recognized for not to exceed 15 minutes, and that he be followed by the very distinguished junior Senator from New Hampshire (Mr. McINTYRE) for not to exceed 15 minutes.

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

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, the Senator from Virginia (Mr. BYRD) is recognized for 15 minutes.

AMERICAN INVOLVEMENT IN SOUTHEAST ASIA

Mr. BYRD of Virginia. Mr. President, last week the able majority leader (Mr. MANSFIELD) inserted in the RECORD an excellent commencement address which he had delivered at Boston College.

During the course of his address, captioned "Before the Book Is Closed on Vietnam," the senior Senator from Montana asserted "the actual involvement has spread from Vietnam into Cambodia and Laos."

On the same day, the senior Senator from Missouri (Mr. SYMINGTON), in an address in the Senate asserted, "both of these—Cambodia and Laos—governments today are totally dependent upon the United States." He noted, too, "the presence today of U.S.-financed Thai troops in Laos."

In a letter dated May 26, 1971, the Assistant Secretary of State for Congressional Relations, the Honorable David A. Abshire stated:

> The policy of this administration has been to support the independence and neutrality of Laos under the 1962 Geneva Agreements and to assist the neutral government of Prime Minister Souvanna Phouma against North Vietnamese invasion.

The letter was addressed to the senior Senator from Massachusetts (Mr. KENNEDY) and made public by him.

In that May 26 letter is the following paragraph:

> If the North Vietnamese were to conquer all of Laos they could divert thousands of their forces now engaged in North Laos to the war against South Vietnam, and greatly enhance their position in those areas of Laos bordering on South Vietnam, from which they launch attacks on United States and allied forces.

What all of these documents have in common—the Mansfield speech, the Symington speech, and the Abshire letter—is that all of them emphasize the growing importance of activities in Laos and Cambodia—although Mr. Abshire did not specifically mention Cambodia.

In reading these documents over the weekend, my mind wandered back to a speech I made in the Senate on April 11, 1967—more than 4 years ago. I had just returned from 2 weeks in Southeast Asia—Vietnam, Thailand, and Taiwan.

During the course of that 1967 speech, I asserted that historically the people of the United States have been oriented toward Europe rather than toward Asia. Consequently, the American public had given little thought to American involvement in Asia.

I stated that commitments had been made in the name of the American people by our leaders, yet without the people or their representatives having an opportunity to pass on the wisdom of the commitments, until the involvement became so deep that our opportunities of action were limited or unsatisfactory.

I find the following paragraphs in that speech of 4 years ago:

> One step leads to another, one gesture of friendship and help leads to additional commitments, until we find ourselves as we do today, fully and deeply involved with resources and manpower in the problems of a country situated 12,000 miles from Washington—just about as far away as one can possibly get.
>
> But our involvement in Asia does not stop with Vietnam.
>
> In order to help the war effort there, we have negotiated with Thailand and have constructed, or are in the process of constructing, four huge military bases there, each of which I visited.
>
> These bases are of great importance to the American military effort in Vietnam.
>
> For example, our giant B-52 bombers heretofore all flown from Guam—a 12-hour round trip to target—will, beginning this month, be operated partially, from Thailand—a 4-hour round trip flight to target.
>
> But our presence in Thailand further commits us in Asia, and it commits us to protect the Kingdom of Thailand.

In that speech of more than 4 years ago, I suggested that a look at the map of Indochina establishes the fact that Vietnam is separated from Thailand by Laos and Cambodia. In other words, Laos and Cambodia lie between the two countries in which we were—and are—militarily involved.

I then find the following two paragraphs in my 1967 Senate speech:

> Sooner or later our Nation may be faced with grave decisions regarding Laos and Cambodia.
>
> If such is the case and we decide to intervene, we will then have assumed the responsibility for all of what was French Indochina, plus its neighbor, the Kingdom of Thailand. If we conclude not to intervene in Laos and Cambodia, either or both could become another Communist-dominated North Vietnam.

It seems to me that this is about the situation that the United States is faced with today.

I have read and reread Secretary Abshire's letter of last month. I am frank to say it causes me great concern.

I invite attention to two sentences:

> The policy of this administration has been to support the independence and neutrality of Laos . . . and to assist the neutral government of Prime Minister Souvanna Phouma against North Vietnam invasion . . . If the North Vietnamese were to conquer all of Laos, they could direct thousands of their forces now engaged in North Laos to the war against South Vietnam . . .

If this Government is determined to guarantee the independence and neutrality of Laos, it really has its work cut out for it. Half of Laos already is Communist dominated.

Short of a determined all-out effort by the United States to protect Laos, North Vietnam, during any 6-month period, could conquer its neighbor at will.

This has been the case for several years. It is admitted by our most knowledgeable military leaders.

North Vietnam has not found it worthwhile to take over Laos, or it could have done so long ago. While the situation in Cambodia is much better than in Laos, Cambodia is in a precarious situation.

The war in Indochina is not President Nixon's war. He inherited it.

Since he assumed office 2 years and 5 months ago, President Nixon has made progress in bringing about the disengagement of American military personnel from Asia. When he assumed office, there were 540,000 Americans in Vietnam. He has already reduced this number by 60 percent.

He is continuing his withdrawal program and by December he estimates that two-thirds of American forces will have been withdrawn from Vietnam.

So I say the facts are—and the figures show—that President Nixon in a short period of time has made progress in bringing about American disengagement.

I feel it vitally important that American involvement in Southeast Asia be brought to the earliest possible conclusion.

That is why I am greatly concerned about Secretary Abshire's letter to Senator KENNEDY. If I read his letter correctly, he asserts that it is administration policy to protect the independence of Laos.

I quote his words:

> The policy of this Administration has been to support the independence and neutrality of Laos.

This, I submit, cannot be done successfully—unless North Vietnam acquiesces as it has in the past—except by a massive effort. I do not believe that the American people would approve such an effort.

Perhaps this accounts for the presence of U.S.-financed Thai troops in Laos. The State Department only recently, on June 7, acknowledged for the first time that the United States was providing Thai volunteers with financial and material support.

This is dangerous business. One step leads to another until we become fully

and deeply involved—with no satisfactory options.

I believe the best way for me to end this speech today is by quoting again two sentences from my Senate speech of April 11, 1967—more than 4 years ago:

Sooner or later our Nation may be faced with grave decisions regarding Laos and Cambodia.

If such is the case and we decide to intervene, we will then have assumed the responsibility for all of what was French Indochina, plus its neighbor, the Kingdom of Thailand.

In my judgment, the American people want to get out of Southeast Asia; they do not want to assume additional responsibility there.

Mr. President, I yield the floor.

THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order Nos. 219 and 220.

The PRESIDING OFFICER (Mr. CHILES). Without objection, it is so ordered.

AMENDING THE WAR CLAIMS ACT OF 1948

The bill (S. 1206) to amend subsection (d) of section 2 of the War Claims Act of 1948, as amended, relating to the terms of offices of the members of the Foreign Claims Settlement Commission of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 2, title I of the War Claims Act of 1948, as amended, is amended to read as follows:

"(d) The terms of office of members of the Foreign Claims Settlement Commission holding office on the date of enactment of this amendment shall expire at the end of the current term of office. Thereafter, any new members shall be appointed by the President by and with the consent of the Senate to hold office at the pleasure of the President. The President shall designate one of the members of the Commission as the chairman. Per diem compensation shall be paid to the other two members of the Commission and who shall serve at the discretion of the chairman in order to constitute a forum for the transaction of the business of the Commission."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–225), explaining the purposes of the measure.

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

PURPOSE

The purpose of the bill is to abolish the present 3-year terms of office of the members of the Foreign Claims Settlement Commission and to reduce the present full-time membership of three members to one full-time member. Two members would serve on a part-time basis.

STATEMENT

The facts of the case as contained in the letter of January 29, 1971, of the Chairman of the Foreign Claims Settlement Commission to the Vice President are as follows:

Subsection (d) of section 2 was added to the War Claims Act by Public Law 87–846, approved October 22, 1962 (76 Stat. 1113; 50 U.S.C. 2001). It provided that each member serve for 3-year staggered terms of office, beginning October 22, 1963. Consequently, the term of office for each member of the Commission would expire in succeeding years on the same date, October 21.

Under the proposed bill the Foreign Claims Settlement Commission will continue to function as a three member Commission. The members shall be appointed by the President by and with the consent of the Senate to serve at the pleasure of the President upon expiration of the current terms of office. One member shall be designated by the President to serve as Chairman and shall be responsible for the internal affairs of the Commission in accordance with Reorganization Plan No. 1 of 1954.

The Chairman would serve on a full-time basis. The other two members would serve only upon call of the Chairman when Commission business warrants or requires their services.

The purpose of the proposed amendment is simply that there is no basic need for a full time complement of a three member Commission inasmuch as the current adjudicatory functions of the Commission do not warrant such a membership. Moreover, it is estimated that the enactment of the amendment would result in a savings of at least $100,000 per annum.

On the other hand, however, it is important that the Commission continue, possibly with a reduced staff, as the permanent national claims agency of the U.S. Government in the spirit under which it was created by Reorganization Plan No. 1 of 1954.

The statutes administered by the Foreign Claim Settlement Commission have all been of statutorily limited duration. With the exception of the Vietnam prisoner of war claims program, the present functions allocated to the Commission are due to expire concurrently with the end of fiscal year 1972, when the Bulgarian, Cuban, Italian, and Rumanian claims programs will have been completed.

There will remain, of course, those duties and functions necessarily attendant upon the orderly windup of the various programs and other related matters. These duties and functions do not require, in my opinion, a three member Commission on a full-time basis. A staff, however, will be required to handle a large volume of anticipated correspondence regarding the 32 completed claims programs involving in excess of 600,000 claims.

It is also anticipated that the Commission will have jurisdiction to adjudicate claims arising in the Trust Territory of the Pacific within the near future, as well as additional claims under the International Claims Settlement Act, thus justifying the continued existence of a national claims commission. These programs will not require a three member commission as presently constituted.

It is believed that the proposed amendment would provide for a more economical operation of the Commission now and in the future years of its existence.

In agreement with the views of the Commission, the committee recommends the bill favorably.

CAPT. JOHN N. LAYCOCK

The bill (H.R. 3094) for the relief of the estate of Capt. John N. Laycock, U.S. Navy, retired, was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–226), explaining the purposes of the measure.

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

PURPOSE

The purpose of this legislation is to pay to the estate of Capt. John N. Laycock, U.S. Navy (retired), formerly of Derry, N.H., the sum of $96,000 which sum shall be considered a payment in consideration of a transfer by the estate of Capt. John N. Laycock, U.S. Navy (retired) of property consisting of all substantial rights to a patent within the meaning of section 1235 of the Internal Revenue Code of 1954, in full settlement for the usage by the United States during and subsequent to World War II of certain pontoon equipment patented by him (U.S. No. 2,480,144), and for losses incurred by the said Capt. John N. Laycock as a result of the United States having made such pontoon equipment, and the patent thereto, available to other nations contrary to the license agreement entered into between the United States and the said Captain Laycock. The bill provides for a limitation of 10 percent on attorney fees.

STATEMENT

During the second session of the 90th Congress, this committee had before it for consideration S. 2896, for the relief of the estate of Captain Laycock, which provided for the payment of $10,282,648. This committee on September 11, 1968, reported S. 2896 with an amendment reducing the amount of payment to $170,000. S. 2896 was passed by the Senate on September 12, 1968, but action was not completed in the House of Representatives prior to the adjournment of the Congress.

In the 91st Congress the Senate on November 26, 1969, passed S. 497 which was identical to S. 2896 as passed. Again no bill was passed by the House of Representatives. In the current Congress the House on April 6, 1971, passed H.R. 3094 which is identical to the earlier bills passed by the Senate with exception that the amount of payment is fixed at $96,000.

Although the Department of the Navy opposed S. 2896, as originally introduced, if recognized the obligation of the Government to provide appropriate reimbursement to Captain Laycock for the losses incurred by him as a result of the action by the U.S. Government.

The report of the Department of the Navy states in part:

"However, compensation should be low in keeping with what appeared to be customary procedures in the lend-lease cases. One percent of the cost of manufacture by the British would be a reasonable guide. This would amount to $96,000—$121,000, based upon production of 32,056 units at an estimated cost of $300 to $380 per unit."

A copy of the Navy report on S. 2896 is attached here and made a part hereof.

The report of the General Counsel of the Department of Commerce indicates that it would defer to the views of the Department of Defense as to the desirability of the enactment of this legislation. Its report was directed to S. 840 of the 90th Congress, a companion bill to S. 2896. A copy of the report of the Department of Commerce is attached hereto.

The sponsor of S. 2896, Hon. Norris Cotton, has submitted the following review of the history of Captain Laycock and the pertinent facts relating to this legislation. Documentary evidence in relation to this history is contained in the files of the committee:

"John N. Laycock served in the U.S. Navy from 1910 to 1945, when he was retired, because of physical disability. A graduate of the Naval Academy in 1914, he was also

a recipient of a bachelor's degree in civil engineering from Rensselaer Polytechnic Institute in 1917."

NAVY LANDING PONTOONS

The basis for the claim made in H.R. 3094 was the invention and development by Captain Laycock of the NL (naval landing) pontoon. Gear standardized, sectional, prefabricated, steel pontoons played an important role in all of the amphibious operations in World War II and the Korean conflict. In the reef-ringed Pacific Islands, in Asia, in the Aleutians, in North Africa, and in Europe these were an essential part of the landing operations and contributed greatly to their success. Today they are an integral part of the amphibious equipment of the armed services. They are also being used for civilian purposes in locations where it is impracticable to transport conventional floating barges, cranes, pile drivers, and the like.

The standard pontoon units are hollow steel boxes 7 feet by 5 feet by 5 feet with interior stiffeners and with connections for bolting to assembly angles. These boxes with the angles, bolts, wedges, and other fittings can be assembled in the field with a minimum of equipment to form barges, piers, floating cranes, floating dry docks, and many other structures.

The pontoons are first assembled into strings using the longitudinal connecting angles and the strings are then connected transversely to form the barges, piers, or other desired structures. The strings were designed as box girders, 5 feet high, 7 feet wide and of the desired length up to a maximum of 175 feet.

The pontoons, angles, and fittings are well proportioned so that the assemblies can withstand rough seas and the rigors of warfare. The pontoons are interchangeable and the bolted connections are easily assembled and disassembled. Damaged units are easily repaired or replaced.

Before the availability of Bailey Bridges, strings of pontoons, as box girders, were used as highway bridges in some advanced areas.

This equipment was conceived, designed, and brought into production and use by Capt. John N. Laycock. Before World War II Captain Laycock was in charge of the War Plans Section of the Bureau of Yards and Docks of the Navy Department at Washington, D.C. At that time, Navy planners were keenly aware that the preservation of peace in the Pacific was in jeopardy. It was increasingly evident that open conflict might be forced by Japan. In such an event, the main theater of operations probably would be in the island-studded waters of the Central and Western Pacific. To win this conflict, it would be necessary to establish military, naval, and air bases on these undeveloped and primitive islands, far from our factories and supply centers. There were few harbors on these islands and most of these could not accommodate larger vessels. Major amphibious landings were indicated.

These landings and the support of the Armed Forces required barges, piers, floating cranes, floating drydocks, and many other such craft. The construction of these could not be handled by the already overloaded shipyards. It was, therefore, necessary that a new type of floating equipment be invented and developed. It was also important that this new craft be built in shops other than shipyards, of standard materials and shapes, readily fabricated.

This problem was solved in a unique and ingenius manner by Captain Laycock with his Navy landing pontoons. In making models of his early studies. Captain Laycock used cigar boxes and wood members. His work has been signalized by the Columbia Broadcasting Co. in its "Navy Log" television program of February 23, 1957, entitled "Cigar Box John." Captain Laycock is "Cigar Box John."

The steel pontoon boxes have sides and bottoms of 3/16-inch plate, and tops of 5/16-inch checkered plate, all stiffened by welding to the inside, T-ribs of split deep I-beams. The tops or deck is designed to carry heavy highway loads. The plates are edge welded to corner angles for stiffness and water tightness.

Each pontoon box is fitted with pipe connections so that it may be used for storing and transporting liquids or so that it may be flooded and unwatered in the operation of a floating drydock. Many of these pontoons on motor trucks were used as tank trucks or as road sprinklers.

Special pontoons with rounded ends were used on the ends of barges to reduce propulsive resistance. Outboard motors of unprecedented size were developed as propulsion units for these barges.

The first pontoons were built by the Pittsburgh-Des Moines Steel Co. near Pittsburgh. After minor changes and adjustments, principally to facilitate shop work, tests were conducted in the Ohio River. These tests were of a 50-ton barge, a PT boat drydock and a seaplane ramp. The tests were eminently successful. There followed immediately a demand for these pontoons to help build lend-lease bases in Britain. Commercial production was, therefore, started on a large scale. This production was greatly expanded when the United States entered World War II. Shipments of the pontoons into the Pacific were started with the first armed forces. The Navy landing pontoons were successful from the start and soon the demand for them became insatiable. It is estimated that before the close of the war about 500,000 pontoon boxes had been produced. The cost of these with their fittings, side angles, and accessories was approximately $250 million.

Shipments to the combat areas were made in the holds and the decks of ships and even in strings hung on the sides of ships. Attack vessels carried double strings of pontoons hung on their sides and released them when approaching the enemy beaches so that they would serve as causeways for troops and equipment to land.

All Seabee units were trained in the assembly of pontoon structures, but even untrained Army and Marine forces had no difficulty in assemblies using the handbooks prepared for the purpose. These Navy landing pontoons became the workhorses in all of the invasions and assaults in the Pacific. This was also the case in Europe, in Sicily, and at Normandy. The invasion of Sicily would not have been practicable without the Navy landing pontoons. In Normandy, armies of men and thousands of tons of material moved ashore on these pontoons. Moreover, the Inchon landing in Korea made great use of these same pontoons.

The versatility of the assemblies produced a myriad of different results, depending on the skill and ingenuity of the troops. Here is a partial list:

Antisubmarine net tenders and gate vessels. Barges and lighters, 50 to 500 tons capacity. Bridges, floating and abutment supported. Buoys.

Causeways to provide passage between ships and shore either floating or grounded.

Dredges.

Drill barges.

Floating cranes, crawler mounted, 5 to 20 tons and 75-ton rigid boom cranes.

Floating workshops, storehouses, and magazines.

Ice breakers.

Oil barges.

Pile drivers.

Piers.

Seaplane ramps and docks.

Sprinklers.

Tanks.

Tug boats.

Warping tugs with heavy anchors and winches.

Wharves, floating and grounded.

In addition to the television program, mentioned above, many articles have been published describing the Navy landing pontoons and the vital role that they played during military operations. A few appearing in the public press are the following:

The Military Engineer, February 1944, "Innovation of Amphibious Warfare."

Engineering News-Record, April 20, 1944, "Seabee Pontoons for War and Postwar."

Saturday Evening Post, April 29, 1944, "Slickest Trick of the War."

Sunday Chronicle, London, England, July 16, 1944, "Navy's Magic Box."

Saturday Evening Post, December 30, 1944, and January 6, 1945, "Miracle in the Pacific."

Steel Construction Digest, July 1944, "Steel Pontoons Pave the Way for Invasion."

The Navy landing pontoons are also being used for peacetime projects and will be continued to be so used wherever isolation and difficulty of access makes a portable, prefabricated structure advisable. For example: Civil Engineering for May 1947 has a cover picture and an article on the use of these pontoons in connection with the construction of a dam on the Missouri River near Garrison, N. Dak. In the issue for August 1947 of Civil Engineering there is a cover picture and an article describing the use of these pontoons in constructing a Maine turnpike. Life in 1952 illustrates a "House at Sea" being moved from one part of Maine to another.

Newsweek in the issue of October 17, 1949, carries an article entitled "Rensselaer's 145 Years" and lists the six outstanding accomplishments of graduates of the Rensselaer Polytechnic Institute. Included in these accomplishments are Captain Laycock's Navy landing pontoons.

Legal ramifications of the invention

At the time Captain Laycock invented the NL pontoon—and there has never been any dispute as to the fact that he was the inventor—the plans and specifications were classified as secret in order to protect this valuable discovery for the United States. Pursuant to the statute then in effect (35 U.S.C. 68, now 28 U.S.C. 1498), the United States had the right to use the invention of an employee of the Federal Government without making payments therefore, although the inventor could patent the invention and thereby receive compensation for use of the invention by private parties, including foreign governments.

In that Captain Laycock's invention was placed in the secret category (pursuant to 35 U.S.C. 42), there was no opportunity at that time for sale of the rights under the invention to private or foreign sources. However, on August 12, 1943, Captain Laycock filed application in the U.S. Patent Office for a patent (Serial No. 498,284), which patent was eventually granted on August 30, 1949, Patient No. 2,849,144.

Captain Laycock also filed for letters patent in the United Kingdom on August 12, 1943, resulting in the granting of Letters Patent No. 600455. Patents were similarly obtained in Australia, by application on August 12, 1943 (Patent No. 129996), and in Canada on November 19, 1943, Letters Patent 475592. These foreign applications were filed with the knowledge, consent, and even approval of Captain Laycock's superiors in Navy, who recommended such steps in order to protect his rights. (These foreign patent applications were also protected by secrecy laws.)

The U.S. patent was provided to Captain Laycock without charge, pursuant to 35 U.S.C. 45, now 35 U.S.C. 266, but Captain Laycock had to pay all fees and charges, including legal costs, in obtaining the foreign patents. In addition, Captain Laycock paid renewal fees on the foreign patents for several years.

On July 12, 1943, Captain Laycock, prior to filing application for letters patent, entered into a license agreement with the United States—on a standard Government license form—whereby, in consideration of the sum of $1, Captain Laycock granted to the United States: "* * * a nonexclusive,

irrevocable, and nontransferable license to make and use and have made for its use devices embodying said invention * * * solely for all governmental purposes, anywhere and at any time the Government may see fit, and to sell devices embodying said invention as provided by law; the foreign rights and all other U.S. rights being expressly preserved."

Shortly thereafter, the United Kingdom made request for the plans and specifications for the pontoon gear invented by Captain Laycock, pursuant to the Lend-Lease Act (22 U.S.C. 411 et seq.), and a bilateral agreement between the United States and the United Kingdom, signed August 24, 1942 (Executive Agreement Series 268). The request was for a license (free of cost) with power for the United Kingdom Government to grant sublicenses to any United Kingdom firms selected by it for the manufacture in the United Kingdom (including any past manufacture) for war purposes only of N.L. pontoon equipment based on the U.S. patent application and any British patents or patent applications owned by Captain Laycock.

Apparently there was more than a little concern in our Government over the request, with particular regard to the protection of Captain Laycock's rights and interest. Based upon an opinion of the Comptroller General to the Secretary of the Navy, dated February 23, 1944 (but never published or made available to Captain Laycock), it was determined that the request by the United Kingdom could be granted and the information, plans and specifications were made available to, and employed by, the United Kingdom.

It should be noted that the Judge Advocate General of the Navy had assumed in his opinion (par. 11) that Captain Laycock's rights would be protected under section 7 of the Lend-Lease Act, and that the Comptroller General made a like assumption.

In like manner, N.L. pontoon gear were produced in Australia.

Following the cessation of hostilities in World War II, Captain Laycock sought a civilian market for his patent, both in the United States and overseas. He contacted likely manufacturers of such equipment—many of whom had produced the pontoons for the Government or for its Allies—and also sought customers for such pontoons. At the same time he sought information from the Government regarding the use to be made of the pontoons then in existence. Laycock desired to protect his interest and the requests he made upon the Government were not unreasonable.

Rather than aiding Captain Laycock, and attempting to protect his rights in his patent, the Government rebuffed his every effort. Untold thousands of N.L. pontoons in usable condition were sold by the United States as surplus commodities without any compensation to Captain Laycock. These surplus pontoons glutted the private market in the United States and overseas. In short, there was no private market within which Captain Laycock could sell or distribute the pontoon or the patent rights. During the following several years Captain Laycock sought some compensation from the Government, based on the value of his invention to the Government, the breach of the license agreement by providing pontoons and the plans and specifications to other nations, and the callous destruction of his commercial rights by the manner in which the Government handled the sale of pontoons following the war, but his every effort ended in frustration. His was a battle with a bureaucracy, which he fought valiantly, but to no avail. It was only after he had been buffeted from pillar to post by the various departments and agencies where he sought restitution did he turn to me for help.

At the same time Captain Laycock was seeking relief from his own Government, he was also pursuing payment for the use of his invention by the United Kingdom and Australia—where pontoons had been manufactured and used. In correspondence with British Admiralty, continuing over several years, he appeared close to receiving compensation for the use made of his patent. These negotiations were abruptly concluded, however, when the United States granted a license to the United Kingdom, "to make, use, and have made between July 12, 1943, and September 2, 1945, for use in the war effort, devices embodying" Captain Laycock's invention. This license, in direct contravention of the terms of the license granted to the United States by Captain Laycock, was granted to the United Kingdom on March 17, 1953—long after such production had been concluded, but in time to excuse the United Kingdom from any sums owed to Captain Laycock. After receiving the license, British Admiralty advised Captain Laycock that 32,056 pontoons had been manufactured in Great Britain.

Negotiations with Australia proved to be equally frustrating—though there was not a retroactive license granted by the United States.

Thus, despite the unquestioned value of Captain Laycock's patented invention to the United States—in saving untold lives and materials of tremendous value—and to its allies in World War II and the Korean conflict, the unquestioned breach of his license with the United States, and the total destruction of the foreign and private rights in his patents, he never received compensation for his efforts. This was indeed cavalier treatment for a man who served his Nation well.

Conclusion

The Government of the United States has always honored its obligations—moral and legal. While it is recognized that Captain Laycock was in the U.S. Navy, and thus a Government employee, at the time he invented the N.L. pontoon, the committee is advised that much of the design and indeed the very idea of the pontoon were developed by Captain Laycock working nights, weekends, and while on leave from the Navy. Yet, the law has historically given to the Government so-called shop rights in the inventions of its employees. Such "shop rights" do not render the remaining rights in the patent holder valueless, nor do they provide an excuse for the Government violating its lease agreement with Captain Laycock, failing to protect and compensate him under the Lend-Lease Act, receiving unjust compensation based on his invention, or destroying his own right to profit commercially on his invention. (The United Kingdom, while also taking "shop rights" in inventions of its (citizen) employees, did arrange for special remuneration for their contributions—something the United States did not provide.)

The N.L. pontoon was of incalculable value to the United States and its Allies in World War II, in Korea, and up to the present date. "The Navy's Steel Pontoons," reprinted from Compressed Air magazine, September 1946, provides an insight as to the value of the pontoon during World War II and the high esteem in which it was held by the military. Captain Laycock personally explained the operation and use of the pontoons to Prime Minister Winston Churchill at the White House. The British commanders at the invasion of Sicily termed the pontoons the "sine-qua-non" for victory, and Lord Louis Mountbatten referred to them as "these miraculous American pontoons."

Possibly the most telling indication of the value of the pontoons was that attributed to them by the Germans in World War II. Captured German intelligence reports demonstrated the importance of these pontoons, their various uses and capabilities, to the allied military operations. The German apparently spent some time in studying their operations, and were well aware of the fact that it was Captain Laycock who had invented them. Finally, after the war, General Jodl acknowledged how devastating their use had been in Sicily, and how the invasion caused the greatest consternation and dismay at the German High Command.

That Captain Laycock's contributions to the war effort was indeed significant is indicated by his receipt of the Legion of Merit and the Gold Star in lieu of the second Legion of Merit, based upon his invention and development of the N.L. pontoon.

In consideration of this claim the committee is impressed with the substantial and extensive use of the invention of Captain Laycock and believes that his estate should be reimbursed for the unauthorized use of his invention by the U.S. Government when it licensed the British and Australian Governments to produce and use Captain Laycock's invention. As heretofore expressed in the license agreement with the United States, foreign rights were expressly reserved to Captain Laycock.

The committee desires to make it clear that no part of the amount involved is in the form of a gratuity to Captain Laycock but is a full and complete settlement for the use of his patent by foreign nations, contrary to the licensing agreement. However, the committee does want to express its opinion that Captain Laycock's contribution to the war effort was exceedingly important, as expressed in the publications noted previously in this report.

On the basis of all of the foregoing, the committee recommends that the bill, H.R. 3094, be considered favorably.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business, not to extend beyond 12 o'clock, with statements therein limited to 3 minutes.

THE MILITARY SELECTIVE SERVICE ACT

QUALIFICATION OF AMENDMENTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all amendments to H.R. 6531 presently at the desk be considered as having been read, in order that they may qualify under rule XXII of the standing rules of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Mr. President, reserving the right to object, and I do not intend to object, it is my understanding, having had the opportunity to inquire at the desk, that four amendments have been filed since yesterday. Yesterday a similar request was made by the distinguished majority leader, and was agreed to.

It is also my understanding, and perhaps it would be well to have it in the RECORD, that the unanimous-consent request posed by the distinguished majority whip will not affect the requirement under rule XXII that any amendment offered, once cloture is invoked, must be germane to the bill.

Mr. BYRD of West Virginia. The distinguished assistant Republican leader is correct. Under rule XXII, all amendments must be germane. My request would merely provide that amendments now at the desk qualify under rule XXII as having been read. They will still have to be germane.

Mr. GRIFFIN. I appreciate that explanation.

Of course, the fact that the request now, at my request, is being limited only to those amendments at the desk would not necessarily preclude a Senator, between now and 1:15 p.m., from presenting further amendments. But he would have to have the amendment read or get unanimous consent in order to qualify it.

Mr. BYRD of West Virginia. Yes. Senators would have to do this in order for their amendments to qualify under the rule.

I thank the distinguished assistant Republican leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

THE NATIONAL SCHOOL LUNCH ACT—CONFERENCE REPORT

Mr. ALLEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendments of the Senate to the text of the bill to the bill (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.

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CHILES). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in House proceedings of June 22, 1971, pp. 21464–21465, CONGRESSIONAL RECORD.)

Mr. ALLEN. Mr. President, the conferees on the disagreeing votes of the two Houses on the amendment of the House to the amendments of the Senate to the text of the bill, H.R. 5257, have recommended a substitute providing as follows:

First, the substitute would authorize the Secretary of Agriculture to use $35 million in section 32 funds to carry out the National School Lunch Act in fiscal 1971, and $100 million of those funds to carry out the free and reduced-price meal provisions of that act in fiscal 1972. The programs covered by the National School Lunch Act are the school lunch program and the special food assistance program for children in day care centers, summer camps, and similar institutions. This provision of the conference substitute represents a compromise between the Senate amendment which authorized the use of unlimited section 32 funds for all National School Lunch Act purposes and the House amendment which authorized the use of $150 million in section 32 funds for the free and reduced-price meal provisions of the act.

Second, the substitute would extend the school breakfast program for 2 years with an appropriation authorization of $25 million which is the present level. This also represents a compromise between the Senate version, which authorized a 1-year extension at that level, and the House version, which would have made the program permanent with a $25 million authorization the first year and an unlimited authorization thereafter.

Third, the substitute would extend the special food assistance program for children for 2 years at the present authorized appropriation level of $32 million and omit its designation as a pilot program. In this respect, the substitute follows the House amendment rather than the Senate version, which would have extended the program for only 1 year.

Fourth, the substitute adopts the Senate provision which would authorize the Secretary to pay up to 100 percent of operating costs in circumstances of severe need—instead of 80 percent as now provided. The substitute did not adopt a corresponding House provision which would have authorized the Secretary to pay up to 100 percent of the operating costs in all cases, but did adopt a House provision authorizing financing in lieu of reimbursement to schools for food costs. This would permit prepayment of funds by the Secretary in lieu of reimbursement after the schools had incurred the costs.

Fifth, the substitute would adopt the Senate provisions for use of the same eligibility requirements for free and reduced-price meals in the breakfast program as in the lunch program, since a child that is eligible for one should also be eligible for the other.

Sixth, the substitute would adopt the Senate provision authorizing the use of up to $20 million of section 32 funds for the supplemental food program in fiscal 1972. This is the program under which supplemental foods are made available to pregnant women, nursing mothers, and infants.

Seventh, the conference substitute would add a third criterion to be used in the selection of schools for participation in the school breakfast program—namely, the special need in some schools for improving the nutrition and dietary practices of children of working mothers and children of low-income families. This represents a modification of a provision in the House version which was not contained in the Senate version.

Eighth, the conference substitute would permit the value of equipment and services to be included in the operating costs of the special food assistance program for children which may be borne by the Federal Government to the extent of 80 percent. The House version would also have provided that the value of the plant should also be considered in determining such operating costs, but this provision was not included in the conference substitute. The Senate version had no provision on this point.

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

Mr. ALLEN. I yield.

Mr. HUMPHREY. First, I wish to commend the Senator from Alabama for his splendid work in making this special food program and the breakfast program a reality in the extension we now have of it and in the considerable improvement.

I think it should be noted that the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House—particularly the conference committee—have made substantial advances and improvements in the programs that we have thus far.

The point I want to make is that, under the section of the bill in which the Secretary is authorized to pay up to 100 percent——

Mr. ALLEN. That was the suggestion of the Senator from Minnesota, and it certainly was a valuable suggestion.

Mr. HUMPHREY. I thank the Senator.

I would hope that the Secretary would use this authority where there is serious need and where there are serious financial problems in some of our schools and school districts. In the past legislation, we have had up to 80-percent payment.

Mr. ALLEN. That is correct.

Mr. HUMPHREY. But the Secretary never used the authority even for the 80 percent. There was testimony of acute serious financial crises in certain schools and school districts, and those schools would be subject to a payment—a prepayment, I might add—of 100 percent of the costs, including food costs and the costs of labor for the dispensing of the food. That, to me, is one of the important additions we made, plus, may I say, the increased flexibility of the use of funds from section 32 funds, which adds a new measure of generosity to the breakfast program and to the special school-lunch program.

I compliment the Senator for his work in this field. It was a special pleasure to work with him.

Mr. ALLEN. I thank the distinguished Senator from Minnesota. Certainly he was one of the driving forces on the committee in working toward the finished product which the conference committee is presenting. I certainly appreciate his contribution to the colloquy and in establishing the legislative intent as to the payment by the Secretary of up to 100 percent of the costs of the program in cases of severe need.

Mr. President, this report has been cleared on both sides of the aisle. The conference report, as to the conferees in both bodies, was reported unanimously; and I move the adoption of the report.

Mr. MILLER. Mr. President, the Senator from Alabama is correct. The conference report has been cleared on both sides of the aisle. As one of the conferees, I should like to say that I believe the conference report is a fair and constructive compromise between the two Houses.

There has been some concern about the fact that there was not an unlimited extension of these programs. In fairness, I think I should point out that there is not any difference of opinion about the desirability of continuing programs such as this. But some of these programs are in somewhat of an experimental stage, and the only reason for not continuing them indefinitely is that we feel that there may be developments which will indicate where improvements can be made, and what we want to preserve flexibility for Congress to take another look at this after a year or two, based upon the experience that has been developed so that we can improve upon it. I want to lay to rest any ideas that these were not extended indefinitely, or that there was any intention on the part of members of the committee or the conferees to do away with it after a year or two. Is that not the understanding of the Senator?

Mr. ALLEN. Yes, that is very definitely my understanding. There was no feeling whatsoever that the program should be terminated. The only reason the limitation of 2 years was placed on it was to give Members of Congress and the administration an opportunity to review the programs at the end of that time, to see if they could be perfected, improved, or extended.

Mr. President, I move adoption of the conference report.

The conference report was agreed to.

SUMMER MEALS FOR CHILDREN

Mr. HUMPHREY. Mr. President, I am highly gratified by the rapid action of the House and Senate to fufill the promise to hundreds of thousands of city children in day care centers and recreation and summer camp programs that they will receive good, nutritious meals this summer. It was my privilege to be, appointed to the House-Senate conference which has reached immediate agreement on legislation (H.R. 5257) authorizing the expansion of the summer lunch and other vital child-feeding programs.

The need is critical. Congress must correct inexplicable delays and incredible mismanagement on the part of the administration which, as one newspaper article stated—

Has precipitated a crisis in ghetto areas by reneging on promises of food aid.

I was amazed at the Department of Agriculture's announcement on June 17, 1971, that it would be unable to fund the summer lunch program under section 13 of the National School Lunch Act at the level anticipated by our cities. Less than 2 weeks earlier, in hearings by the Subcommittee on Agriculture and Forestry Committee, the Assistant Secretary of Agriculture, Mr. Richard Lyng, testified that the Department hand sufficient funds to carry out all the provisions of the National School Lunch Act. We have witnessed a Federal Department promoting an expanded program among our cities to provide meals this summer for needy children, so that requests have substantially exceeded available funds. Yet the White House did not even ask an extension of this program, scheduled to expire on June 30, until May 18.

We cannot permit poor children to be made the victims of budgetary mismanagement or bureaucratic indifference. In Minnesota alone there are some 157,000 children aged 3 to 17 in families with incomes under $3,000. And the nationwide problem of inadequate child nutrition has been sharply focused in the report that 11 major cities were planning summer lunch programs for 425,000 poor children. I find it morally reprehensible that the largest food producing Nation in the world is prepared to tell the poor children of its cities that empty plates will replace the meals they have been promised this summer.

I am encouraged by a recent apparent change in position by the Department of Agriculture, which yesterday announced it was requesting the transfer of $11,225,000 in section 32 surplus agricultural commodity funds to bring expenditures for all nonschool child-feeding programs over an entire year up to the currently authorized level of $32 million. Presently available information, however, indicates that this would still fall far short of meeting requests from our cities for the summer lunch program, amounting to over $26 million. That is why I urged the transfer of substantially higher section 32 funds that have gone unused for years. The conference report authorizes the use of up to $35 million in section 32 funds in fiscal 1971 and $100 million in fiscal 1972, to the extent that appropriations are not adequate to meet this critical child nutrition need.

Mr. President, I hope the Senate and the House will give speedy approval to the conference report on this bill amending the National School Lunch and Child Nutrition Acts to greatly improve the outreach of the summer lunch and school breakfast programs and to further assure the service of free and reduced price meals to needy children. I trust that the Secretary of Agriculture will then take immediate steps to guarantee the full operation of the summer lunch program at the level requested by our cities.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

U.S. EXPORTS TO YUGOSLAVIA

A letter from the Secretary of the Export-Import Bank of the United States submitting, pursuant to law, the amount of Export-Import Bank loans, insurance, and guarantees, in connection with U.S. exports to Yugoslavia; to the Committee on Banking, Housing and Urban Affairs.

REPORT OF DEPARTMENT OF DEFENSE PROCUREMENT

A letter from the Assistant Secretary of Defense submitting, pursuant to law, a report of Department of Defense procurement from small and other business firms for July 1970–March 1971 (with accompanying report); to the Committee on Banking, Housing and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of Idaho, from the Committee on Interior and Insular Affairs, without amendment:

S. 488. A bill to prohibit the licensing of hydroelectric projects on the Middle Snake River below Hells Canyon Dam at any time before September 30, 1978 (Rept. No. 92–235).

By Mr. MUSKIE, from the Committee on Public Works:

S. 2133. An original bill to extend the Federal Water Pollution Control Act, as amended, for three months (Rept. No. 92–234).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. LONG, from the Committee on Finance:

Laurence E. Lynn, Jr., of California, to be an Assistant Secretary of Health, Education, and Welfare;

Catherine May Bedell, of Washington, to be a member of the U.S. Tariff Commission; and

Joseph O. Parker, of Virginia, to be a member of the U.S. Tariff Commission.

CHILD NUTRITION—REPORT OF COMMITTEE OF CONFERENCE (S. REPT. NO. 92–233)

Mr. ALLEN, from the committee of conference, submitted a report on the disagreeing votes of the two Houses on the amendment of the House to the amendments of the Senate to the text of the bill (H.R. 5257) to extend the school breakfast and special food programs, which was ordered to be printed.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MAGNUSON (for himself and Mr. COTTON) (by request):

S. 2130. A bill to provide for the maintenance of a register listing the names of certain persons who have had their motor vehicle operator's licenses denied or withdrawn and to allow more efficient use of that information, and for other purposes. Referred to the Committee on Committee.

By Mr. METCALF:

S. 2131. A bill directing the Secretary of Agriculture to issue a special use permit covering certain lands in the State of Montana. Referred to the Committee on Agriculture and Forestry.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 2132. A bill to amend the Wild and Scenic Rivers Act by designating Rock Creek, in the State of Montana, as a component of the national wild and scenic rivers system. Referred to the Committee on Interior and Insular Affairs.

By Mr. MUSKIE:

S. 2133. A bill to extend the Federal Water Pollution Control Act, as amended, for 3 months. Ordered to be placed on calendar, and subsequently passed.

By Mr. HARTKE:

S. 2134. A bill to establish an Office of Constituent Assistance, and for other purposes. Referred to the Committee on Government Operations.

By Mr. KENNEDY (for himself, Mr. NELSON, Mr. CANNON, Mr. GRAVEL, Mr. HART, Mr. HUMPHREY, Mr. JACKSON, Mr. MCGOVERN, Mr. MONDALE, Mr. MOSS, Mr. MUSKIE, Mr. PELL, Mr. RIBICOFF, and Mr. STEVENSON):

S. 2135. A bill to amend title V of the Social Security Act to extend for 5 years (until June 30, 1977) the period within which certain special project grants may be made thereunder. Referred to the Committee on Finance.

By Mr. HARTKE:

S. 2136. A bill for the relief of Gyorgy Sebok. Referred to the Committee on the Judiciary.

By Mr. BUCKLEY:

S. 2137. A bill for the relief of Joseph H. Bonduki. Referred to the Committee on the Judiciary.

By Mr. LONG (by request):

S. 2138. A bill to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances and for other purposes. Referred to the Committee on Commerce.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MAGNUSON (for himself and Mr. COTTON) (by request):

S. 2130. A bill to provide for the maintenance of a register listing the names of

certain persons who have had their motor vehicle operator's licenses denied or withdrawn and to allow more efficient use of that information, and for other purposes. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, I introduce by request, for appropriate reference, a bill to provide for the maintenance of a register listing the names of certain persons who have had their motor vehicle operator's licenses denied or withdrawn and to allow more efficient use of that information, and ask unanimous consent that the letter of transmittal, statement of need and section-by-section analysis be printed in the RECORD with the text of the bill.

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

S. 2130

A bill to provide for the maintenance of a register listing the names of certain persons who have had their motor vehicle operator's licenses denied or withdrawn and to allow more efficient use of that information, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Transportation shall maintain a National Driver Register identifying each person reported to him by a State, or a political subdivision thereof, as having had his license or privilege to operate a motor vehicle denied, terminated, or temporarily withdrawn (except with a withdrawal for less than six months based on a series of non-moving violations) by a State or political subdivision thereof. Such information shall be maintained as part of the register only for so long as it remains a part of the official active records of the State or political subdivision thereof furnishing the information, but in no instance for longer than seven years from the date of entry.

SEC. 2. (a) Information in the register shall be furnished only to, and at the request of, a State, a political subdivision thereof, or a Federal agency, and only with respect to—

(1) an applicant for a motor vehicle operator's license, certificate, or permit;

(2) the employment or retention of a person who engages in a public or private occupation which requires as a condition of employment or retention of employment the possession of a valid motor vehicle operator's license, certificate, or permit or, as required by law, the periodic revalidation of such license, certificate, or permit, and provided that information received under this subsection shall be used only for a purpose enumerated in this subsection.

(3) a person who is convicted of an offense arising out of the unsafe operation of a motor vehicle, provided, that, in this instance, the information in the register shall be furnished only to a State or a political subdivision thereof upon the written request of the judge responsible for the imposition of sentence and this information shall only be used for consideration in the imposition of an appropriate sentence.

(a) A copy of any information obtained by a State, a political subdivision thereof, or a Federal agency pursuant to clause (2) of Subsection (b) requires a copy of any in-charge to the person at his most recent known address by the State, political subdivision thereof or Federal agency obtaining this information.

SEC. 3. As used in this Act, the term 'State' includes each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

SEC. 4. The Act approved July 14, 1960 (74 Stat. 526), as amended by title IV of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 730, 23 U.S.C. 313 note) is repealed.

SECRETARY OF TRANSPORTATION,
Washington, D.C., May 21, 1971.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Transportation has prepared as part of the legislative program for the 92nd Congress, 1st Session, the attached draft of a proposed bill:

"To provide for the maintenance of a register listing the names of certain persons who have had their motor vehicle operator's licenses denied or withdrawn and to allow more efficient use of that information, and for other purposes."

The "National Driver Register" is a compilation, maintained by the Department of Transportation, of the names of individuals with respect to whom the States have denied, terminated, or temporarily withdrawn (except a withdrawal for less than six months based on a series of non-moving violations) motor vehicle operator's licenses. The names in the register are supplied by the States. Under present law, the Secretary may release information from the register only to and at the request of a State or one of its political subdivisions or of a Federal agency, and then only "with respect to an individual applicant for a motor vehicle operator's license or permit". (National Traffic and Motor Vehicle Safety Act of 1966, Title IV, 80 Stat. 730.)

Our experience in administering the National Driver Register for the past several years has revealed a shortcoming in the governing legislation. There is no problem with the scope of the information being collected. The present law appropriately limits the names placed in the Register to those drivers whose licenses are revoked or suspended by the States for serious infractions of the rules of the road or other serious violations of the law. Limitations on the use of the Register, however, are very strict. We believe that if the National Driver Register information were made available under somewhat enlarged circumstances, the goals of highway safety would be better served.

Present law permits the release of Register information "only with respect to an individual applicant for a motor vehicle operator's license or permit". However, there are circumstances in addition to the application for a motor vehicle operator's permit, when information available in the Register is highly important from a safety standpoint.

Such information would be particularly helpful with respect to persons who apply for or hold jobs which require them to operate motor vehicles. For example, from the point of view of public safety, a bus company certainly should be able to learn if a prospective driver has a history of license suspensions or revocations based on past instances of hazardous or unsafe driving. Under present law, this information cannot be furnished from the Register, even though requested by a State, because it is not asked for in connection with a license application. We think this presents an important safety gap which should be closed.

On April 16, 1970, the Federal Highway Administration issued the most comprehensive revision of the driver qualification provisions of the Motor Carrier Safety Regulations since their original adoption. These strengthened rules, effective as of January 1, 1971, require motor carriers to screen, test, examine, and maintain records on drivers seeking employment and for continued employment as commercial vehicle drivers in interstate commerce. This rulemaking action was taken as a step in reducing the number of unqualified, unfit, and untrained commercial vehicle drivers on the highways. According to the data contained in accident reports filed with the Bureau of Motor Carrier Safety, commercial drivers are culpable in a great number of highway collisions. For example, in 1968, some 44% of commercial vehicle driver fatalities, as reported by large carriers of property, resulted from single vehicle collisions, and some 20% resulted from collisions with other commercial vehicles. Statistics like this caused the Bureau of Motor Carrier Safety to concentrate its efforts on the development of the new driver rules. There has been widespread public interest in these new rules. Approximately 14,000 comments to our public docket were filed.

One feature of the new rules requires that employers in screening driver applicants ascertain that a driver has not had his driving privilege denied, revoked or suspended (Section 391.23). Under present procedures, each employer will have to query each State in which the driver was licensed as to the applicant's record. That duplicative procedure in itself is not sufficient to provide the employer with a true record of the applicant, since slight changes in the applicant's name or his suspension or license revocation in a State not specifically queried will not be detected.

Consequently, it would be a positive safety advance to allow States access to information stored in the National Driver Register on occasions other than when an application for a license is pending before them. One such expanded use of this information, which would have an immediate beneficial effect on our attempts to keep the unsafe driver off the highways, would be to permit a State to "enter" the Register upon a request received by it from a carrier (employer) seeking information concerning a job applicant. In turn, the State should be allowed to make the information obtained from the Register available to the carrier for inclusion in the applicant's personnel record as required by the Motor Carrier Safety Regulations. Such information could only be used by an employer for the purposes enumerated in the statute. In addition, carriers in intrastate commerce, who are not subject to regulation by the Bureau of Motor Carrier Safety, should also be able to request and receive similar information through the States. We believe that amended section 2(a)(2) would accomplish this purpose.

Another highly desirable feature of this bill is section 2(a)(3) which would make information in the Register available to judges prior to their imposing sentence on individuals convicted of an offense arising out of the unsafe operation of a motor vehicle. To further our objective of safer highways, we believe that judges should be allowed access to information available in the Register in order to be able more properly to sentence a violator. For example, the National Highway Traffic Safety Administration has been reviewing the judicial process and system to determine whether it can be more sensitively applied to the problem of the driver who has violated the law. It has suggested that the judiciary consider as a sentencing tool concepts such as partially restricted rather than suspended licenses. Previous license revocations or suspensions are of obvious importance in this determination. It is through more sophisticated judicial sentencing that we hope to alleviate such major problems as the person who drives despite a revoked license.

The Department is fully aware of the basic rights of an individual listed in the Register. To this end, we have built new safeguards into the administration of the Register. First, we have recommended a requirement that the information in the Register be eliminated from the files when it is no longer a part of the State files, but in no instance would it be a part of the Register for longer than seven years from the date of entry (section 1). Secondly, we have required the State to furnish at no cost to the individual involved copies of any informa-

tion furnished to any employer (section 2 (b)). The safeguard of this section will allow him ample opportunity to rebut or qualify any damaging or erroneous information which might be contained in the Register.

It should also be stated that any information stored in the National Driver Register is presently obtainable from any State upon direct inquiry to that State. The procedures set forth in this bill would merely substitute a simplified and less clostly procedure for the present complex one. Furthermore, it should be understood that the Register is not a warehouse of Federally obtained information, for in no instance does the Federal Government provide any "input" to the data stored in the Register.

In making the foregoing recommendation, we have given careful consideration to the question of individuals' rights to privacy. We have recommended increased availability of Register information only in circumstances where we feel the right of the travelling public to be safeguarded clearly outweighs any entitlement of an operator to deny access to his bad driving records. We strongly urge enactment of this proposal to help meet the needs of highway safety.

The Office of Management and Budget has advised that enactment of this legislation would be in accord with the President's program.

Sincerely,

/s/ JOHN A. VOLPE.

SECTION-BY-SECTION ANALYSIS OF DRAFT BILL TO AMEND DRIVER REGISTER LEGISLATION

Section 1. This section restates, in essence, section 1 of the present law in the language proposed for the codification of title 49. For reasons of consistency with the rest of the codification of that title, the word "person" has been substituted for "individual". The direction to "establish" the register has been omitted as executed and the section reflects the transfer of responsibility for the National Driver Register to the Secretary of Transportation affected by section 6(a)(6)(A) of the DOT Act (49 U.S.C. 1655(a)(6)(A)).

In addition, the section would allow any information in the Register to remain only so long as it is a part of the official active records of the State furnishing that information, but in no instance for longer than seven years from the date of entry.

Section 2. This section allows information to be furnished with respect to an applicant for a motor vehicle operator's license, certificate, or permit; the employment or retention of employment of a person in an occupation which requires the possession of a valid motor vehicle operator's license, certificate, or permit; and the imposition of sentence on a person convicted of an offense arising out of the unsafe operation of a motor vehicle. This information can be furnished only at the request of and to a State, political subdivision thereof, or a Federal agency.

Subesction (b) requires a copy of any information acquired by an employer to be sent at no cost to the person about whom the information is obtained.

Section 3. This section, which defines the term "State", is unchanged.

Section 4. This section repeals the prior Driver Register Act.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 2132. A bill to amend the Wild and Scenic Rivers Act by designating Rock Creek, in the State of Montana, as a component of the national wild and scenic rivers system. Referred to the Committee on Interior and Insular Affairs.

ROCK CREEK WILD RIVER

Mr. METCALF. Mr. President, on behalf of Senator MANSFIELD and myself, I introduce for appropriate reference a bill to designate Rock Creek, a tributary of the Clark Fork River in Montana, as a component of the national wild and scenic rivers system.

I ask unanimous consent to have printed at this point in the RECORD the text of the bill and an article entitled "Can We Save Rock Creek?" written by Tom Wendelburg, which appeared in the February 1971 issue of Outdoor Life.

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

S. 2132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the Wild and Scenic Rivers Act is amended by adding at the end thereof the following:

"(9) Rock Creek, Montana.—The entire segment; to be administered by the Secretary of Agriculture.".

SEC. 2. The Secretary of Agriculture shall, within one year following the date of the enactment of this Act, take, with respect to the segment included as a component of the national wild and scenic rivers system by this Act, such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act.

CAN WE SAVE ROCK CREEK?

(By Tom Wendelburg)

The time was late July; the temperature stood at 90°. Hardly the season or kind of day to expect much from a trout stream. But when I waded into the tail of the pool in the noonday heat, wearing blue jeans and felt-soled wading shoes, I was confident that I wouldn't come out skunked. I had faith in the place.

The pool was at a drive-in public-access site on Rock Creek about 20 miles southeast of Missoula, Montana, and eight miles upstream from where the creek pours into the Clark Fork River. In the three years I had fished Rock Creek it had never let me down.

I crossed to the west bank, which has no trail and so is lightly fished, and began to wade upstream, dropping a No. 8 bucktail Caddis ahead with short casts. No fish were rising, but before I reached the head of the pool I had taken five pan-size rainbows. Not bad for a hot July day, I told myself.

Then I noticed a willow overhanging a side channel a few feet below the rapids where the stream tumbled in. Flat water moved there, and it looked at least three feet deep. A good trout is likely to be laired in such a place.

Using a sidearm cast, I flipped the dry fly 20 feet upstream and bounced it under the low-hanging branches. It floated only a foot before it disappeared, the fish's delicate take leaving small rings on the surface.

My line swung out toward midstream and then started to knife down the pool. As I stripped it in, an eye-bugging rainbow porpoised out of the water hardly three steps in front of me. In the brief glimpse I had, the fish looked like a five-pounder, but I have fought enough trout to know that a fisherman's eyes enlarge things at a time like that.

The fish torpedoed past me, and I stumbled after it, gently braking my line with the finger of one hand, reeling up slack frantically with the other hand.

My trout was riding fast water downstream. I knew that the crucial moment would come when I had to plant my felt soles between slippery rocks, hold my little 7½-foot rod high, and hope my 4X tippet would turn the streaking fish.

It did. The slender wand of bamboo bent like a horseshoe, but nothing let go. The trout gave ground, and I spooled a few turns of line. I don't know how long the rest of the battle took, but my rod arm ached before the fish quit his short rushes and I slid my net under him.

He weighed just under three pounds. My eye had lied but no more than I'd expected.

The pool where I caught that rainbow—and all the other wonderful pools, pockets, and rapids of Rock Creek for the entire 55 miles of its length—are under threat today. The stream is in grave danger of going the way so many of the other top trout rivers of the West have gone in recent years, to mediocrity or oblivion.

The threat is fourfold. It consists of: 1) the logging plans of the U.S. Forest Service, 2) road building, 3) the opening of more public-recreation sites and a greatly enlarged trail system that would convert much of Rock Creek into a cowpath stream, and 4) private real estate developments that are replacing ranches along the stream's lower reaches.

If this small stream in western Montana is ruined, fishermen will lose what was officially classed in 1959 as the state's only blue-ribbon trout stream from headwaters to mouth, and what many anglers regard as the finest trout water in Montana west of the Continental Divide. That makes the threat's outcome of more than ordinary significance.

A blue-ribbon stream, in addition to supplying and supporting a thriving population of native trout must be accessible, esthetically appealing, and steadily fished The stream-classification committee that tacked that coveted label onto Rock Creek 12 years ago consisted of representatives from the state Fish and Game Department, the U.S. Bureau of Sport Fisheries and Wildlife, and Montana State University.

One or two other streams in Montana west of the Divide are probably as good as Rock Creek—notably the South Fork of the Flathead in the Bob Marshall Wilderness Area—but they are far more difficult of access. Rock Creek stands in a class by itself.

It rises at the southern tip of Granite County, its tributaries spilling down from spectacular alpine country nearly 10,000 feet high. Fed by melting snow and the springs of small feeder streams, the creek runs very clear, muddying only after torrential rains and turning roily for a short time during the spring runoff. Many persons, including fishermen, drink the pure cold mountain water.

For much of its length the creek tumbles in mild rapids, fast runs, deep undercuts, and glassy pools running down an idyllic canyon between evergreen woods, rocky bluffs, and meadows. The pine-covered Sapphire Range shoulders high above the canyon. The lower reaches run through bottomlands, but even there the creek provides a drive-in wilderness atmosphere.

A gravel road parallels Rock Creek from the upper waters to the mouth, looping close, turning away, looping back, as if playing peekaboo with the racing stream. That road makes the fishing easy to get to.

There are 12 Forest Service campgrounds with a total of 108 units, many places to camp on public land at streamside, a few cabins for rent, a guest ranch, and a lodge-motel.

The total drainage covers 570,000 acres, with 43,500 being bottomlands and the rest chiefly forested mountains. Of the total, 458,000 acres are in the Deerlodge and Lolo national forests.

Any day on the creek you may meet a moose, a mule deer, or—less often—a black bear. Mountain lions leave their tracks on the bars, although you are not likely to see these furtive cats. In November, which brings the year's lowest flows and also brings the big spawning browns upriver (I tease them with Muddlers), I fish in a red shirt for the sake of safety. This is elk and deer country, and the gunshots of hunters often resound off the nearby mountains.

Last fall I met and chatted with one man who was toting a rifle in one hand and had a small pack rod on his back.

"Just took a couple of good rainbows," he told me. "Now I'm going to hit the canyon bottom and look for a buck."

Although it's only a half-hour drive from Missoula, this is pristine country, with drive-in access to wild-trout fishing of the finest kind. What more could man ask for?

Rock Creek is mainly a rainbow stream, but big browns migrate up into the lower 10 miles, and there are cut-throat and Dolly Varden trout in the upper forks. And when I want a change of pace from the creek's fast-water fishing. I turn to brook trout in some of the many feeder streams or beaver ponds.

The fishing is good from opening day in late May all through the season to late November. While the water is high and roily from spring runoff, bait drifted in quiet eddies will take rainbows and spinners are deadly for browns.

Flyfishing starts in late June, during the salmon-fly hatch. The two big events of the year for the dry-fly fisherman are the hatch of the yellow-bodied stonefly during the first three weeks in July (much of the stream's natural trout food consists of stoneflies) and the hatch of the spruce moth in late July and August. The first freezing nights in August kill off the spruce moths, but while they last the action is red-hot. A Blonde Wulff or a small cream-colored bucktail, tied on a size 8 to 14 hook, is the best artificial imitation of the spruce moth, and the results are almost sure-fire.

When it comes to natural bait, the nymphs of the salmon fly, an insect two to three inches long and actually a giant type of stonefly, are tops. The best way to get them is to catch them in a piece of screening. That is also a good way to gain an idea of the tremendous supply of natural food that supports Rock Creek's teeming trout population. You can collect hundreds of these big nymphs, commonly called hellgramites by local fishermen, in a few square feet of water by rolling rocks over with your feet and dislodging the nymphs that cling to the undersides.

Without that plentitude of insect food the trout of Rock Creek would not be there. And if the present water quality is lost, the stoneflies and all the rest will go with it.

In mid-August big browns from the Clark Fork practically stand in line in the downstream stretches of Rock Creek, and from then until late November the lunker-trout fishing can be fantastic. And all through winter to the end of March the stream supplies outstanding fishing for Rocky Mountain whitefish.

Rock Creek richly deserves its status as a blue-ribbon stream. Bill Browning, director of the Montana State Chamber of Commerce and one of the state's best-known angler-writers, contends that as a producer of wild trout this small stream ranks right along with the much larger Madison and Big Hole rivers.

Among the many anglers who agree is my friend, Bill Harris, a 45-year-old retired Air Force pilot who until recently lived in Missoula, where I'm a graduate assistant in the Journalism School at the University of Montana.

I met Bill in June 1969 after I'd guided and fished on Rock Creek for three summers.

"How's the early-morning fishing?" he asked.

"You might as well stay in the sack," I replied. "Mornings are cold in the mountains, and you don't get hatches until the sun hits the water."

Bill knocked on my trailer door at 7 the next morning. I yawned, opened the door, and gulped. He was grinning and wide awake, and he was holding a 19-inch brown, an artificial nymph still dangling from its jaw. The following dawn he woke me up with yet another big trout.

Bill became so enamored of the creek's clear clean water and big fish that he moved from his home town of Puyallup, Washington, to Missoula that fall.

"I'm going to fish Rock Creek full time," he announced.

He did just that, catching big trout with incredible consistency and releasing most of them. His best catch was an eight-pound Dolly Varden.

What is the exact nature of the threat that hangs over this beautiful and unspoiled creek?

First, there is the threat of logging operations in the two national forests. The present plans of the U.S. Forest Service are to allow an annual cut of 30-million board-feet, of sawlogs, 15-million feet in each forest, in the Rock Creek drainage for the next five years. Those figures are a sharp reduction from the allowable cut that was being proposed before public controversy erupted last February.

Defending the timber-cutting plans, Don Stevenson, district ranger of the Lolo National Forest, told sportsmen and conservationists at a protest meeting in Missoula last winter that no clear-cutting will be done along Rock Creek, that the beauty of the forested canyon will be preserved, and that Forest Service logging contracts contain clauses requiring the contractors to leave a 132-foot-wide buffer strip of timber and natural vegetation along feeder streams.

But more than half the logging done in the mountains of the drainage would be by clear-cutting, and many sportsmen are not convinced that the safeguards spelled out by Stevenson would protect Rock Creek from slow death by silting.

You must see for yourself the devastation left in the wake of clear-cut logging operations in mountain country if you are to realize the consequences to a stream and its feeders.

The timber and undergrowth are stripped away, and the steep slopes are laid bare to erosion. Logging roads, often only 100 to 200 feet apart, wind across those slopes in ugly parallel scars. What was wilderness and game habitat is left a denuded ruin. Two of the photographs accompanying this article (see page 66) tell the story more eloquently than words can. (Not printed in RECORD.)

The No. 2 threat to the stream is from the building of the many miles of roads that go with logging. Such roads, forest researchers say, account for as much as 90 percent of the sediment that comes from erosion on cutover lands.

The Lolo Forest now has about 260 miles of logging roads, with 140 more miles proposed in the next five years. Deerlodge Forest has some 150 miles of roads, and 225 more have been proposed for the five-year period.

Some of the logs will be trucked out on the Rock Creek Road that runs close along the stream. Increased truck traffic there would mean an end to the wilderness atmosphere, plus mounting traffic problems. And in all likelihood it would lead to the paving of the narrow gravel road within a few years.

Many Montana sportsmen object vehemently.

"We don't want Rock Creek tampered with, and we consider logging roads and logging trucks tampering," says a spokesman for Trout Unlimited.

The third threat is development on public lands. The Forest Service has 17 areas on the stream, totaling 135 acres, that it proposes to develop as additional recreation areas. And "to disperse fishing pressure," it also proposes to build access trails at one-mile intervals along the creek's lower 12 miles and to develop a trail system on the west bank of that stretch.

Trout fishermen who know Rock Creek shudder at the idea. The creek is already an accessible stream. Roughly the middle one-third of it, where the national-forest campsites are located, is entirely public. I have found those camps crowded only on Fourth of July and Labor Day holidays, incidentally.

The lower 12 miles, where the Forest Service wants to build an extensive trail system, runs through privately owned bottomlands. But there are four public-access sites, and the road skirts all but the lower mile of the last five miles of the stream, making access very easy. A few more access trails may be needed on the lower stream, but not one every mile, say sportsmen who fish there. As for a new trail along the west bank, which in many places is sheer rock cliffs, it would seriously damage the wild setting.

"I know of no place on Rock Creek that I can't get to in an hour from a public-access site, and most spots can be reached in minutes," says Bob Bassett, who operates the Elkhorn Guest Ranch on the stream. "My clients come from New York and California and lots of points in between, and many of them come for one reason—to enjoy wilderness trout fishing."

"If the Forest Service puts in all the camps and access trails they're talking about, you'll have to bring your own rock to fish from," grumbles Bruce Elliott, owner of Rock Creek Lodge. Bruce pioneered Rock Creek fishing 30 years ago and is one of western Montana's expert trout anglers.

The fourth threat that hangs like a black and ominous cloud over the future of this wonderful stream, perhaps the most threatening of all, is fast-growing real-estate development along the lower reaches. The ranches along Rock Creek are being subdivided.

That trend has been driven home to me very forcefully in the last year or two.

On an August evening in 1967, when the canyon was cooling after a hot day, I picked a long crystal pool and waded in. The pool was turning to an opaque carpet in the shadow of the dark mountains, and I was hoping for a big trout.

"Big trout, big fly," I reminded myself, and tied on a No. 6 Joe's Hopper, an old reliable dry pattern. I drew a blank for 15 minutes and was letting my mind wander, gazing up at the jagged skyline of the Sapphire Mountains, when I heard a soft slurp and set the hook by instinct. I was fast to a 17-inch brown, and before I netted him he gave me exactly what I had come for.

Darkness deepened, and soon I could no longer see the big fly floating in midstream. But then there was a splash like the slap of a beaver's tail, and the tip of my rod dipped into the water as a big trout tailwalked downstream. There's something about those cool evenings after hot days that makes trout fight as if they had Tabasco sauce on their tails. This one was a 3½-pound rainbow, black-shouldered and red of flank, and he lived up to the tradition.

Two evenings later that same pool gave me a 17-inch and a 19-inch rainbow on that same fly.

Today that pool is bordered by a row of subdivision lots, and the spot where I had such great fishing carries a "Sold" sign.

On Rock Creek's lower 12 miles, few working ranches remain. In the past two years "Lots for sale" signs have sprung up like wildflowers. Last spring I saw two cabins completed in a few weeks. A meadow where I like to fish a feeder for brook trout is staked into lots, and a road slices through it.

The Forest Service estimates that eventually there may be 2,000 to 3,000 summer places and year-round residences in Rock Creek's meadows. Homes mean sewage and pollution problems, among other things. Montana does not have a state zoning law, and its health statutes are enforced to protect human health, but not the water quality of a trout stream. There is good reason to worry.

Conservationists have suggested that lots be restricted to a minimum size of five to

10 acres, under strict zoning rules, to keep some vestige of the natural setting, and that water quality be safeguarded the same way, by zoning. But real-estate interests balk at these suggestions, and so far most of the lots offered for sale are no bigger than an acre. Some are only 100 by 200 feet. And local politics being what they are, nobody expects county commissioners to enact the needed zoning laws.

The logging and logging roads in the Rock Creek drainage, in addition to threatening the fishing, pose the further danger that a herd of 1,500 to 2,000 elk will be seriously reduced and that some of the best elk hunting in western Montana will be lost.

Sportsmen and conservation groups fighting to save the stream include the Montana Wildlife Federation, the Western Montana Fish and Game Association, local chapters of Trout Unlimited, the Wilderness Society, and the Sierra Club.

There seems little chance that real-estate development along the lower stretches can be slowed, since that is a matter for private owners to decide. Conservationists battling to prevent damage to the stream have concentrated on efforts to get a two-year moratorium on logging and recreational development on public lands under the control of the U.S. Forest Service. And they are urging further studies to determine the consequences that clear-cutting and the building of more logging roads will have on the stream and its water quality. Their slogan is "Go slow."

The people who advocate this course point to two recent examples in support of a logging moratorium.

First, the Forest Service's own studies on small streams in Oregon have spotlighted the disastrous consequences of logging such drainages without adequate measures to preserve water resources.

Into one small feeder stream, for example, runoff from logged slopes dumped 7,000 times the normal load of sediment and silt. Trout eggs and fry, and insect food on which the fish depend, were smothered by the mud. On another small stream, water temperature, which had risen only 2° on the hottest days, soared as much as 15° after logging scalped the banks.

Almost certainly, fast runoff and silt would have about the same consequences for Rock Creek.

The second example cited by proponents of a logging moratorium is that of the 173,000-acre Magruder Corridor in north-central Idaho, on the Montana border. The situation there a few years ago was very similar to the present one on Rock Creek.

When the Forest Service revealed plans for logging and logging roads in the Corridor, citizens called for a moratorium. Orville Freeman, then U.S. Secretary of Agriculture and top boss over the Forest Service, halted development and named a committee of six experts to make a detailed study.

The committee's findings were that spawning grounds for salmon and steelhead trout in the headwaters of the Selway River, plus the esthetic qualities of the region, were worth more than dollars from timber sales. The moratorium continues today, while information is still being gathered.

So far, however, pleas for a similar moratorium in Rock Creek drainage have fallen on deaf ears. Widespread public concern has shown itself in newspaper editorials, on TV, and in statements from persons as influential as the then U.S. Congressman Arnold Olsen of Montana. The Forest Service has taken a second look and made some changes to lessen the threat of damage, but it is still standing firm on its five-year logging program.

Local pressure is strong to continue and even accelerate the logging. Timber-industry payrolls are important in the area, and Granite County commissioners say the county would go bankrupt if logging were halted.

The Forest Service itself disclaims any intent to damage Rock Creek. In a fact sheet put out last summer, it recognized water as the primary resource of the entire area, and it proposed to manage all other resources to protect water quality and quantity, manage the 43,500-acre canyon area primarily for recreation and scenic values, and build no additional logging roads that would be visible from the stream.

"After all, the Forest Service has been managing Rock Creek for sixty years, and we're proud that it's still a blue-ribbon trout stream," a spokesman in the service's regional office at Missoula told me at the end of last summer. "We're not going to do anything to degrade it."

But that same fact sheet just mentioned also contained the disquieting statement that "All timber harvest in the canyon area must be essentially unnoticeable." The statement indicates that there is as yet no intent to ban logging outright in this wild spot.

The big question is whether, despite all assurances, the scenic beauty of Rock Creek, its wilderness setting and wonderful fishing can be saved in the face of a logging operation that calls for the cutting of 150-million board-feet of timber in the next five years. Those who want a moratorium say the creek would be doomed.

Two of Montana's leading conservation figures are cautiously optimistic, however. They are Frank Dunkle, director of the state's Fish and Game Department, and Don Aldrich, executive secretary of the Montana Wildlife Federation.

Dunkle is not opposed to the logging operations but rather advocates balanced consideration of all the resources of the drainage—fish, wildlife, scenic values, and recreation potential, as well as timber. He favors an overall plan, and the closing of logging roads that lead into remote areas once the timber cutting is completed.

"If the Forest Service is able to implement the management practices it is now proposing," he says, "we'll be in pretty good shape."

"The Forest Service is coming around," Aldrich told me. He points out that new logging contracts require roads to be spaced 400 to 600 feet apart instead of 100 to 200 as has been the practice. This means one road instead of three or more.

However, the threat of silting from clear-cut logging and road building still remains. "The war to save Rock Creek is not yet won," Aldrich concedes.

He believes, however, that real-estate development, with its accompanying problems of pollution, is the most critical threat that presently confronts the stream, ranking ahead of logging and road building.

Rock Creek is a pocket-size example of the wonderful trout streams that once laced much of the West, spilling out of mountain snowfields, wandering through alpine meadows, tumbling down rock-choked canyons, accepting the flows of hidden springs, growing bigger until they finally lost themselves. Not many are left.

For that very reason—because Rock Creek stands as a remnant, a living symbol of what a mountain trout stream ought to be—its despoliation, if it occurs, will be a tragedy out of proportion to the size of the creek itself.

It would be easy to brush the whole thing aside, to say, "What difference does it make if we lose 55 miles of one small stream that's not even big enough to be called a river?"

It makes a great difference—if that stream happens to be one of only two in the blue-ribbon class on the western slope of Montana's Rockies, one of the three or four of its untarnished kind left in a state that once had probably as much topflight trout water as any in the nation. That's what the Rock Creek flight is all about.

Can it be won? Can this wild and tumbling creek be saved from the logger's saw, the road builder's bulldozer, the overdevelopment of trails and recreation sites, and the realtor's For Sale sign?

Don Aldrich believes that the answer is yes. He is optimistic because public interest has been aroused, because many people in Montana do not want Rock Creek ruined, and because he believes that people can get their way in such matters if they try hard enough.

"The price of protecting such priceless resources is eternal vigilance," he says. "The conservationists of Montana were not alert to the threat in this case. The situation developed before anyone was aware of it. Where our environment and wild places and wild things are concerned, we can no longer afford the luxury of napping—in Montana or anywhere else."

By Mr. HARTKE:

S. 2134. A bill to establish an Office of Constituent Assistance, and for other purposes. Referred to the Committee on Government Operations.

A CONGRESSIONAL OFFICE OF CONSTITUENT ASSISTANCE

Mr. HARTKE. Mr. President, during the past 50 years, we have witnessed the growth of an ever-more-complex society. Problems of housing, employment, education, and health which hardly were imagined a half-century ago now beset us.

Congress has tried to keep pace with these challenges by providing services and enacting new programs. Today, there are few aspects of our daily lives that are not touched upon by the Government. One need only look about in this, the Nation's Capital, to see the vastness of our Government. Behind the walls of glass and stone sit people whose actions and decisions affect the lives of others who may be hundreds or thousands of miles away.

Inevitably, careless or senseless exercises of public authority occur. The bureaucratic process is prone to impersonality and "red tape." Caught up in confusing regulations, procedures, and policies, the individual citizen is often helpless.

It is these people who come to us in Congress in search of help. They request an answer to a problem or a redress of a grievance. In short, they make use of us as their advocates. No function could be more appropriate, for we are here in Washington to represent their interests and look to their welfare.

So great have the needs of our constituents become that Members of Congress and their staffs spend from one-third to one-half of their time on what has come to be called casework. Although constituents write to us about a variety of problems, many letters concern a right or a benefit which has been denied or an administrative action which was undertaken arbitrarily.

As important as it is, casework is tedious and time consuming. It takes time away from a Member's responsibilities as a legislator. Nevertheless, each of these problems is a serious one for the person who is writing to us. For that reason, it has been my observation that each of my colleagues takes his casework very seriously.

In the face of an ever-increasing amount of casework, our staffs are finding it difficult to keep up with the mail. We must protect against the possibility that constituent requests for assistance

receive only perfunctory treatment. The most diligent and efficient staff has a limit to the amount of casework which it can handle in depth.

Mr. President, because I join my colleagues in placing a high priority on casework, and because I am alarmed at the prospects for its rapid growth in the future, I am today proposing legislation which would create an Office of Constituent Assistance as part of the legislative branch. This Office will assist Members of Congress in handling some of their casework, and thus free their staffs to spend more time on legislation.

I believe that the ties between a Member of Congress and a constituent are vital to the democratic process. Nothing in my proposal would weaken those ties or intrude upon that important relationship. In fact, the Office I propose would actually strengthen our relationship with constituents by making it possible for us to serve them better.

The Office of Constituent Assistance would investigate those cases which have been referred to it by a Member of Congress or by a congressional committee. The Director of the Office is empowered to investigate those cases involving administrative actions which might be: First, contrary to law or regulation; second, arbitrary or unfair; third, mistaken in law; fourth, improper in motivation or based on irrelevant considerations; fifth, unclear or inadequately explained when reasons should have been revealed; sixth, inefficiently performed; or seventh, otherwise objectionable.

Certain matters and governmental agencies are exempted from the investigative powers of the OCA. Any matter certified by the head of any executive department as affecting the relations between the United States and any foreign government or international organization, any administrative action which relates to a personnel decision affecting a member of the Armed Forces or an officer or employee of the Government of the United States, or any administrative action based upon a complaint which the Director of the OCA determines to be trivial or frivolous is exempted from investigation by the Director. Similarly, the Director's investigative powers do not extend to matters concerning the President, the Congress, the courts of the United States, or court-martial and military commissions. I raise these points because I wish to assure my colleagues that this legislation would not establish an all-powerful office of investigation. I merely propose to create a congressional office to help us in providing our constituents with assistance.

The Director of the OCA would be an officer of Congress appointed by the President pro tempore of the Senate and the Speaker of the House, upon the advice and consent of both houses, for a term of 4 years. His findings and recommendations would be reported directly to the Member of Congress by whom the case was referred.

The paramount virtue of the Office of Constituent Assistance is that it would provide each of us with a central staff of caseworkers to assist our personal staffs. As is the case with the Office of Legislative Counsel and the Congressional Research Service, the OCA would make available a deep reservoir of expert talent to assist us in our work.

There is a second important advantage to be gained from establishing this office. At the present time, 535 different offices handle casework, but many of the problems handled by one office are mirror images of the problems handled by others. One centralized office will make it possible to determine if there are any patterns and common elements to constituent problems and thus facilitate legislative efforts to correct the conditions which cause these problems.

The establishment of such an office does not mean that we are less interested in the needs of our constituents, nor will it mean that we are in any manner removed from our responsibiliities as advocates for our constituents. The OCA will enable us to perform these functions more efficiently and more effectively than in the past.

In summary, I believe that the Office of Constituent Assistance would have these major advantages:

First, it would assist us in handling the ever-increasing volume of casework.

Second, it would enable us to give more detailed and expert attention to the problems of our constituents.

Third, it would enable our staffs to devote more time to legislation.

Fourth, it would enable each of us to handle the problems of our constituents with more efficiency.

Fifth, it would assist the Congress in correcting those administrative deficiencies which give rise to constituent complaints.

Mr. President, I have attempted to draft my proposal so that the delicate web of checks and balances and the layers of mutual respect and trust which exist among the various branches of Government are not injured. I am convinced that the caseworkers on our staffs are dedicated and highly competent professionals whose devotion to their work is proved every day of the year. In the final analysis, however, the amount of casework and our desire to do our best to meet the needs of constituents require us to seek help. That is why I am proposing that the Office of Constituent Assistance be established.

By Mr. KENNEDY (for himself, Mr. NELSON, Mr. CANNON, Mr. GRAVEL, Mr. HART, Mr. HUMPHREY, Mr. JACKSON, Mr. MCGOVERN, Mr. MONDALE, Mr. MOSS, Mr. MUSKIE, Mr. PELL, Mr. RIBICOFF, and Mr. STEVENSON):

S. 2135. A bill to amend title V of the Social Security Act to extend for 5 years—until June 30, 1977—the period within which certain special project grants may be made thereunder. Referred to the Committee on Finance.

Mr. KENNEDY. Mr. President, on behalf of 12 other Senators, my distinguished colleague from Wisconsin, Senator GAYLORD NELSON, and I, introduce for appropriate reference, a bill to extend through June 30, 1977, all health programs established for mothers and children under title V of the Social Security Act. Similar legislation has been introduced in the House by Congressman EDWARD KOCH.

The purpose of the proposed legislation is to insure that the 12 million children and mothers from impoverished families now receiving health benefits will continue to receive health care under both the project and the formula grants authorized by title V of the Social Security Act. Federal programs supporting State efforts to extend and improve health service for mothers and children were inaugurated when the Social Security Act was passed in 1935. Through amendments and revisions title V programs have been redesigned to reflect the national commitments to effectively serve the health and welfare needs of the disadvantaged poor, most of whom are concentrated in our large urban communities. Today, programs under title V are operating in all of the States—to provide much-needed care in maternal and child health, dental and crippled children's services, and assistance for mentally retarded youngsters. Our proposal will continue the allocation of funds as presently made under existing law, so that half of the title V appropriations will support formula grants made directly to the States; 40 percent of the appropriations will support project grants and the balance of the funds will support research and training grants.

It is clear that no one's health needs can be met through insensitive and unresponsive programs that fail to meet the deep concerns of those who are intended to be assisted. Evaluation studies show that title V programs have been effective in eliminating the spread of disease while maintaining the confidence and cooperation of those receiving services. These are programs that are indeed well run and properly designed to help those in need of care. Not only have such programs operated to deliver primary medical care, but they also offer improved opportunities for employment through these projects.

New York City's "catch" program assigns a health team to each participating family so that a personal relationship with the doctor, the nurse, and the social worker can be maintained for the duration of that family's clinic contact. Moreover, the health team is well prepared to provide guidance about jobs, housing, and other problems.

Poor health and poverty during childhood are the principal ingredients spawning the despair of delinquency, drug, and alcohol addiction, chronic illness, unemployment and dependence on welfare. Many of the title V programs have served to stanch the crumbling descent of those widespread conditions.

Boston's Dimock Health Center, with the skills of expert pediatric specialists, psychiatrists, psychologists, and social workers delivers comprehensive health benefits to almost 6,000 Roxbury children. For that community, there is one physician for every 11,000 residents. Nationally there is one physician for every 700 people. Continuation and, indeed, expansion of this federally supported health project can be the only real hope for solving the many health problems, ranging from sickle cell anemia to lead-based paint poisoning, that confront Roxbury youngsters.

All across America title V programs are actively serving youngsters and their parents—with hospital construction

projects at the University of Wisconsin, in South Dakota with mobile health clinics, in Alabama with prenatal and child care instruction programs, and in many rural communities, crippled children's agencies seek out the needs of handicapped youngsters.

The bill we are offering is one that can provide vital health assistance to many who do not have the money to purchase health aid for their families.

By extending the provisions of title V through 1977, with an authorization of $500 million, we hope to meet the burgeoning demands for adequate child and maternal assistance. Millions of Americans are desperate in their needs. Only massive and substantial support can realistically respond to their claims. Decent health care and disease prevention can be delivered to every child if we make a national commitment to deliver such care.

I hope that with the passage of this measure we can show that there is a commitment to serving those needs. Along with my colleague from Wisconsin I look for prompt enactment of this legislation.

By Mr. LONG (by request):

S. 2138. A bill to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances and for other purposes. Referred to the Committee on Commerce.

Mr. LONG. Mr. President, at the request of the Federal Maritime Commission, I introduce for appropriate reference a bill to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances and for other purposes. I ask unanimous consent that the letter of transmittal from the Chairman of the Federal Maritime Commission and an accompanying statement of purpose and need for the bill be printed in the RECORD.

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

FEDERAL MARITIME COMMISSION,
Washington, D.C., May 26, 1971.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are submitted herewith four copies of a proposed bill, together with a statement of purpose and need for the draft bill, to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances.

The need for and purpose of the proposed bill are set forth in the accompanying statement.

The Federal Maritime Commission urges enactment of the bill at the first session of the 92nd Congress for the reasons set forth in the accompanying statement.

The Office of Management and Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely,

HELEN DELICH BENTLEY,
Chairman.

STATEMENT OF PURPOSES AND NEED FOR THE BILL TO AMEND THE SHIPPING ACT, 1916, AND THE INTERCOASTAL SHIPPING ACT, 1933, TO CHANGE CERTAIN CRIMINAL PENALTIES TO CIVIL PENALTIES, AND AUTHORIZE THE COMMISSION TO ASSESS CIVIL PENALTIES

The bill would change the penalties of section 16 (except for paragraphs First and Third) of the Act from criminal penalties to civil penalties, with the money amounts of the penalties to remain unchanged. It also changes the general penalty provision of section 32 of the Act by making all violations of sections under the jurisdiction of the Federal Maritime Commission, for which no penalty is specifically provided, civil instead of criminal. Authority would be vested in the Commission to fix the amount of civil penalties for violations of sections subject to its jurisdiction. Penalties assessed by the Commission would be remitted or mitigated by it under appropriate circumstances pursuant to the Federal Claims Collection Act of 1966, 31 U.S.C. 951–953, and regulations promulgated thereunder. Since the bill would authorize the Commission to assess civil penalties, sections 15 and 18(b)(6) would be amended to eliminate the words "to be recovered by the United States in a civil action."

As the Act now stands, civil penalties are imposed for violations of section 15, which requires the filing for approval of agreements restricting competition, and of section 18(b), which requires the filing of tariffs. However, the penalties of section 14, which prohibits deferred rebates and other unfair practices, and section 16, which prohibits false billing and undue preferences, are criminal.

The Commission believes that better administration of the Act will be derived from making certain of the penalties under section 16 and penalties under section 32 civil and empowering the Commission to determine and adjudge such penalties. The Commission determinations under these sections are subject to judicial review in a United States Court of Appeals under the Review Act of 1950 (28 U.S.C. 2341 et seq.). This would eliminate the necessity of a *de novo* district court penalty suit as is presently required and would enable the Commission to relate the amount of the penalty directly to the nature and circumstances of the violation. Such a procedure should, in many instances, reduce the total litigation expenses to both the government and private parties while at the same time retaining the safeguards of justice through the reviewability of Commission decisions in U.S. Courts of Appeals.

Section 2 of the bill would give the Commission authority to assess the civil penalties presently provided for violations of the Intercoastal Shipping Act, 1933.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 373

At the request of Mr. CRANSTON, the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 373, the Santa Barbara Channel Moratorium and Ecological Preserve Act.

S. 1311

At the request of Mr. PEARSON, the Senator from New Hampshire (Mr. MCINTYRE) was added as a cosponsor of S. 1311, a bill to provide certain privileges against disclosure of confidential information and the sources of information obtained by newsmen.

S. 1437

At the request of Mr. CANNON, the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1437, a bill to amend the Airport and Airway Development and Revenue Act of 1970.

S. 1592

At the request of Mr. MCGEE, the Senator from New Jersey (Mr. WILLIAMS) was added as a cosponsor of S. 1592, a bill to establish a Commission to investigate and study the practice of clearcutting of timber resources of the United States on Federal lands.

S. 1747

At the request of Mr. KENNEDY, the Senator from New Jersey (Mr. CASE) was added as a cosponsor of S. 1747, the Nurse Training Amendments of 1971.

S. 2107

At the request of Mr. JAVITS, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor to S. 2107, a bill to permit application of an excess in a Senator's telephone-telegraph account to make up a deficit in his stationery account.

THE MILITARY SELECTIVE SERVICE ACT—AMENDMENT

AMENDMENT NO. 228

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

Mr. TUNNEY, for himself and Mr. TAFT, submitted an amendment intended to be proposed by them, jointly, 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. 229

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

THE CONGRESS AND FOREIGN AFFAIRS

Mr. HUMPHREY. Mr. President, this is a joint statement on behalf of myself and Senator Cranston.

The crucial issue which the Senate has been debating over the past months is the power of the Congress to assume its rightful role under the Constitution concerning the conduct of foreign affairs.

Under article 1, section 8, the Constitution clearly provides that the Congress shall have the power to declare war, to raise and support armies, to provide and maintain a navy, to make rules for the land and naval forces and to provide for calling up and organizing the militia.

No one questions whether these powers are granted under the Constitution. A problem arises only when we must interpret these provisions. The framers of the Constitution have set an important precedent for us to keep in mind. President Thomas Jefferson, during a dispute with Spain in 1805, told the Congress:

Considering that Congress alone is constitutionally invested with the power of changing our position from peace to war, I have thought it my duty to await their authority before using force in any degree which could be avoided.

It is unfortunate that subsequent Chief Executives have not also followed that wise advice.

It is important to state that our proposed amendment does not refer to enlisted men or those currently serving in the Armed Forces. Rather the intent of the legislation is to restrict the use of future inductees into the Armed Forces unless they volunteer for combat or unless the President determines that such persons must be assigned to combat duty in the national interest.

The amendment states further that after June 30, 1972, an inductee into the Armed Forces cannot be sent to a combat zone outside the United States unless he volunteers in writing for such duty, or unless the President determines that it is in the national security to make such assignments. If the President makes such a determination under this amendment, he would have to notify and justify this action to the Congress within 48 hours. Thirty days after such notification to the Congress, the President's authority to commit inductees to combat zones would expire unless the Congress authorizes by law the continuation of such actions. If the President, however, believes that these inductees are necessary to protect the lives and safety of our men, such inductees may be retained during their normal term of service.

The 30-day limitation is concerned with hostilities which are of an ongoing nature in which the Congress should also make a decision.

A number of our colleagues have introduced legislation related to this fundamental issue of checks and balances. Senator JAVITS, EAGLETON, and STENNIS especially are to be congratulated on the foresight which they have shown on this subject. Furthermore, the Senate has considered two separate amendments to the draft bill on this matter.

However, the legislation we are introducing today differs markedly from the two measures previously considered by the Senate. Senator NELSON and Senator HUMPHREY introduced an amendment which would have prohibited the nonvoluntary use of draftees in combat units in Vietnam after December 31, 1971. This measure related specifically to combat units in Vietnam where our amendment is broader and sets a date of June 30, 1972. In addition, under the Mansfield amendment which was passed yesterday, our involvement in Indochina could be terminated by that date.

Since a major aspect of our amendment is to allow enough time to have increased volunteers in the Armed Forces, June 1972 seems to be a feasible date for the accomplishment of this goal. Also, our amendment is related to basic congressional war powers rather than just Indochina or one military involvement. Last week Senator GRAVEL introduced legislation which would have required that the Congress declare a state of war prior to the induction of men into the Armed Forces. Again, this legislation does not specifically refer to declaration of a state of war. In addition, rather than concentrating on the aspect of the declaration of a state of war, is important to tie this issue with the basic constitutional question. Another clear difference is that our amendment refers only to inducted men, not those who enlist.

We, in the Congress, advocate the maintenance of a military posture where the U.S. Government can respond adequately and immediately to a military crisis.

This measure reinforces our resolve to provide an adequate national defense in conjunction with congressional consultation.

AMENDMENTS NOS. 230 AND 231

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

Mr. STENNIS submitted two amendments intended to be proposed by him to the bill (H.R. 6531), supra.

AMENDMENT NO. 232

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

Mr. BAYH, for himself and Mr. SCHWEIKER, submitted an amendment intended to be proposed by them, jointly, to the bill (H.R. 6531), supra.

NOTICE OF HEARING ON A PRIVATE BILL

Mr. BYRD of West Virginia. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing before a subcommittee of the Judiciary Committee has been scheduled for Friday, July 9, 1971, at 10 a.m., in room 2300, New Senate Office Building, on S. 79, a private bill for the relief of the Glover Packing Co.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the junior Senator from Kentucky (Mr. COOK).

ADDITIONAL STATEMENTS

IN PRAISE OF PARENTS

Mr. MATHIAS. Mr. President, in an age when the focus of much of our world is oriented toward youth, President Eric A. Walker of Pennsylvania State University, in an address to that university's seniors, chose instead to praise the group of people responsible for that world: their parents.

These people, through their efforts, have helped to make this world a better place for today's college seniors. Even though they are often criticized for their efforts to give their children a better life and a better future, the parents and grandparents of today's youth have made astonishing progress toward their goals in a relatively short period of time.

In recognition of their achievements, Mr. President, I ask unanimous consent that the following speech be printed in the RECORD.

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

THE ESTABLISHMENT'S BOX SCORE

President Eric A. Walker of Pennsylvania State University summed up the establishment when he addressed seniors in the following, partially quoted, way:

"In the bleachers to your left or right are some of the most remarkable people ever to walk the earth—your parents and grandparents—who—within just five decades, 1919–1969—have by their work increased your life expectancy by 50 per cent; who, while cutting the working day by a third, have doubled per capita output.

"These are the pepole who have given you a healthier world than they found. Because of this, you no longer have to fear epidemics of flu, typhus, diphtheria, smallpox, scarlet fever, measles, or mumps that they knew in their youth. Polio is no longer a factor. TB is almost unheard of.

"These people lived through history's greatest depression. Many know what it is to be poor, hungry, and cold. Because of this, they determined that it would not happen to you, that you would have a better life, food to eat, milk to drink, vitamins to nourish you, a warm home, better schools, and greater opportunities to succeed than they had.

"Because they gave you the best, you are the tallest, healthiest, brightest, and probably best looking generation to inhabit the land.

"Because they were materialistic, you will work fewer hours, learn more, have more leisure time, travel to more distant places, and have more of a chance to follow your life's ambition.

"These are the people who fought man's grisliest war. They are the people who defeated the tyranny of Hitler and who, when it was all over, had the compassion to spend billions of dollars to help their former enemies.

"They made a start—although late—in healing the scars of the earth in fighting pollution and the destruction of our natural environment. They hold the dubious record for paying taxes—although you probably will exceed them in this.

"While they have done all these things, they have had some failures. They have not yet found an alternative for war, nor for racial hatred. Perhaps you, the members of this graduating class, will perfect the social mechanisms by which all men may follow their ambitions without the threat of force so that the earth will no longer need police to enforce the laws, nor armies to prevent some men from trespassing against others.

"But they made more progress by the sweat of their brows than in any previous era. If your generation can make as much progress in as many areas as these two generations have, you should be able to solve a good many of the world's remaining ills.

"But it won't be easy. And you won't do it by negative thoughts. You may and can do it by hard work, humility, hope, and faith in mankind."

JOBS THROUGH NEW GROUND TRANSPORTATION SYSTEMS

Mr. PELL. Mr. President, the Senate has engaged in many long hours of debate over the status of the SST program. One of the major points of concern was the loss of jobs in the aerospace industry as the result of the curtailing of the SST program.

In a recent editorial, the New York Times suggested that the U.S. policy in transportation would be served well if it took a hint from Germany's development of a high-speed train designed to travel 350 miles per hour.

As a long-time advocate of improvements in high-speed ground transportation, I would urge the administration to take greater cognizance of the improvements that could be made in transportation systems if funds such as the administration was willing to commit to the SST were actually made available for high-speed ground transportation systems. Congestion in our megalopolises

could be relieved, new jobs for the unemployed could be provided, and the transportation industry could be regenerated.

Mr. President, I ask unanimous consent that an editorial published in the New York Times of June 9 be printed in the RECORD.

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

RAILS FOR THE FUTURE

Transportation Secretary John A. Volpe and Senator Barry Goldwater, who represented President Nixon at the recent test flight in Europe of the British-French supersonic jet, took part in the wrong event. They could have brought home a more useful message from the experimental run in West Germany of a prototype train designed to move between cities at speeds of up to 350 miles per hour.

The German experiment holds a number of pertinent lessons on harnessing technology to serve modern society, not vice versa. The train is electrically propelled and glides without wheels above a magnetic field. It is being developed by West Germany's largest aerospace company, best known for its World War II Messerschmitt fighter planes. The Bonn Government sees superspeed trains as the answer to congested and polluted highways and airlanes, something that goes far beyond a routine updating of obsolete railroad practices. It has pledged generous subsidies to develop a high-speed transport system within the next fifteen years.

Such attitudes stand in marked contrast to the continued official American obsession with the SST and to Amtrak's gloomily limited vision about the future of passenger rail traffic. Even though Europe already enjoys trains faster than the Metroliner, Europeans consider these merely the starting point for dramatic progress.

The loss of jobs resulting from demise of the SST and cutbacks in aircraft manufacture, could be made up for in important degree by adequate Federal subsidies to finance massive research and development of rapid, safe and efficient passenger rail travel.

WIRETAPPING AND OUR NATIONAL SECURITY

Mr. DOLE. Mr. President, Attorney General John N. Mitchell in a well-reasoned address before the Virginia State Bar Association at Roanoke, Va., June 11, 1971, made it clear that Presidential authorization of national security wiretapping meets the constitutional test of reasonable search and seizure and that such surveillance is necessary to permit the President to fulfill the obligations of his office.

Mr. Mitchell pointed out that, "to deny the President the means of obtaining intelligence on which to base actions in defense of the Government would be denying him powers essential to the discharge of his oath," and that all major countries use electronic surveillance for national security.

The Attorney General's remarks on this important subject are of great value to all Americans and worthy of wide distribution in their entirety. I therefore ask unanimous consent that they be printed in the RECORD and commend them for reading by all Senators.

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

WIRETAPPING AND OUR NATIONAL SECURITY

You have all, I am sure, heard and read a great deal in the past few months about one of the most controversial legal issues of recent times—that of national security wiretapping without a warrant. Because it involves the right to privacy, which all Americans cherish highly, and which this Government is dedicated to protect, the subject is fraught with deep emotional overtones.

The controversy has raged, both in the courts and in the press, and will continue to do so until the Supreme Court speaks to the issue. I would like to explore this issue with you, in hopes of dispelling some of the misconceptions that have arisen.

At the outset, let us consider the stakes involved in the Government's use of electronic surveillance in national security cases. Our success in counteracting hostile intelligence forces and domestic revolutionary elements depends on our ability to learn what they are doing. A key factor in accomplishing this has been the selective use of wiretapping.

The value of wiretapping in combatting foreign-directed espionage and subversion is widely recognized; it has been an integral part of the counter intelligence program of every major country.

The threat to our society from so-called "domestic" subversion is as serious as any threat from abroad. Never in our history has this country been confronted with so many revolutionary elements determined to destroy by force the Government and the society it stands for. These "domestic" forces are idealogically and in many instances directly connected with foreign interests.

In a speech on electronic surveillance Lewis F. Powell, Jr.—one of the nation's most distinguished attorneys and a former president of the American Bar Association—had this to say:

"The distinction between external and internal threats to the security of our country is far less meaningful now that radical organizations openly advocate violence. Freedom can be as irrevocably lost from revolution as from foreign attack."

In recent times, this nation has witnessed ever-increasing numbers of acts of sabotage. In August 1970, a bomb exploded in Sterling Hall at the Madison campus of the University of Wisconsin, killing one individual and causing damages estimated at three million dollars. The wave of terrorist bombings reached a climax with the brazen bombing of the U.S. Capitol early this year. These are not isolated incidents. According to the statistics of the National Bomb Data Center, in the ten-month period from July 1, 1970 to May 1, 1971, there were 1,378 bombings in this country—the vast majority of which were related to sabotage of the Nation's military efforts. In these bombings, 106 people were injured and 14 people were killed.

The selective use of wiretapping has been a vital part of the United States Government's defense against subversion for the last three decades. It has led to identification of hostile intelligence officers and their contacts and agents in the United States, disclosure of potential or actual defectors among U.S. nationals, detailed information concerning the *modus operandi* and intelligence methods of hostile agents, and exposure of connections between "domestic" subversive groups and foreign interests.

The argument for national security wiretapping does not rest on necessity alone; it has a very firm legal basis. It is this legal basis that I would like to emphasize in my remarks today.

In this Nation, the Government is constituted by the people and charged with the responsibility, in the words of the Preamble to the Constitution; "to insure the domestic Tranquility, promote the general Welfare, and secure the Blessings of Liberty." Overthrow of this Government by force and violence would be utterly inconsistent with the peaceful means for change provided by the Framers, and would deny to each citizen these securities to which he is entitled.

The Constitution designates the President as the Chief Executive and obligates him to "preserve, protect, and defend the Constitution of the United States." When the President enters upon his office, Article II, Section 1 of the Constitution requires him to solemnly swear that he will fulfill this obligation. This oath obviously does not refer to the defense of a piece of paper, but to the defense of the actual operation of the Constitution in prescribing the guidelines of Government. Were the President to permit the overthrow of that Government by unconstitutional means, he would be violating his constitutional oath. Nor does the President's oath differentiate between foreign and domestic enemies, requiring him to protect the Constitution against one but not against the other.

The Constitution of the United States cannot possibly be construed as containing provisions inconsistent with its own survival. It is the charter for a viable governmental system—not a suicide pact. Thus, a Presidential decision as to the steps to take in averting a clear and present danger to the national security cannot and should not wait until actual attack, sabotage, or insurrection have occurred.

Accordingly, the President has an obligation to collect, in advance and on a continuing basis, whatever information is reasonable and necessary for present and future decisions in using the forces at his command. No less can be expected of him if he is faithfully and dutifully to exercise his constitutionally imposed responsibility to protect the national security.

Persons intent on using illegal means to change or alter our form of Government do so covertly, and information as to their activities often can be obtained only in a covert fashion. Wiretapping has proven to be an effective method for obtaining such information.

The wiretapping question has been evolving in the courts for many years, and has been presented in various forms. Generally, these cases can be reduced to two prototypes: (1) wiretapping to obtain evidence in the enforcement of penal statutes, and (2) wiretapping to provide necessary intelligence information on a continuing basis to assist the President in discharging his duty to assure and preserve the national security.

In its landmark decision in *Katz* v. *United States*, rendered in 1967, the Supreme Court held for the first time that a wiretap initiated for prosecutive purposes in a criminal case constituted a search and seizure within the meaning of the Fourth Amendment. The Fourth Amendment does not proscribe all searches and seizures, but only those which are found to be unreasonable. Consequently, if it meets this test of reasonableness, wiretapping is a permissible governmental tool.

The Department of Justice has recognized that, when prosecutive information in a criminal case is sought, electronic surveillance—like most searches and seizures—requires a prior judicial warrant. In the litigation currently evolving in the courts, the Government has taken the position that the reasonableness standard of the Fourth Amendment is a flexible one and does not require in all cases that a warrant be obtained. It is our position that compelling considerations exist when the President, acting through the Attorney General, has determined that a particular surveillance is necessary to protect the national security and that under these circumstances the warrant requirement does not apply.

It should be recognized that the Supreme Court has repeatedly held that under exceptional circumstances searches are reasonable though no warrant has been obtained. We believe that national security surveillance is of an exceptional nature and falls

within this limited category. Pertinent here is the Court's explicit recognition in another case that "in applying any reasonableness standard, including one of constitutional dimension, an argument that the public interest demands a particular rule must receive careful consideration." The Supreme Court has never passed on the question whether "national security" surveillance is reasonable when conducted without a warrant, but Justice White, concurring in *Katz*, has written:

"We should not require the warrant procedure and the magistrate's judgment if the President of the United States or his chief legal officer, the Attorney General has considered the requirements of national security and authorized electronic surveillance as reasonable."

The Congress has recognized that national security cases involve such compelling considerations. In response to the *Katz* decision Congress enacted detailed wiretapping legislation in the Omnibus Crime Control and Safe Streets Act of 1968. In that legislation the Congress specifically set forth the standards that govern the granting of warrants for electronic surveillance in criminal cases. The Congress, however, carefully avoided imposing the warrant requirement in national security cases by including a provision in the statute which explicitly recognizes the President's authority to conduct such surveillances.

It is our position, given the long-standing practice of the Executive and the Congressional recognition of the necessity for distinguishing between wiretapping in ordinary criminal cases and in national security cases, that warrantless national security surveillances are reasonable within the meaning of the Fourth Amendment.

We have not argued against the need to get authorization for such a wiretap. Instead, we maintain that in national security cases the authorization required by the Constitution is that of the President of the United States, acting through his Attorney General, rather than that of a local magistrate.

It is not claimed that the President is exempt from the provisions of the Fourth Amendment, or that his discretion is unbridled. For any abuses of the power, the President is answerable not only to the electorate from whom all his powers are ultimately derived, but his decisions may also be reviewed by the courts in appropriate *in camera* proceedings. We simply say that the President's authorization of electronic surveillance for gathering intelligence in national security cases meets the requirement of reasonableness in the Fourth Amendment.

There are sound reasons for confining the authority to order electronic surveillance in national security cases to the President rather than to a multitude of lower court judges. The nature of the sensitive information involved in national security cases is not susceptible to evaluation by persons untrained in national security matters or to wide dissemination to persons not authorized by law to receive such information. Only the President is in a position to evaluate adequately such information in the light of various intelligence data submitted by the independent agencies within the intelligence community. We submit that the President, by virtue of his office and sources of information, is in a far better position than any magistrate to determine the need to initiate surveillance where the national security is at stake.

But if the authority to issue a warrant in national security cases is to be vested in magistrates only, the United States is left essentially with two options:

(1) To make disclosure to any one or more of over 600 members of the Federal judiciary who in most instances cannot be expected to have the necessary background to analyze the significance of the information disclosed or the necessity for the intelligence sought, or

(2) To become the only nation in the world unable to engage effectively in a wide area of counter-intelligence activities necessary to the national security.

These alternatives do not adequately protect the interests of privacy or of the security of citizens of the United States. Neither alternative, we submit, is acceptable and the Constitution does not require that we accept them.

It has been argued that the President might abuse his power to authorize national security wiretapping. This is put forward to challenge the "reasonableness" of a Presidential authorization, under the Fourth Amendment, and to insist that such authorization be made by the judiciary. Yet the courts that have questioned the constitutionality of the Presidential authorization on this ground are showing a remarkable inconsistency, which I will explain.

In 1803 the U.S. Supreme asserted its power to declare an act of Congress unconstitutional in the case of *Marbury* v. *Madison*. Chief Justice John Marshall emphasized that a Federal judge is required by his oath of office to discharge his duties "agreeably to the Constitution and laws of the United States." How could he do this, Marshall asked, if the Constitution "is closed upon him, and cannot be inspected by him? If such be the real state of things, this is worse than solemn mockery. To prescribe, or to take this oath, becomes equally a crime."

In challenging the President's power to authorize national security wiretapping, the Sixth Circuit Court of Appeals reasserted the power of the courts to make such judgments of constitutionality, drawing heavily on the *Marbury* v. *Madison* opinion. Yet the very argument of the courts' obligations under oath made in *Marbury* v. *Madison* must apply as well to the President's obligations under *his* oath—the more so since his oath is prescribed in specific words in the Constitution, while the judiciary's oath is not. The President's oath obligates him to "preserve, protect, and defend" the Constitution and the U.S. Government. To deny the President the means of obtaining intelligence on which to base actions in defense of that Government would be to deny him powers essential to the discharge of his oath. If this is the real state of things, to borrow Marshall's words, "this is worse than solemn mockery. To prescribe, or to take this oath, becomes equally a crime."

Since electronic surveillance is an effective means of gathering intelligence in national security cases, and is used by all major countries for such purposes, the President would be derelict if he did not use it where necessary and appropriate in defense of the constitutional Government.

Thus to claim that the President might abuse this power is the same as claiming that there should be no office with such power—an obviously self-defeating proposition. It is the same as arguing that the courts might abuse the power of constitutional review that Chief Justice Marshall found implicit in *his* oath. Such an argument was effectively answered not only in Marshall's *Marbury* v. *Madison* opinion, but also a number of years earlier by Alexander Hamilton, who wrote that "if it prove anything, would prove that there ought to be no judges."

Are we, then, to trust the courts to fulfill their oath of office without abusing it, but not trust the President in fulfilling his oath? Clearly the hard questions of government must be decided by someone. To withhold such basic powers from the President on the ground that they might be abused is to argue, in a paraphrase of Hamilton's words, "that there ought to be no President."

Finally, the distinction to which I alluded earlier—that between wiretapping in criminal cases and wiretapping in national security situations—is not the one that some lower Federal courts have today chosen to draw. Rather, they attempt to justify a distinction between so-called "foreign" national security wiretapping and so-called "domestic" national security wiretapping.

The use of the terms "foreign" and "domestic intelligence" and "foreign" and "domestic organizations" has resulted in a great deal of confusion and has created a dichotomy, which cannot be supported in law or fact. There is no dividing line between hostile foreign forces seeking to undermine our internal security and hostile "domestic groups" seeking the overthrow of our Government by any means necessary. I don't see how we can separate the two, but if it were possible, I would say that history has shown greater danger from the domestic variety.

As a legal proposition, what difference is there between the threat posed to the security of the United States by those who act as agents of a foreign power and that posed by an allegedly "domestic" organization? The Constitution requires the President to swear that he will "preserve, protect, and defend the Constitution of the United States." It does *not* say that he will "preserve, protect, and defend" it only against foreign agents, and that he must permit all others to destroy it if they will. It makes no distinction in its charge of responsibility to the President, and he can make none in his sworn duty to carry out that charge. You cannot separate foreign from domestic threats to the Government and say that we should meet one less decisively than the other. Either we have a constitutional Government that can defend itself against illegal attack, or in the last analysis we have anarchy. I firmly believe that the Constitution does not contain the seeds of its own destruction. Rather, it provides an enlightened basis by which man can prove that he can maintain both his freedom and his Government.

ARTHUR PILLSBURY DODGE AND HIS MOTOR CAR

Mr. McINTYRE. Mr. President, transportation is such a vital and basic part of our system—in fact, it is hard to believe that our Nation could have achieved its present place in the world without transportation—that one would think that the complete and full story of transportation had been written.

But new phases of the transportation story are continually being told. The distinguished writer, adventurer, and explorer Wendell Phillips Dodge has recently written another chapter of the distinguished career of his father, Arthur Pillsbury Dodge. The article, entitled "Arthur Pillsbury Dodge and His Motor Car," was published in the well-known New Hampshire Profiles.

In this article, Wendell Phillips tells the interesting story of his father, who was primarily a writer and editor, meeting George Pullman, the developer of the Pullman car, and out of this coming the senior Dodge's involvement with the development of a steam-driven automobile back in the latter years of the 19th century, long before the gasoline-engine car became the transportation mode of our country.

Mr. President, the Dodge family, which comes from New Hampshire, has a long and productive career which has many times been the subject of articles on their accomplishments. My predecessor in the Senate, Styles Bridges, entered material about the Dodge family in the CONGRESSIONAL RECORD nearly two decades ago. I am pleased to add to the legacy of information concerning this famous family

and ask unanimous consent that the article be printed in the RECORD.

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

ARTHUR PILLSBURY DODGE AND HIS MOTOR CAR

(By Wendell Phillips Dodge)

My father, Arthur Pillsbury Dodge, was of the eighth generation of Richard Dodge who came to America from England just nine years after the Mayflower landed the Pilgrims at Plymouth, Mass.

He was born in Enfield, N.H., on May 28, 1849, and later was a drummer boy in the New Hampshire Regiment, commanded by my grandfather, Col. Simon Dodge, who was also born in New Hampshire.

With only little formal schooling up to the age of 16, he landed a job as a reporter on the old *Manchester* (N.H.) *Union,* now the *Manchester Union-Leader.*

Further educating himself, he eventually studied law and was admitted to the New Hampshire Bar in 1879, and the following year to the Massachusetts Bar. One of his earliest prospective clients was none other than Mary Baker Eddy, whose stormy career before and after she founded the Christian Science Church kept her in and out of the law courts. After consideration of the case, Dodge decided not to take it on.

During this period my father had been searching for what he referred to as "the Truth" in religion, and he attended many Protestant churches in an effort to find it. He was a Sunday-school teacher and active church worker. This universal Truth, he felt, consisted primarily of man's love of and service to God.

While still practicing law for many years in Boston, my father embarked upon a second career as a magazine publisher. This was in 1886, three years after I was born.

He founded the *New England Magazine,* with the famous Dr. Edward Everett Hale ("Man Without a Country") as editor-in-chief. This publication became the forerunner at that time among literary-historical periodicals in America. It was soon followed by Arthur Pillsbury Dodge's additional publications, *Bay State Monthly* and *Granite State Monthly.* All three magazines were under the same editorial direction, and featured historical articles and illustrations pertaining to these New England states.

Eventually, feeling that he must reach out further and cover the entire United States, Dodge thought of a new and different kind of magazine, designed after a lifelong idea, "to educate the public unawares."

To do this, however, required capital. He found that he could not raise anywhere near the amount of money it would require in ultraconservative New England.

So Dodge, at 40, decided to follow the "Go West, young man" advice of Horace Greeley. Some well-known persons representing a party of capitalists and noted men of letters, urged him to go to bustling Chicago to raise the money to publish his "dream" magazine. He immediately wrote to George N. Pullman, the multi-millionaire inventor and manufacturer of the Pullman Palace Sleeping Cars and the Pullman Palace Parlor Cars which were in use on almost all of the numerous railroads in the United States. The year was 1891.

Dodge was invited to visit Pullman in the Chicago suburb named for him, and hurried there from Boston. Dodge told him about his desire to publish a great national magazine. Pullman listened attentively to all that my father had to say, all the while studying him with what proved to be rare insight.

Finally he took Dodge by the arm and said, "Come along with me to my experimental workshop. I want to show you something that I think will interest you."

They walked together from the palatial home a short distance into the vast yards and numerous workshops of the great Pullman Palace Car Company. Entering one of the buildings, Pullman led his guest to a far corner where standing on a railroad track extending into the workshop was what he called his "white elephant."

He told Dodge he wanted him to "take it off his hands"; then they would go further into the idea of the magazine "to educate the public unawares."

The "white elephant" was a rather ugly-looking street-car high up over a kind of steam locomotive truck and wheels with connecting rods and pistons. Pullman said he had become interested in an idea of a steam-driven motor car brought to him by a New Orleans engineer by the name of Eugene H. Angamar. Pullman had installed Angamar in the experimental workshop and told him to "go ahead" with his idea. Angamar was provided with all the tools and equipment he needed and was placed on the regular company payroll to enable him to devote all of his time and attention to his project.

After some months Angamar completed the work on his steam-driven streetcar, and then suddenly died. Neither Pullman nor any of his engineers and car builders knew what to do with it.

"Look here, Dodge," said Pullman, "while listening to you, I suddenly got the hunch that you are the one to tackle the job. Go to it, and when you have finished with it, we'll have another talk about that magazine of yours."

Dodge was non-plussed. He had never displayed any particular ability or liking for tinkering with anything of a mechanical or engineering nature. But his mind was on his own great quest, and he had hopes of landing Pullman for his financial backer in publishing his magazine. He told Pullman he would give it a try.

In a few days, after studying Pullman's white elephant, he told him that he thought he could "train it" for him.

Looking at that first Angamar motor car, Dodge thought that as a streetcar it didn't look like much. But he was playing for high stakes, and Dodge reported to Pullman that his white elephant had perked some ideas in his mind.

"Fine," said Pullman, "I knew you could take over for me, and when you finish the job we'll talk again about your magazine project."

Reading had always been a hobby with my father, and among his favorite books to ponder over was Alexander von Humboldt's monumental scientific work, *Cosmos: a Sketch of a Physical Description of the Universe,* translated from the German.

With the great von Humboldt as his "teacher," Dodge set to work. In looking for a way in which a body in motion can best manifest energy, he found his answer in what Humboldt had reported of Newton's laws of dynamics.

Finding by his experiments on the steam-driven car in the Pullman shop that only a very small fire was necessary to keep superheated water at a continuous temperature of 300 degrees, he placed a small fire box within the boiler under the car body. This fire box was so small but heated the water in the boiler so efficiently that the car was then ready to run 20 or more miles, with neither the steam nor the fire requiring any attention.

Anthracite coal in Dodge's small boiler fire box emitted no appreciable gases, far less, actually, than the exhaust of a single automobile. The water in the boiler, converted into steam in the ordinary locomotive manner, passed directly through the cylinders.

By this time Dodge had also invented an atmospheric condenser.

Pullman was so elated, he lost no time in arranging with the Chicago traction magnate, Charles T. Yerkes, to permit Dodge to operate, for experimental purposes, his initial car—the Angamar Motor to which the first Dodge inventions had been added, except for his not-yet-built condenser—on the West Madison Street cablecar line in Chicago.

A very old and faded photograph of this first experimental streetcar, still carrying Anagmar's original ugly smokestack in front, is shown here. George M. Pullman may be seen sitting in the center of the car, attired in his customary high hat, and Arthur P. Dodge is standing on the rear platform of the car.

In 1894 the great railroad strike, led by the big-time labor leader, Eugene Victor Debs, began in the works of the Pullman company. Union men throughout the country refused to handle Pullman cars, which almost invariably were attached to mail trains, and the transportation of the United States mail was held up. There was much rioting and destruction of property and the mail service was completely disorganized. President Grover Cleveland was obliged to order a detachment of Federal troops to Chicago to calm the situation.

With his perfected stored-steam kinetic motor car still running on the Madison Street cablecar line, and still hopefully looking forward to George M. Pullman's anticipated financial support for the publication of his magazine, Dodge was admitted to the Illinois Bar while the nationwide railroad strike was still on, in 1894.

In 1897, at the age of 66, following a long illness, George M. Pullman died, and Dodge's plans for a magazine to teach the masses went with him.

In the meantime Charles T. Yerkes made an offer to buy my father's controlling interest in his Kinetic Power Company, for $10 million cash, the deal including, of course, all of his numerous patents, including those taken, or to be taken out, in all foreign countries. To the chagrin, as well as dismay, of my mother, he refused Yerkes' offer, and instead went to Boston and organized and incorporated his Kinetic Power Company under the laws of the State of Maine. Its main office was on Milk Street, Boston.

Again failing to get beyond first base in Boston's financial circles, my father returned to Chicago and had our household furniture and goods packed and shipped to New York. Here he endeavored to get his Dodge stored-steam kinetic motor cars installed on the old Manhattan Elevated Railroad lines which were operating under steam with miniature regular steam locomotives, and sending out a display of smoke, steam, sparks, and cinders.

Dodge managed to interest Cornelius Vanderbilt, Jr., and his brother, William K. in his enterprise, along with that picturesque old Wall Street genius, Russell Sage, and a few others.

But the all-powerful Gould interests were strong for electrifying the Manhattan Elevated, operating over Sixth and Ninth Avenues, and Third and Second Avenues. A fight ensued, and actually went on for a long time. Finally, the electrical interests won out.

In the meantime, Dodge purchased a small street railroad, the Babylon (Long Island) Street Railroad, which operated horse-cars in the summertime only. He did this in order to have his own railroad on which he could demonstrate for prospective financial backers the operation of his Kinetic motor cars. He also had built a rather luxurious car which he operated for some time on the Detroit & River St. Clair Railroad.

While adding further improvements and obtaining patents on them, Dodge had an opportunity to purchase a finely located factory plant on the banks of the Delaware River. It was three miles wide at that point, and fronted right on the main-line tracks of the Pennsylvania Railroad, with tracks on a siding directly into the plant. This was some four and a half miles north of Wilmington.

Then my father bought a small farm a short distance away, up a hill from the Delaware River and the Pennsylvania Railroad main line to Washington, D.C., and points West. Its northern and western boundary

bordered one of the great Du Pont estates in Bellevue, Dela., and consisted mainly of a large peach orchard, and several wonderful cherry orchards of all varieties. This became our summer home, and a place for my father to take important men to see his latest kinetic motor cars.

With the tremendous interest in electrifying street railroads and elevated railroads, along with the 1907 Wall Street Panic, Dodge's fortune was wiped out completely, and he was obliged to unload everything he could. This meant selling the Riverside, Dela., manufacturing plant, and eventually, too, the immensely valuable railroad franchise covered by that granted by the State of New York for his tiny Babylon Street Railroad.

This property was so valuable because Gov. Theodore Roosevelt had signed into law a bill permitting the running of Kinetic motors on any part of any surface railroad. So far as Dodge's Babylon Street Railroad franchise was concerned, this meant that the bill would permit the extension of its lines of railroad operation *to parallel any existing railroad within the State of New York!*

This was big, and the Wall Street financial interests, particularly the railroad tycoons, knew it. So they just sat back and waited for Dodge's next move, knowing that his back was against the financial wall. Finally, he had to let this bonanza of a railroad franchise go "for a song."

During these years, however, Arthur Pillsbury Dodge had become so engrossed in the Bahaii Religious Movement for the Unification of all Religious and Religious Beliefs, and the Establishments of Universal Peace on Earth, that money did not matter to him any more. His home in Manhattan became a Mecca for learned men from Persia, Arabia, Syria, the Holy Land, Palestine, and India.

So, after having sought for so many years for what he called "the truth" in religion, Dodge now felt that he had achieved his goal. He was content, even without the $10 million he could have obtained from the Chicago traction magnate, Charles T. Yerkes, and perhaps many more millions from his Kinetic motor with extensive patents in many other countries; even without having brought to fruition his great idea of a national magazine.

Most of the time and effort of Arthur Pillsbury Dodge from then on until his death in 1915 was given to spreading the Bahaii Cause. In this way, it would seem, his life-long prayer to "educate the public unawares" had finally been answered.

REMINISCENCE

In his reminiscences of his father, the author wrote so interestingly of some of his other ancestors, we felt compelled to include some of his remarks.

The first Dodge to come to America sailed from Gravesend, England, in 1629, and settled in what became Salem, Mass. The 120-ton, 8-gun *Lyons Whelp* was under the command of a Captain Cox and she carried a total of 125, including mariners and planters. She sailed with the *Talbot*, which carried among her provisions "meale, outmeale, pease, and munitions" to last a year.

Among the long list of Dodges who served in the Revolutionary War and Colonial Wars was Richard Dodge of Wenham, Mass. Later, as a major, this same Dodge served with distinction at the Battle of Bunker Hill.

Other famous Dodges include Gen. Grenville M. Dodge, builder of the Union Pacific Railroad, the first transcontinental railroad in the United States.

The author, himself a native of the Granite State, is a well-known explorer. He is one of only a few living men who have sailed round the world on a square-rigger. He was also one of the first white men to drive a camel caravan across the Syrian and Arabian deserts to Persia.

IRVING ABRAMSON

Mr. CASE. Mr. President, on June 25 a dinner will be held in honor of an outstanding labor and civic leader from New Jersey, Mr. Irving Abramson.

A noted labor lawyer, Mr. Abramson's work in the interests of the workingmen and women of this country and his service to New Jersey and the Nation extend over more than 40 years. Among the posts he has held are regional director of the New Jersey-Maryland-Delaware Political Action Committee, president of the New Jersey State CIO Council and eastern area director of the CIO. He has also served with distinction in a number of State and Federal posts. During wartime, he served as a member of the executive committee of the National War Fund, on the Enemy Alien Board, and national chairman of the CIO War Relief Committee.

It is a pleasure for me to join with his many friends in honoring such a distinguished citizen of New Jersey.

ADDRESS BY REPRESENTATIVE ROBERT F. DRINAN

Mr. PELL. Mr. President, on June 12, I had the pleasure of hearing Representative ROBERT F. DRINAN of Massachusetts deliver the commencement address at Rhode Island College.

Because the thoughts he expressed were of such a compelling and original nature, I believe his views would be of interest to my colleagues and ask unanimous consent that the speech, "Rationality, Reasonableness, and the Reform of Government" be printed in the RECORD.

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

RATIONALITY, REASONABLENESS, AND THE REFORM OF GOVERNMENT

(Commencement address by Congressman ROBERT F. DRINAN)

When all the rhetoric of the proponents of the status quo and the advocates of social change settles out, the real question which emerges is *not* whether we need change in our society but rather the pace and the timing of that change. The vast majority of Americans, in other words, agree that we can and must do more for the sick, the poor, the aged and the culturally disadvantaged. Most Americans, moreover, would agree that their nation, the most affluent in the history of man, must share more if its resources through some international agency with the underdeveloped areas of the earth.

The one half of Americans who are under the age of 25 are understandably impatient and sometimes angry that poverty, widespread white racism and an incoherent foreign policy have not yet been corrected. While I applaud youth's sense of indignation at entrenched mediocrity and institutionalized injustice I would make a plea with students and their parents here today for two qualities, rationality and reasonableness. Let me talk with all of you about these attitudes both of which, in my judgment, are essential if any significant improvements in our social structure is to be realized.

RATIONALITY

The American nation is built on the concept that every generation must be able to find its place in the sun and not be dominated and imprisoned by the generations which went before. Your excellent education at this distinguished college has brought you abundant insights into this revolution of rising expectations which is so firmly built into the American dream. Indeed this wonderful institution is in itself a manifestation of that creativity which is required to bring about that peaceful revolution in every new generation.

The essence of that dream which has made America unique among nations is the mandate of loyalty to the nation's legal institutions as the collective expression of the considered rationality of organized society.

When these legal institutions offer no solution for manifest injustices the inevitable temptation is to reject rationality and turn to emotional slogans or, even worse, to take the course of impugning the motives of those individuals who will not change the institutions in order to make them more responsive to the legitimate demands of the people they are designed to serve.

Young people and students are perhaps more prone to have less patience with rationality than older persons. Young people demonstrate a remarkable candor, courage and consistency in pointing out the mistakes and the hypocrisy in the private and public morality of the generations ahead of them.

But young people—like all of us—tend to underestimate the inherent power to rationality and the enduring and abiding persuability of mankind. At this particular moment in our history I urge you, my dear graduate students, to continue to believe in rationality,—even when all reason has failed. If students, the future intellectuals of the nation, abandon faith in rationality we can hardly imagine the angry outbursts that await us.

I urge you also to combine reasonableness with rationality. By reasonableness I do not mean, of course, complicity with evil or compromise with injustice. By reasonableness I mean that quality which is possessed by those who are fully, deeply and profoundly persuaded of the rational norms and principles by which they seek to create a more human world. Those who are thus persuaded of the value of rational argument know that truth has a power of its own and that the bell of rationality rings louder than racism.

I urge you therefore to exalt rationality and its twin virtue of reasonableness. If you do, you will choose the political process over power tactics, and argument over anger.

My counsels apply, of course, to those who are older than these college graduates here who, we must always remember, will spend half of their lives in the next century! To the adult generation who now, by their opinion and their ballots, control the future of this nation I would urge, with all of the persuasion available to me, that they too must follow rational and reasonable methods,—even when it is clearly easier to indulge in scorn and repression.

As never before America is polarized by groups, both young and old, who have allowed their faith in rationality and reasonableness to be eroded by the shattering events and the developments of our day.

America has a moral consensus made up of a delicate distillation of religion, rationality and idealism. These elements continue in this country as the basc constituents of a nation with the oldest written constitution in the world.

The moral consensus which holds this nation together is now threatened as never before. Only a new birth of rationality and reasonableness can give a deeper meaning to this nation's moral being. I therefore ask each of you, in the name of America and in the name of all of humanity, to renew your faith in rationality and reasonableness.

To the two qualities I urge you to join courage—individual, costly courage. Students today often demonstrate a rare and raw

courage. I hope that they will continue to do so. Courage, to be sure, may lead to mistakes. But the lack of courage leads to apathy and the frustration of every aspiration to create a better world by a creative revolution by rationality and by reasonableness.

Courage is the touchstone of the founders and great leaders of this country. They had the courage to move in new directions and to create rather than follow. Some of that courage hopefully has entered into your minds and hearts. May it remains there and grow deeper and bolder. Individual and informed courage is indispensable for the creation of a better world.

So in your lifetime it will be, in the ultimate analysis, the courage of an individual which will bring about a more human world.

I urge you therefore to intensify your role as the transmittors and the originators of the great creative moral ideas by which your world will be dominated.

Young people—and particularly those highly trained as these graduates here today are—have a better opportunity than ever before to become the moral architects of a better society. Now as never before—due largely to the courage of young people outraged at the barbarities and injustices tolerated by their elders—society is prepared to listen to those whose challenge its many institutionalized injustices.

I urge you therefore to be the conscience of society. I exhort you to cherish those feelings of anger and indignation and injustice as noble sentiments. I urge you to take as your unique and special role in the pilgrimage which begins today the reform of the political institutions of America. You can modernize and reform these institutions not by tearing them down but by participating actively in them as well-informed citizens and as voters who exploit fully the power of the ballot.

If you have these objectives in mind and if you pursue them in a spirit of devotion to rationality and reasonableness you will demonstrate that, in fact, the system *does* work. You can, in short, initiate the most important moral force ever experienced in all of the generations of American history.

AGRICULTURAL EXPORTS

Mr. DOLE. Mr. President, agricultural exports have expanded in the past 2 years, and all indications point to a recordbreaking year in wheat exports at the end of the marketing year, June 30.

In a recent editorial in the Great Plainsman, a magazine published by Great Plains Wheat, Inc., Joseph Halow, executive vice president of that organization, commented on how President Nixon and his administration have worked to increase exports, thereby assisting the farmers of the Nation.

The article is worthy of the widest dissemination, and I ask unanimous consent that it be printed in the RECORD.

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

WHEATALK

At a time when the U.S. wheat producer sees many indications of a downswing in the strong market he enjoyed during the past year, he may be pleased to note the attitude of the Administration with regard to farm exports, evidenced by a series of recent events. Although he may, on the one hand, be discouraged by reports of highly increased world wheat production, with a resultant diminished export potential, he may be encouraged by the Administration's awareness of the importance of agricultural exports and its apparent desire to maintain as high a level of exports as possible.

The fact that President Nixon designated a day, May 7, 1971, for a "Salute to Agriculture" must be indicative of the Administration's recognition of the role played by agriculture in the U.S. economy. Although some critics have attempted to dismiss this gesture as a political ploy, the fact remains that it did take place and it did call national attention to agriculture. Whatever his reasons, the President also pointed up the importance of exports to the agricultural economy, as integral part of the total U.S. economy. He called for an expansion of exports, citing the work of the cooperators in this field, and indicated an additional $1,000,000 would be granted the Foreign Agricultural Service for the foreign market development programs. Senator Bob Dole, National Chairman of the Republican Party, stated that farming ranks high among the President's domestic concerns, as evidenced by his recent radio address on agriculture and by the "Salute to Agriculture" day.

At the same time, a joint GPW–USDA team was touring Europe, headed by Dr. Carroll Brunthaver, ASCS Associate Administrator. Since Dr. Brunthaver's responsibilities are primarily with domestic farm programs, his heading a team concerned with exports indicates the USDA's interest in the export markets in determining domestic policy.

The importance of agricultural exports was again stressed quite firmly by Assistant Secretary of Agriculture Clarence Palmby in his statement before the Senate Finance Committee, Subcommittee on International Trade this May. Mr. Palmby also pointed out that our agriculture is "obviously international" and that our "domestic policies—our agriculture's day to day production and marketing decisions—are affected by the world market."

The new farm legislation, the 1970 Act, is referred to as a "market oriented" farm bill and is designed to facilitate exports; as a result, it depends on exports to be workable. It is logical to expect the USDA to want to compete to the fullest extent possible in the export markets. Considering the strong competition U.S. wheat is already facing in world markets and how this competition is being intensified, it is gratifying to note that the U.S. is planning also to aggressively pursue a strong export program.

In general, agricultural exports account for the disappearance of the produce of one out of every four acres farmed in the United States. For wheat, however, exports account for one-half of total disappearance, roughly equal to total domestic consumption for both food and feed. This fact clearly demonstrates the importance of wheat exports to the agricultural economy. The importance of agricultural exports to the total economy is also released by the Department of Agriculture on the U.S. trade balance for the first three quarters of the 1971 fiscal year. The figures showed a deficit of $200 million in our non-agricultural exports, which was offset by the positive balance in our agricultural trade. With U.S. agricultural exports at $1.6 billion over agricultural imports, the U.S. was able, despite the deficit in other trade, to show a positive balance of trade of $1.4 billion.

Total world trade in wheat during the coming marketing year will probably be reduced from the high level during the 1971 marketing year. Combined strong interest and efforts by the USDA, the U.S. wheat producers and the U.S. grain trade should help the U.S. participate as much as possible in the available opportunities.

IRVING ABRAMSON

Mr. MOSS. Mr. President, I take the floor to pay tribute to an outstanding public servant and great leader in the labor movement. Irving Abramson was born into poverty only to become one of America's foremost labor lawyers who performed invaluable and tireless service to advance the causes of economic service and social dignity for the American workingman.

Graduating from St. John's School of Law in 1930, Mr. Abramson was admitted to the New York State Bar Association in 1931. His was the task and honor of arguing significant Federal and State landmark labor cases. Frequently he testified before Senate committees where his valuable insight was much appreciated.

During World War II, Mr. Abramson was appointed to the executive committee of the National War Fund and served as chairman of the CIO War Relief Committee. In 1942, he personally received the Award for Freedom from King George. He has served his community well as a member of the New Jersey Rehabilitation Commission and the New Jersey Housing Authority.

Irving Abramson has been a prominent and central figure in the labor movement, serving as regional director of the New Jersey-Maryland-Delaware Political Action Committee, president of the New Jersey State CIO Council, and eastern area director of the CIO.

On July 1, at the age of 65, Mr. Abramson will retire as general counsel of the International Union of Electrical, Radio and Machine Workers.

At this time I feel it appropriate for this great body to recognize and pay tribute to an outstanding American.

TESTIMONY OF SENATOR JAVITS BEFORE JOINT ECONOMIC COMMITTEE

Mr. PERCY. Mr. President, too often in this fast-moving world, governments attempt to solve problems on an ad hoc, short-term basis. Lurching from crisis to crisis, we spend just enough time on the problems at hand to keep them from engulfing us completely. Too little effort is spent to develop comprehensive, long-term solutions; some of the most serious issues facing our Nation get the same "instant solution" treatment as we apply to the most trivial decisions of everyday life.

In this setting it is refreshing indeed to have the counsel of an experienced and knowledgeable leader who urges the long-term and comprehensive approach. This morning, testifying about the very serious international monetary situation before the Joint Economic Committee, Senator JAVITS urged the creation of an international Federal Reserve to adjust for the differences in economic activity among the nations of the world. Senator JAVITS' testimony also relates the problems we face on the international scene with such domestic issues as inflation, productivity, and adjustment assistance.

Mr. President, I believe Senator JAVITS' testimony this morning to be a most important contribution to the current debate on both domestic and international issues. I commend it to Members of Congress and ask unanimous consent that it be printed in the RECORD.

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

TESTIMONY OF SENATOR JAVITS

As has been the pattern in the 1960's, the serious monetary crisis of last month—which

is directly attributable to the persistent United States balance of payments deficit—briefly flashed across the front pages of the major newspapers of the world, soon to be forgotten. Only American tourists in Europe and those citizens in the market for a Volkswagen, Swiss cheeses, chocolates or watches, Dutch canned meats or Austrian glassware and machinery concretely realized that something had happened to the dollar and, in turn, the economic position of the United States in the world.

What is not as often realized is that the value of the dollar overseas and our deteriorating balance of payments position has a direct and immediate connection with the quality of workmanship and level of production in the United States. In turn this contributes to the stubborn high rate of unemployment here as well as to the growing protectionism in the United States. I am suggesting that the malaise of the dollar is symbolic of something deeper that is happening to the American economy—and the productive base of our country which is its real strength.

Unfortunately, there are times when political ends are better served by the Panglossian view that this is indeed the best of all possible worlds, and since it is the best of all possible worlds, the Executive and the Congress all too often postpone the pressing demands of economics until crisis strikes. Examples of this are the refusal of the Administration to take a position on "must" emergency loan guarantee legislation in 1970; yet it made an emergency appeal in 1971 for quick Congressional action on a proposed loan guarantee for Lockheed only. Other examples of the Panglossian approach to life include the stubbornness with which many Administration advisors have resisted the formulation of an effective incomes policy; also, the advice that led to the veto of legislation establishing an effective jobs program at the very time that unemployment was approaching record levels in this decade.

An appropriate question for this subcommittee to consider is whether the most recent patchwork on the international monetary and economic system will have any lasting value or whether again it is a temporary and fast-fleeting set of measures that will only lead to new crises in the years ahead. Fundamental to the answer to this question are the steps we are taking to restore the health and productivity of our domestic economy as well as the determination of whether the institutions and adjustment mechanisms established at Bretton Woods more than 25 years ago are adequate to the needs of the 1970s. If they are not, new institutions and new adjustment mechanisms will have to be devised.

In the broadest sense, these were the issues that the Congress was grappling with during the legislative consideration of the Trade Act of 1970. It is the issue now before the Senate Foreign Relations Committee as a new future mix of bilateral and multilateral assistance is being determined. It is the issue when there are calls for a greater regulation of the Eurodollar market and when, joining with Professor Kindleberger and others, I call for a new GATT for Private Foreign Investment. It is also the issue when this subcommittee did its pioneering work in support of the SDRs (Special Drawing Rights) as well as supporting the "link" between SDRS and development assistance.

Mr. Chairman, since I made a highly critical speech on May 12, I have been encouraged by some of the actions taken by the United States and by the governments of the world. These actions go beyond being a temporary expedient and give hope for charting permanent new courses.

Central, of course, to our future economic health and economic position in the world is the need to end the war in Vietnam which wastes human lives, economic resources, corrodes the national will and gravely imperils the unity of the United States. A growing consciousness among the people and the Congress that this war must now end and the steady withdrawal of forces by the Administration give cause for hope. In his testimony, Under Secretary Volcker made it clear that the structural deficit in the balance of payments of some $3 billion is exceeded by our continuing heavy military expenditures abroad. And I am hopeful that the withdrawal from Vietnam will lead to a different permanent approach to our foreign relations and foreign involvements.

My recent visits with Japanese and European leaders have also convinced me that burden sharing by others in terms of our mutual security interests as well as in foreign assistance programs aimed at bridging the gap between the "have" and "have not" nations increasingly will be the new order of the day. There are also some encouraging signs that Japanese political leadership is beginning to realize the implications of Japan's too-little-too-late foreign economic policies on the world's international economic order and on the long-term interests of Japan herself. It is to be hoped that Japan's recent positive actions in the trade and investment field will soon be complimented by forward-looking action in the monetary field that will bring Japan in step with the major industrialized nations of the world.

I am also encouraged by the Administration's recent moves toward liberalizing East-West trade with both the People's Republic of China and the Soviet Union and Eastern Europe. These moves hold promise for strengthening our nation's balance of trade position in the 1970s.

However, I am not convinced that the United States Government has charted its long-term goals in the international monetary area; and this is fast becoming a pressing imperative.

As indicated, last month we saw again the international monetary system seriously strained as the German authorities were forced to suspend trading in the mark, and then to let the mark float for the second time in a year. In each case, the mark was under pressure from an influx of foreign currencies, the vast preponderance of them dollars. It should be clear to all of us that in any future monetary crisis, it will again be the dollar which plays the central role and which bears the onus for what has happened. The reasons for this are not only the fact of our persistent and intractable balance of payments deficit, which reached an annual rate of $12-billion on a liquidity basis this last quarter. There is also the unavoidable fact that the world is now on a dollar standard and not a gold standard. Nor is it likely that we could ever turn the clock back to the gold standard.

The dollar is the vehicle currency for most of the world's international transactions; it it the intervention currency by which most foreign countries intervene in the exchange markets; it is also the most widely used reserve currency. With $43.7-billion in external liquid liabilities, the United States has spewed out an amount of dollars into the world which exceeds the $41.3-billion in all official holdings of gold.

It is now time to consider how to reorder the world's monetary system to deal with this now unavoidable fact.

I believe we must begin to take the necessary steps now to create a new world monetary order, based on production, rather than dollars or gold, and a new international agency which would be the counterpart in the international sphere of the Federal Reserve here at home.

I invite the Subcommittee to consider the chaos we would have in the United States were it not for the existence of a central authority for smoothing out differences in economic activity among the twelve regions of the Federal Reserve System. As the world gets smaller and more interdependent, we are headed towards the same kind of chaos on an international scale, now fed also by massive and seemingly uncontrollable dollar flows, if we do not start planning for an international federal reserve.

There was a time when prudent policy called for substantial dollar outflows; this Subcommittee knows all too well how this country wrestled with the dollar gap during the early postwar period. At that time we were trying to help a war-torn Europe and Japan back to economic viability. But that task was accomplished more than 10 years ago, and even then our continued deficits were becoming a matter of some concern.

We have now reached a different plateau. The role of the dollar has made every action of our domestic economic policy into an event with worldwide implications and effects. When the Fed eased up on its tight money policy last year, sending interest rates down, international bankers sent more than $8-billion in short-term funds out of this country as the world adjusted to this change in domestic policy. Similarly, when the Johnson Administration decided it could fight a war and poverty at the same time without the imposition of war taxes, it set into motion a demand-pull inflation which has now spread to most of the world's industrialized countries and profoundly affected the patterns of world trade.

If there are lessons to be learned from these events, the conventional wisdom has not yet caught on to them. I have indicated some positive steps that have been taken to strengthen the overall position of the United States in the international economic system. But in my view the proposals which have been made over the past year to improve the international montary system for the most part go no further than treating the symptoms rather than the cause. The symptoms, as this subcommittee knows, are sticky exchange rates, which do not change in relation to each other as relatively and promptly as we would wish; differential interest rates, which promote massive flows of short-term, interest-sensitive and speculative funds; and the U.S. payments problem.

But in addition to the problems of our domestic economy, another cause is the fact that we are living in a different world than we were at the time of Bretton Woods. We need a substantial overhaul of the present system if we are to survive the next 25 years.

Above all, we must get off the dollar as the key standard. The United States has too many problems at home to let our domestic policy determine the world's policy, and vice versa.

The Joint Resolution I recently introduced, and which the Chairman of this Subcommittee has introduced in the House, is meant to be a first step toward this sorely needed overhaul. And perhaps events will show that this step in substance has already been taken. The recent announcement of the formation of a new OECD group to consider international trade problems could possibly pave the way toward the revolutionary reform of the international monetary structure which this modern world demands. I am willing at the moment to concede that it could pave the way, provided it recognizes the central problem and does not shy away from revolutionary long-term solutions.

The central point is to realize that there is at the moment no alternative to the dollar, and that nothing promises an alternative. Unless we find an alternative, the record is clear that temporary solutions have had the effect of imposing more and more controls on international exchange transactions, and threatening the very foundations of the liberal trading policies that have so benefited the nations of the world since Bretton Woods.

In this context it is important for the major industrial nations to get together and map out a long-range plan for improving the system: a plan which will say to the world,

"This is where we are going." I believe this act alone could impart a significant degree of confidence and stability into the system as it stands now.

This is not to say that I disapprove of the measures which have been taken by Treasury and Central Bank authorities here and in Europe to cope with the emergency which beset us in May. I particularly welcome the agreement of the Bank of International Settlements (BIS) and the European central banks not to add to their Eurodollar placements; their placements prior to this time have compounded the problems of our deficits. Future BIS actions hold promise for bringing some order into the virtually uncontrolled Eurocurrency markets.

The actions of the West Germans in letting the mark float within certain, unpublished limits represents a move which the IMF itself in its report on exchange-rate flexibility is on the way to condoning formally. In turn, the Belgian decision to institute a two-tier system for exchange transactions, while technically illegal under the IMF Agreement, has contributed substantially to reducing tensions in exchange markets and will give us a valuable case history as to the advisability of such actions in the future. I am encouraged that other nations are seriously considering this course of action.

Finally, the actions of the U.S. Treasury to undertake large scale borrowing in the Eurodollar market is the kind of short-term measure which in the future could help dampen the effects of large, temporary currency flows though it clearly cannot compensate for currency flows of the magnitude we saw this year. I would also place the Feds imposition of reserve requirements on Eurodollar borrowings in the same category.

But, I consider these as interim measures, and although I leave the details to the technicians, it is clear where a new monetary order must lead us.

Like the United States, which abandoned the gold standard in 1968, the new monetary order must be based on production, which is really the only true measure of monetary capacity. An essential part of a new monetary system, therefore, would be an agency with much the same control over the international supply of money as the Fed has at home. I do not believe we should insist that such an agency be part of the IMF. It may be impossible to work out such a broad reform within the Fund. I note for example, that the Bank for International Settlements has just this month set up an advisory "standing group" to control Eurodollar activities in somewhat the same way the Open Market Committee controls the supply of dollars in and out of the U.S. banking system.

Such a new international agency, however, would have to be given sufficient power to control the supply of official reserves in the world economy, and to prevent the misallocation of reserves and sharp currency flows which have plagued the monetary system recently.

Interim steps would be needed before an international Federal Reserve System could be established; the whole IMF system could not be revised overnight. Typically such steps would have to include interim measures to reduce the pressure on exchange rates, such as widening the bands around par. Other measures would have to be taken to cut off the world's dependence on any national currency such as the dollar, revising the gold clause of the Special Drawing Rights amendment, and abandoning our obsolete pledge to stabilize the dollar by freely buying and selling gold rather than by intervening in the exchange markets. As our dependence upon the dollar grew less and less, the role of some other common reserve standard would necessarily increase; another interim step, therefore, would be to increase subtantially the supply and role of SDRs in the international monetary order. And, with a goal in sight to rationalize and internationalize adequately the world's monetary system, what may need to be done about the "gold window" will be an incident, not a course.

We must keep in mind that during this time the free world's monetary relations will be undergoing a revolutionary transformation even if we do not attempt a basic reform of the IMF charter. The growth of a common European currency will present the United States with an economic rival whose monetary reserves and GNP could exceed ours by substantial amounts. Far from posing a danger to the United States, this development could make reform easier, especially insofar as it could supply an additional intervention currency for use in stabilizing the value of the dollar. But unless this development is accompanied by reform of the international monetary system as a whole, there is grave danger that a common European currency will become yet another tool for fostering a rival bloc to the United States in all monetary and commercial matters, thereby proliferating our present troubles.

As relative calm returns to the international exchange markets we shall be tempted to make the same mistake we have made after every other postwar monetary crisis; and that is to do nothing. This would be not ony tragic; it could be disastrous. Events have shown us that we ignore the basic flaws in the international monetary system only at our greatest peril. Each succeeding crisis turns out to be more severe than the one before, and the band-aids which we slap on the system to patch it up seem to give more quickly as the years go by.

I have come before the Committee this morning to urge a different approach—an approach which would show the world that we know where we are going both domestically and internationally, and give the world some confidence that we possess the means and the will to get there. We can and should start on this approach while the memories of last month—when the dollar itself was inconvertible in some countries for a while—are still fresh. It may be our last chance.

IRVING ABRAMSON—A DISTINGUISHED LABOR LEADER

Mr. HARTKE. Mr. President, Irving Abramson's decision to retire after having served labor for nearly 45 years will be a loss. A loss to the millions of workers he has stood by and served so well. However, like so many outstanding men, his efforts and contributions will always stand. The contributions themselves will stand as his tribute.

His service as an attorney has spanned many local, district, and regional labor organizations—as well as pension and welfare trusts.

Currently Irving Abramson is general counsel to the International Union of Electrical, Radio, & Machine Workers. Previously he had been general counsel to textile, insurance, and jewelry workers unions. Along with appointments by three Governors to public office in New Jersey, he served his country in wartime through his work for the Enemy Alien Board, and the National War Fund. For this work he received the Award for Freedom in 1942 from King George.

I know that Senators join me in expressing America's gratitude to Mr. Abramson. He has served tirelessly and well. His lasting contribution as a labor leader combined with his efforts as a public servant have earned for him our gratitude.

PRESIDENT NIXON RELEASES "McNAMARA" PAPER

Mr. DOLE. Mr. President, I voice the sentiment of most Senators in expressing satisfaction that the President is sending to the Congress the 47 volumes of the so-called McNamara papers as well as a classified study of the Gulf of Tonkin incident that led to the almost unanimous resolution that allowed President Johnson unlimited authority to escalate the fighting in Vietnam.

It is in the best interest of the American people that their representatives be given a look at these documents, unedited and unexpurgated by the press. I am confident that Members of Congress who are charged with studying them will walk the extra mile to avoid the release of information damaging to our Nation or our relationships with other nations.

Mr. President, this is the proper approach. It is not a proper approach to steal documents, to leak their contents, or to accept and print the information one may find in such stolen property.

This is not a question of freedom of the press. It is a question of honesty, integrity, and putting the interests of one's country ahead of personal gain or self-satisfaction.

The President is to be congratulated on taking this wise and logical step and in bringing Congress into partnership in this vital area.

IRVING ABRAMSON

Mr. CASE. Mr. President, on behalf of the distinguished Senator from Pennsylvania (Mr. SCOTT), I ask unanimous consent to have printed in the RECORD a statement by him in tribute to Mr. Irving Abramson, a leading labor and civic leader.

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

STATEMENT BY SENATOR SCOTT

Mr. President, I am pleased to join with the Senator from New Jersey (Mr. CASE) in paying tribute to a leading labor and civic leader, Mr. Irving Abramson.

Mr. Abramson for more than 40 years has served the labor movement and has worked to provide better economic conditions for America's working men and women.

On July 1, Mr. Abramson will retire as general counsel of the International Union of Electrical, Radio, and Machine Workers. I join with his many friends in paying tribute to his service and to his accomplishments and to wish him well in the years ahead.

THE LAW OF THE SEA

Mr. PELL. Mr. President, on May 23 of last year, President Nixon came forward with a very far-reaching policy announcement concerning law of the sea matters. As chairman of the Foreign Relations Committee's Subcommittee on Oceans and International Environment, I welcomed the President's announcement and congratulated him and his administration on their fine efforts to develop meaningful solutions to all of the various outstanding law of the sea issues.

Within the past year a great deal has happened in the law of the sea field, all of

which has culminated in the U.N. General Assembly's decision in December of 1970 to convene a third international law of the sea conference in 1973. In reaching this decision, the Assembly agreed that all outstanding issues—from the breadth of the territorial sea to the outer boundary of the continental shelf to coastal State fishery preferences—would be open for discussion and resolution at the conference.

In view of these developments and the forthcoming Geneva Law of the Sea talks, preparatory to the 1973 conference, I am announcing today that the Subcommittee on Oceans and International Environment is inviting the Secretaries of State, Defense, and Interior to appear before it on July 9 for the purpose of reviewing the steps that have been taken to implement the President's oceans policy and discussing where we go from here in view of the upcoming Geneva talks and the 1973 Conference.

I do not believe enough attention has been focused on these issues and the administration's proposals—and I am hoping that if the three Secretaries agree to appear together and discuss them, then they will receive the kind of public attention and congressional consideration which they frankly deserve.

After all, what is at stake here is the future of the oceans—which cover more than two-thirds of our planet. I happen to think that the administration has developed some very solid proposals on how this vast resource ought to be developed and how it ought to be administered.

I hope the administration feels strongly enough about its own proposals to give thorough and serious consideration to the subcommittee's invitation.

PREVENTION OF DRUG ABUSE

Mr. TOWER. Mr. President, I am extremely pleased to join in cosponsoring S. 2097, a bill to establish a Special Action Office for Drug Abuse Prevention within the Executive Office of the President.

The first step to the solution of a problem is the recognition that a problem exists. No one can seriously dispute the fact that drug addiction is a problem that is becoming more acute with each passing day. Tragic deaths from drug overdose were once front page news. Today, such deaths are statistics in the back pages. Drugs, once considered to be the blight of the central cities, are now the blight of the suburbs and middle America as well. Drug addiction was once found only among those with little education, but today drugs are found in our colleges, our high schools, and even our junior high schools. For a young Vietnam veteran, to return home once meant a return to the good life. Now, it can mean that he is entering a drug-dominated world of secrecy, short supply, ever-increasing dependency, and even crime. Drug abuse is a serious problem. It is robbing us of our most vital resource—the productivity, the usefulness, the industry, and the pride of our people.

President Nixon is to be congratulated for taking the initiative when he recently proposed special action in a message to the Congress. Recognizing the immense scope and the serious nature of the problem, he has presented a comprehensive program to Congress for our consideration. I hope that we will give the President's proposals immediate and careful attention.

The first part of these proposals that we have before us is S. 2097. It would authorize the executive branch to create a Special Action Office for Drug Abuse Prevention to be located within the Executive Office of the President. This office would have direct responsibility for all major Federal drug abuse prevention, education, treatment, rehabilitation, training, and research programs. The need for such an agency is no longer debatable, for we can no longer approach this problem piecemeal or tolerage interagency squabbles. We must provide for a coordinated effort with mutual goals, objectives, and priorities.

Furthermore, such an office is necessary to implement a new approach to the problem. In the past, the majority of our efforts have been directed toward reducing the drug supply and increasing the effectiveness of our law enforcement. This approach is only part of the solution, since it directs itself to only part of the problem. This new agency will not be directly concerned with drug supply and law enforcement. It will primarily direct its attention toward rehabilitating drug addicts so that they can return to a useful and normal role in our society, toward educating the public concerning the dangers of drug abuse so that we can inhibit its growth, and toward researching drugs and drug abuse so that we will have the knowledge which is essential to combat the problem effectively.

The Special Action Office is an essential first step if we are going to successfully conquer this growing menace. We will soon be considering other items of legislation which would implement the remainder of President Nixon's proposals. We will need to act on these proposals in a positive and constructive manner if we are going to approach this complicated problem effectively and completely.

GOVERNMENT INTEGRITY AND THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, it seems to me that public confidence in public officials is one of the most important issues at stake when we consider ratification of the International Convention on Genocide.

The American people have always felt some distrust of professional politicians. There has always been the popular feeling that public officeholders must be held accountable to the people for their actions and lack of action.

And in the last few days, the people of our country have been given more cause to wonder about the honesty and good faith of its highest Government officials. Those who have read the recent New York Times and the Washington Post disclosures about the handling of the Vietnamese situation in Democratic and Republican administrations will know what I am talking about.

That is why I want to call the International Convention on Genocide to the close attention of Senators. Here is an opportunity for the Senate to take a step toward restoring public confidence in government. According to the Convention, genocide is defined as governmental acts motivated by the "intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such."

Surely we stand in unanimity against the crime of genocide. It is our job as Senators to make laws which conform to our beliefs, laws which protect the lives of people. Then why has not the U.S. Senate formally ratified the Convention on Genocide? Why will not the United States stand together with the 75 other nations which have already approved the Convention and made genocide a crime between nations and people?

Let the Senate publicly remove all doubts by ratifying the Convention on Genocide. If we believe that genocide ought to be classified as a crime, then let our acts conform to our beliefs. Let us demonstrate to the people of our country and the world that the U.S. Government joins proudly with other nations in defense of the fundamental human right to life.

Let us settle this question soon.

IRVING ABRAMSON

Mr. BOGGS. Mr. President, on July 1 Mr. Irving Abramson, a distinguished labor and civic leader, will retire as general counsel to the International Union of Electrical, Radio and Machine Workers, AFL–CIO–CLC. I am pleased to take a few moments to point out Mr. Abramson's fine record and convey to him my best wishes for a happy retirement.

Mr. Abramson was admitted to the bar in the State of New York in 1931, after which he began his long association with the AFL–CIO as counsel to many local, district, and regional labor organizations. During his long career, spanning more than 40 years, Mr. Abramson has served as general counsel to the Textile Workers Union of America, the Insurance Workers Union of America, the Insurance Workers International Union, and the Jewelry Workers International Union.

Mr. Abramson is well known and respected in my own State of Delaware for his service as regional director of the New Jersey-Maryland-Delaware Political Action Committee.

During World War II, Mr. Abramson was named to the Enemy Alien Board and the Executive Committee of the National War Fund, and served as national chairman of the CIO War Relief Committee. He also helped to establish Children's Village near London for victims of the blitz and received the Award for Freedom from Britain's King George.

Again, I congratulate Mr. Abramson on his humanitarian efforts and on his many outstanding contributions to the labor movement.

THE ORIGINS OF INFLATION

Mr. ALLOTT. Mr. President, the press is currently full of putative "revelations" about who in the last administration is

responsible for what in our current array of discontents.

In today's Washington Post, Hobart Rowan addresses himself to the origins of the inflation that President Nixon has been fighting so diligently.

Mr. Rowan says this:

It has long been an accepted fact—among Democratic as well as Republican historians—that the current inflation can be traced back to the failure of the Johnson administration to plan to pay for the war it escalated in midsummer of 1965.

What becomes apparent now is that the inflation had its real inception even earlier, at a White House strategy meeting on September 7, 1964, when the air attacks against North Vietnam got official sanction.

Mr. President, I do not necessarily accept Mr. Rowan's assertions about the duplicity of the last administration. I think Mr. Rowan and others like him sometimes are unable to distinguish between dishonesty and honest confusion. The last administration may have been dishonest; it certainly was in the grip of a number of monumental confusions, especially concerning economic realities.

Mr. President, so that all Senators can consider Mr. Rowan's column, I ask unanimous consent that it be printed in the RECORD.

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

HOW VIETNAM MESSED UP THE ECONOMY: L. B. J.'S ECONOMIC AIDES WERE MISLED

(By Hobart Rowen)

Among the many persons misled by President Johnson, one can deduce from the Pentagon papers, were his chief economic advisers: by hiding the 1964 decision to open an air war against North Vietnam, and the April 1, 1965 commitment of American GIs for offensive action in South Vietnam, reasonable tax and budgetary moves were delayed for years.

As a result, Lyndon Johnson messed up the American economy, as he pursued his disastrous course in Vietnam. It's still in bad shape.

The papers published last week by The New York Times show that the Johnson Administration reached a "consensus" in early September 1964 to attack North Vietnam. There are no dollar-estimates to go along with the military decisions.

A check with the key Budget officials of that era indicates that they learned of the secret air war against Vietnam and the April, 1965, commitment of troops for the first time when they read it a week ago Sunday in The New York Times.

President Johnson allowed a picture to be built up of a troubled Chief Executive, bewildered by the burden that had been laid upon him. In the late spring of 1964, prior to the Gulf of Tonkin attacks on the Maddox and Turner Joy, this correspondent (then with Newsweek) was one of a couple dozen taking the regular press "walking tour" with LBJ around the backyard of the White House.

Talking about Vietnam, he suddenly stopped the walk and said with all apparent sincerity: "I don't know what the f . . . to do about Vietnam. I wish someone would tell me." His "candor" with top economic officials was on about the same level as that with the press. The documents show that on Feb. 1, 1964, covert military operations under the code name Operation 34A had already begun.

A few months later, the election campaign against Sen. Barry Goldwater was in full swing and Johnson's recurrent theme was: "You don't want to put *that* fellow's finger on the trigger, do you?" There were private sessions as well (I recall especially one in Orlando, Fla.) that made LBJ's commitment not to "get tied down in a land war in Asia" sound pretty convincing.

But now we know that all the while, it was a deceitful if politically productive performance; Johnson was re-elected, profiting from the caution coincident with the war decision of April 1, 1965, to guard against "premature publicity" or "any appearance of sudden changes in policy."

Among the Johnson "confidantes" who were sold down the river by this duplicity were the Chairman of the Council of Economic Advisers, Gardner Ackley, Treasury Secretary Henry H. Fowler and Budget Director Charles L. Schultze.

By the early fall of 1965, well-posted congressional sources such as Sen. John C. Stennis (D-Miss.) were saying that the following year's budget would run $10 to $12 billion over earlier estimates for fiscal 1967.

Yet, on Sept. 9, 1965, still working in the dark, Ackley made a speech in Philadelphia saying that figures "sometimes quoted in the press . . . can at this point only be pure figments of someone's imagination. The estimates we at the Council have put into our tentative projections do not even approach that order of magnitude."

On Oct. 5, 1965, Fowler went to a Chicago meeting of the American Bankers Association where he said: "If I thought defense was going to add $10 to $15 billion dollars to our fiscal 1967 budget, I'd be back in my office right now considering proposals for tax increases to pay for it." As the fiscal year moved along, the Stennis numbers proved all too accurate.

It was clear even then that Fowler and Ackley knew less about the war buildup than many of their contemporaries on the Hill and in the Pentagon. The announced military buildup as of July, 1965, was approximately 200,000 men. But, in a Nov. 28, 1965, column I wrote for The Post headed "Concealing the Costs of Vietnam" I quoted various sources as suggesting that the escalation was going faster. In that piece, I cited a report by Lloyd Norman, military correspondent for Newsweek revealing that the Pentagon was "pushing for—and predicting—a force of 400,000 to 500,000 men (in Vietnam) later in 1966."

There were plenty of people skeptical of the official Johnsonian estimates of war involvement in late 1965, but the proof of their intuition or sound judgment wasn't vindicated until publication of the Pentagon papers.

In June, 1965 (remember, the ground troop commitment was made secretly in April), the Johnson administration had the audacity to ask Congress for a mere $700 million supplemental appropriation for Vietnam. And in January, 1966, it was still officially estimating the fiscal 1967 cost of the war at $10 to $12 billion, instead of the real figures—twice that big. Month by month, as 1966 slipped into history, the Budget Bureau concealed from the American public what it knew was going on.

It seems hard to grasp in retrospect, but a Washington Post story of Feb. 4, 1966, reported that the day before, Fowler went before the Joint Economic Committee of Congress and warned that a tax increase or "harsher" measures than proposed by the administration "could throw the economy into a tailspin." Fowler's advice: "Go slow."

In retrospect again, the Federal Reserve Board and its former chairman, William McC. Martin, look very good in their historic controversy with LBJ over the discount rate in December, 1965.

The Fed, over Johnson's, Fowler's and Ackley's objections, raised the discount rate in December, 1965, after holding Martin off since October. LBJ called Martin to his Texas ranch and made a big issue of the Fed bucking the administration. But it was clear to Martin that a tremendous surge of war-based activity was giving the economy an inflationary thrust, without any compensating tax action. Martin got a sense from his friends in business that orders from the Pentagon were zooming, but he got neither guidance nor information from the White House.

It has long since been an accepted fact—among Democratic as well as Republican historians—that the current inflation can be traced back to the failure of the Johnson administration to plan to pay for the war that it escalated in midsummer of 1965.

What becomes apparent now is that the inflation had its real inception even earlier, at a White House strategy meeting on Sept. 7, 1964, when the air attacks against North Vietnam got official sanction.

It's a sad chapter in American history; it will make an equally sad footnote in the textbooks on economics. Economic advisers will always wonder whether they get the whole truth, half truths, or deceptive verbiage from the White House and the Pentagon.

CRIME ON CAPITOL HILL

Mr. CANNON. Mr. President, I desire to express my continuing concern over incidents of crime in the District of Columbia and, in particular, near the Capitol Buildings and Grounds.

A few days ago one of my summer interns was assaulted and robbed in the Capitol Hill area. This was not an unusual or isolated occurrence. Such crimes are committed every day.

On March 4 of this year, at a public hearing to consider the appointment of female pages in the Senate, I asked Chief Powell to furnish information about robberies, assaults, and other crimes which had occurred in the vicinity of the Capitol Buildings and Grounds during the previous 6 months. The reason for the request was to determine, as fairly as possible, what precautions should be taken in order to protect teenage pages from criminal attack while attending to their duties and traveling to and from their residences to the page school or the Senate Chamber.

Rapes, assaults, purse snatchings, and other incidents of crime from November 1, 1970, until March of 1971, numbered some 36 reported cases. In the words of Chief Powell:

The area adjacent to our grounds, in which many of the page boys reside, is in a rather high crime area.

Senate Report No. 92–101 offered several recommendations to insure some degree of security to pages, but we forget that there are many other young employees of the Senate who are not covered specifically by those precautionary measures. The summer intern program brings to Washington each year large numbers of young college students, men, and women, who work in the Capitol, but who must find housing accommodations in this same high crime area. These young people, whose ages range from 17 to 21, deserve the same considerations and protections as pages, or any other employee of the Senate.

Mr. President, I urge all Senators to alert their young interns and other staff members to the dangers of walking alone in the District of Columbia, and to stress the importance of exercising special caution after dark. I would also warn them against carrying valuables, cash, or credit cards. I believe we owe all of our employees advance notice of existing condi-

tions so that they will act with prudence and due care.

APPOINTMENT OF DAVID DOMINICK AS ASSISTANT ADMINISTRATOR FOR CATEGORICAL AND NATIONAL PROGRAMS, ENVIRONMENTAL PROTECTION AGENCY

Mr. MATHIAS. Mr. President, I join Senators in complimenting the Environmental Protection Agency and the administration for their fine selection of David Dominick as Assistant Administrator for Categorical and National Programs. It is true that many of us in all occupations have belatedly recognized the danger which currently threatens our air, our water, our food—our very living substance. But we do still have time. It is not too late to combat this ecological virus if we firmly dedicate ourselves to its amelioration and if we enlist to the battle men of the caliber and commitment of David Dominick.

As former Commissioner of the Federal Water Pollution Control Administration and as a man of proved ability in the Federal legislative process, David Dominick will contribute immeasurably to the work now being done by the Environmental Protection Agency. I look forward with eagerness to working with him in the future and, in congratulating him at this moment, I am fully confident that he will be in line for further accolades in the near future. Through the accomplishments of Mr. Dominick and the Environmental Protection Agency, every citizen in the Nation will be the true beneficiary.

Mr. HANSEN. Mr. President, David D. Dominick, of Coty, Wyo., was sworn in today as Assistant Administrator for Categorical Programs of the Environmental Protection Agency.

Because of the press of votes on the Senate floor, I was unable to attend the ceremony at the new Executive Office Building, but I take this opportunity to say how pleased I am that he is assuming such an important position with what is becoming one of the key agencies of the Federal Government.

Along with a very deep sensitivity for the environment, David Dominick brings a keen appreciation of the role and the importance that all of our resources must play in the strength and security of our country.

I feel confident that he will administer the laws and regulations of the Environmental Protection Agency impartially, and I am pleased to have this means to salute him as he assumes this important position.

WILBUR COHEN ON EXECUTIVE REORGANIZATION

Mr. PERCY. Mr. President, on June 14, Wilbur Cohen, former Secretary of Health, Education, and Welfare and now dean of the School of Education at the University of Michigan, testified before the House Government Operations Committee on the President's executive reorganization proposals. Mr. Cohen's testimony is of special interest, because of his personal experience and his insights into the operation of what is considered the most complex—and perhaps the most important—of the Federal executive departments. As Mr. Cohen noted, he has participated in the programs of the Department and its predecessor agencies for over 34 years.

Mr. Cohen's views on the creation of a large new Department of Human Resources (S. 1432) are thus important. His opinion is that the proposal for such a new department—which he would prefer to call the Department of Human Development—is valid. He argues that HEW is not unmanageable, and that the problem of size should not deter creation of a larger new Department of Human Resources. He said:

> It is not the size or number of products of an institution which makes it manageable or unmanageable. It is the lack of common purpose. It is the lack of competent staff. It is the lack of intelligent, able leadership. It is the lack of flexibility. It is the lack of a constant flow of new ideas and people willing to change, to experiment, to try new ways.

At the same time, former Secretary Cohen warns against breaking the department into competing, fragmented units representing a single constituency. "This internal competition is based on the notion that the more 'visible' a unit, the more money it will get from Congress, the more time and attention it will get from the Secretary." Mr. Cohen argues that no group of professionals or advocates of any single program should be able to freeze HEW's structure.

One of the most interesting elements of Mr. Cohen's statement is his strong advocacy of decentralizing departmental decisionmaking by strengthening the Department's regional offices. Mr. Cohen believes that—

> Regional offices should have more authority and more responsibility for decisionmaking, more power to earmark funds, and to make certain grants and contracts for vital projects. Our best men in Washington should take pride in accepting assignments in the field.

The Senate is fortunate in the fact that two of its Members that have leadership roles in connection with this legislation, have lifetime of expertise in the field of human resources, namely, Senator RIBICOFF and Senator JAVITS, and will thus be in a unique position to evaluate and interpret this and other testimony to be presented to the Senate Government Operations Committee.

I ask unanimous consent that Mr. Cohen's statement be printed in the RECORD.

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

EXECUTIVE BRANCH REORGANIZATION STATEMENT

(By Wilbur J. Cohen)

I spent 21 years in Washington as a civil servant in the Social Security Administration and the Department of Health, Education, and Welfare. After five years as a Professor of Public Welfare Administration at The University of Michigan, I returned to the Department of Health, Education, and Welfare as a Presidential appointee for eight years. I was appointed Assistant Secretary for Legislation in 1961, Under Secretary in 1965, and Secretary in 1968.

Contrary to the usual press reports, I was one Secretary who did not leave the Department frustrated or disillusioned. Nor do I believe the Department is a "can of worms" as it is frequently described by newspaper reporters who are always more eager to report on problems than on achievements.

I support the Reorganization proposals pending before you.

I do have some suggestions for change.

I prefer to have the Department called the Department of Human Development. I do not think human beings are a resource—they are not a means to an end; they are the beginning, the end, they are everything.

Secondly, I would prefer to have the three Administrators called Under Secretaries.

Third, I would like to see an Assistant Secretary for Consumer Interests.

The problems of H.E.W. in my opinion are not problems of scope or size.

Many of the problems involved in H.E.W. do not arise out of its size or scope but of other considerations such as:

1. Secretaries come and go with relatively short tenures; the men and women in Congress who control the legislative and appropriations committees have long tenures. Most Secretaries leave office before they find out who does what in the Department while influential members of Congress know more about the Department and how it really works than the Secretary.

2. Staff members of Congressional Committees know how to get the information they need before the Secretary and his staff know what the problem is.

3. Mr. Fogarty deliberately kept the top staff of the Secretary meager because he had little confidence in the ability and interest of the Secretaries in the problems he thought were important. This problem has tended to be remedied in recent years.

4. There is no latitude given to the Secretary to make any significant transfers of funds within the Department or between programs as needs fluctuate, nor is there any special fund to handle emergencies.

5. When there is a major change of parties, the incoming Administration is suspicious of the civil servants and it takes a good year or so before the new Secretary knows how to utilize the valuable and rich resources of the Department.

THE STEWARDSHIP

The Secretary of Health, Education, and Welfare holds a demanding, versatile, important, exciting and intensely human job. His is a splendidly rich and gratifying stewardship.

He is the only national official paid by all the people whose full-time job is to guard and strengthen the people's health, education, and social opportunities. His Department handles the major portion of Federal grants-in-aid funds for social programs. He administers the largest insurance program in the world. So the shape, direction and style of Department programs in many ways set the course for State, local and nongovernmental agencies.

The health, education, and welfare of the American people has become big—and urgent—business. As our Nation grows and expands, every sign points to its becoming a still bigger and more urgent business.

In 1970 about $200 billion, or 21.6 percent of our Nation's entire gross national product, went for health, education, and social services. These were not, of course, all Federal dollars, but a mix of State, local, Federal, and private funds. The Secretary of Health, Education, and Welfare is not charged with responsibility for all these funds and for the programs they make possible. Far from it—HEW expenditures represent somewhat less than a quarter of our total national social effort in these fields. A large and growing population, and ever more complex social forces will—and should—combine to make this figure go up in the coming decade.

The Secretary is necessarily concerned with large, sensitive issues of public policy. The Constitution gives major policy responsibility to the President and to the Congress. The

Congress is the Board of Directors of the Health, Education, and Welfare Corporation; the President is Chairman of the Board; the Secretary of Health, Education, and Welfare is the Executive Officer. Congress takes action by enacting laws. New needs constantly demand new laws; old laws constantly require repeal or change; programs demand efficient, imaginative, and dynamic administration. To achieve such administration, the Secretary of Health, Education, and Welfare must review and approve budgets, allocations, priorities. He must approve and issue innumerable reports and recommendations on topics ranging from prescription drugs to smoking, from the desegregation of schools to the payments made to people in need.

What's more, the Secretary must listen, must talk, and must consult about emerging national needs—with the President and with other Cabinet members, with the Director of the Budget, Civil Service Commission Chairman and members of Congress of both political parties. He must necessarily argue for increased appropriations because no budget is ever adequate to meet all the health, education, and welfare needs of a great and growing Nation. Many men and women, many young people concerned with social problems, bring him their views. For him, they are a valuable source of fresh approaches to existing problems, and a way of identifying emerging ones. His door and his mind must never be closed to new ideas, new priorities, new approaches.

As head of the Department which accounts for the largest part of the domestic budget, the HEW Secretary is one of the Nation's chief communicators. He must tell his fellow Americans about everyday health, education, and welfare problems—how to halt danger to their health—or how to improve their children's schooling—or how to restrain rising medical costs. They don't always listen, but they must have the chance to have the facts the Government obtains through their taxes. So the Secretary must be able to read and digest innumerable reports, memos, newspapers, and magazines; testify repeatedly before Congressional committees; answer all kinds of questions in letters, testimony and press conferences; propose new solutions to problems that have been with us since Biblical times; and in general report to the American people he serves on his stewardship.

No one can fill this stewardship according to a public administration text.

The Secretary must see and react to physicians, scientists, and other men and women rendering brilliant service to mankind. He also sees and reacts to the narrow jealousies of professional groups as they vent their parochial views on large and important issues. He watches the efforts of Congress as it works hard to meet national needs. He also watches Congressional conflicts or misunderstandings which may delay action on programs and money affecting the very lifeblood of his Department—and of all Americans.

He must be deeply concerned with the pages of statistics he receives regularly, reflecting gaps in the Nation's medical care, education, social security, and welfare. He must be just as deeply concerned with the handwritten letter on lined paper from the sick man, the student or teacher, the retired widow, and the mother with six children on welfare. They write him when they do not receive help elsewhere.

Urgent telephone calls and letters from Governors and Mayors, and business and labor leaders, give the Secretary their needs and views. At the same time he hears each day from a husband who wants to know how to pay for his wife's medical bill, from a mother whose child has been in a dispute with school authorities, and from parents and husbands or wives who, in a last effort to save their lives, want their loved ones to enter the Clinical Center at Bethesda. Sometimes these calls come to him in the middle of the night; his telephone never stops ringing.

The clock ticks fast in the United States—and at the Department of Health, Education, and Welfare. Every day almost 10,000 babies are born, over 10,000 young persons turn 21, and over 4,000 men and women cross the mysterious line labeled "aged 65." There are over 5,000 marriages and about 1,500 divorces. And each month the mail brings a social security check to over 24 million people and a welfare payment to 8,500,000 persons.

On an average day over 5,000 die, including over 200 infants. Almost 9 million persons are sick or disabled—2 million of them confined to hospitals or nursing homes. On an average weekday some 57 million boys and girls go to class in schools or colleges.

Every one of these people and every one of these events is of concern to the Secretary of Health, Education, and Welfare.

There have been nine Secretaries of Health, Education, and Welfare. I have served the shortest period—less than 1 year. But I have watched, and studied, and participated in the programs of this Department and its predecessor agencies for over 34 years. When I first reported for duty in 1934, I was paid $1,540 a year. I have worked under five Presidents—Roosevelt, Truman, Eisenhower, Kennedy, and Johnson—with different programs and different styles, or ways, of achieving these programs.

IS HEW MANAGEABLE?

In the early days of the Republic, the settlers hungered for the great freedoms—to speak, to think, to write as they pleased. This brought about a society unmatched in ability to learn, and to earn. Today, we strive to add to individual freedom by creating fuller opportunities in which it can be exercised.

The mission of this Department is the creation of these fuller opportunities for individual Americans. This mission calls for a unified approach to the problems of individuals, individual families, and individual neighborhoods. You cannot consider a child's health apart from his education, you cannot further a family's welfare apart from its health—or education. Fragmenting the department would only fragment its capability to deal with whole human problems.

Most of the vastly expanded health, educational and welfare services that are now provided by government—Federal, State, and local—are designed to supplement and to strengthen the family. Government now provides the education services that each family once provided for itself—and government provides infinitely richer and better education. Government provides a wide variety of health services—health education, health research, the elimination of pollution, the construction of hospitals, the administration of Medicare—and thus greatly adds to what each family can buy for itself. And government provides that security of income—either through social security or public assistance—that assures the welfare of the family. The family is the basis of American society and its well-being is the central objective of government social programs.

Still, from time to time, outstanding leaders in Congress or the different professions tell us that the Department of Health, Education, and Welfare is unmanageable and should be broken up.

Broken up how? A separate, cabinet Department of Education has its ardent advocates. So does a cabinet Department of Health, a Department of Human Conservation, and a Department of Consumer Protection.

I do not share the view that the Department should be broken up.

Those who would split HEW into separate parts feel their field of interest—education or health—is so vital to the national interest that it deserves more visibility and prestige. They want to have a voice in the highest councils of government. But if cabinet offices of narrower compass were created, each with its separate constituencies, the President would have to do work now performed by the HEW Secretary—balancing priorities, weighing alternatives, and making decisions about various programs for people. This would add burdens to an already overburdened Presidency.

If more cabinet offices were set up, the President would have more top officials reporting to him, and would have to add more staff in the White House to deal with them and coordinate their views and problems. Anonymous staff in the President's office or the Bureau of the Budget—no matter how able or how experienced—should not be, and cannot be, rsponsible to the Congress and the public for major policy decisions. So it might eventually become necessary to elect an Executive Vice President to work directly with Cabinet members and other high-ranking officials in the administration of domestic programs.

Those who argue for a Department umbrella covering more, not less, territory, stress that HEW's interests range far and wide. I think suggestions for a Department of Human Development—or something like it—are valid and should be carefully considered. The Department of Health, Education, and Welfare—often referred to as the Department of the People—should in any case operate in a larger orbit of total concern for human needs.

"We must beware of endless quests for different, cleaner separations and neater classifications for the formidable problem of human welfare. The trouble is that such problems do not yield to easy compartmentalization. They won't go away just because you put them in a separate box on a new organization chart. Like executive departments and agencies, Congressional committees find it harder and harder to maintain jurisdictional niceties when they are considering health and welfare legislation."

SCOPE, SIZE, DIVERSITY

To support the view that the Department of Health, Education, and Welfare is unmanageable, one would have to argue that the General Motors Corporation is unmanageable, or that the Governors of New York and California cannot possibly manage their States.

The operations of the Department of Health, Education, and Welfare compare favorably with those of any large enterprise, public or private. Social security is administered as efficiently as any private insurance company. The National Institutes of Health fund difficult research as efficiently as any business or university. And the Rehabilitation Services Administration has a return of $35 for every $1 it spends on a rehabilitated person.

It is not the size or number of products of an institution which makes it manageable or unmanageable. It is the lack of common purpose. It is the lack of competent staff. It is the lack of intelligent, able leadership. It is the lack of flexibility. It is the lack of a constant flow of new ideas and people willing to change, to experiment, to try new ways.

The Department of Health, Education, and Welfare has a unifying purpose, and has a cohesive concept pulling its several parts toward a common end—improving the quality of life for all Americans, increasing their options and so their freedom.

The Department has able and dedicated staff: including a Nobel Prize-winning geneticist; a half-dozen Rockefeller Public Service Award winners; and innumerable winners of other national awards. There is no doubt that as their programs grow, HEW's personnel can handle increased responsibilities. I do not believe there is any substantial merit in the argument that the scope, size, or diversity of the Department make it un-

manageable. But the Secretary and his staff need additional help to lead and manage HEW effectively.

THE NEED FOR FLEXIBILITY

The Secretary must be able to organize and run his own shop.

Every Secretary faces pressure from organized groups outside the Federal establishment. If there is a special unit in the Department which deals with its concerns, that pressure group usually wants to raise the unit up the status ladder, to report directly to the Secretary or an Assistant Secretary. Children's groups want the Children's Bureau reporting to the Secretary, and senior citizens want the same for the Administration on Aging. Mental health advocates have urged that the Secretary move the National Institute of Mental Health out of the Health Services and Mental Health Administration, to report directly to the Assistant Secretary for Health and Scientific Affairs. This internal competition is based on the notion that the more "visible" a unit, the more money it will get from Congress, and the more time and attention it will get from the Secretary.

All these proposals have merit within their individual narrow domains. But no group of professionals, or advocates of any one program—no matter how worthy—should be able to freeze HEW's structure. If he is to do his job, the Secretary must be able to organize the whole Department so it can work in coordinated, effective and balanced ways, in the entire public interest. After all, the Secretary's decisions are subject to review and revision by the President, the courts, and various committees of both Houses of Congress—legislative, investigative, and appropriations. They are also subject to scrutiny by the press.

Public policy should not be determined by a bureaucratic pecking order. Priorities should be set by the Secretary, the President, and the Congress in terms of national needs. Substituting administrative rigidity for flexibility hampers the Department's ability to deal with changing situations as they arise.

Just as the Secretary should not have his organizational hands tied by outside pressure groups, so he must not be tied lock, stock, and barrel by the legislative banch. Over 200 specific limitations and directions on spending in the HEW appropriation act this year limit his discretion. Many more such directions in committee reports and legislative history of debates limit it further. Some directions specifically concern minor details, others broadly delegate policy decisions.

Congress must always have the last say. Realistically, the Executive Branch of Government must share with the Legislative Branch the broad responsibility for directing programs. But the very least that Congress could do to make this sharing process work is to give the Secretary needed flexibility to meet changed circumstances, emergencies, or new priorities.

What's more, the Secretary himself must not have his hands tied by his own bureaucracy. He must be able to continue strengthening the Department's regional offices—out where the people are. The nine regional HEW directors serve as his personal representatives in the communities where Americans live, and where their problems proliferate. Regional offices should have more authority and more responsibility for decision making, more power to earmark funds, and to make certain grants and contracts for vital projects. Our best men in Washington should take pride in accepting assignments in the field. A field command is regarded as an asset to the career of any army officer, and a post abroad is an asset to any diplomat. So work in the field should be the mark of a well-rounded HEW employee.

RENEWED U.S. AID TO PAKISTAN

Mr. HART. Mr. President, I am appalled to read in today's press that the administration has given approval to renewed shipment of U.S. military equipment to Pakistan.

In the face of eyewitness accounts that wholesale slaughter is being inflicted on the people of East Pakistan, it is inconceivable to me that our Government would place additional military material in the hands of the Government of Pakistan.

Mr. President, this is not a time or a place for "business as usual." It is dismaying to me that our Government has not yet perceived that the overwhelming majority of the American people are sickened by U.S. involvement in mass killing. Surely this is a situation where restraint on our part would be not only the humane thing to do, but might also serve as a turnabout step away from world chaos and toward world peace.

Equally alarming is the State Department's apparent lack of candor in its repeated insistence that "no military items have been provided to the Government of Pakistan or its agents since the outbreak of fighting in East Pakistan March 25 and nothing is now scheduled for such delivery."

Certainly in the past week, the grave dangers of such lack of candor and misleading statements of official policy have been highlighted all too vividly. It appears that the Departments of State and Defense, knowing full well the thrust of public and congressional inquiries about continued military assistance to Pakistan, either attempted simply to ignore the stated official position of our Government or employed very questionable criteria in permitting the shipment.

Either explanation raises grave questions about the executive department's reliability in its dealing with the Congress and the public—at a time when it is asking for the utmost trust and reliance upon its disclosure policy.

I commend the Senator from Idaho for his discussion of this matter on the Senate floor yesterday and join him in asking that the executive branch provide a full explanation of this disturbing incident.

Specifically, I request an explanation of what criteria were used in reaching the conclusion that the State Department could represent that no arms had been "provided" since March 25, and that no shipments were "scheduled."

COMMISSIONER ARMSTRONG'S CALL FOR ACTION

Mr. ALLOTT. Mr. President, recently the American Water Works Association held its annual conference in Denver. As always, the conference discussed many of the issues which are critically important to the water-short areas of America.

I was particularly impressed with the statement given by the Commissioner of the Bureau of Reclamation, Ellis L. Armstrong. In his address, entitled "Action Now in Water Quantity," Commissioner Armstrong points up the importance of going forward with reclamation projects to conserve our very valuable and high scarce natural resource of water.

Mr. President, I believe that Commissioner Armstrong's statement is important because of two reasons. First, it highlights the current activities of the Bureau of Reclamation. Secondly, it shows the importance of exploring many different avenues in order to provide the necessary water for the future.

So that all Senators can consider this thoughtful address, I ask unanimous consent that it be printed in the RECORD.

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

ACTION NOW IN WATER QUANTITY

To open this discussion with you watermasters of the Nation, I want to recall a favorite saying of Albert Einstein, the world-famed scientist that "I never think of the future. It comes soon enough."

Well, there is no other group in the country which knows better than you that the future comes too soon. Tomorrow and its pressures of added and shifting populations and water needs approach at lightning speed and we—unlike Einstein—must think of the future.

If we don't, and if those thoughts don't result in action, there will be a lot of taps running dry, a lot of industries closing their doors and a lot of needed crops that will shrivel away to nothing.

My topic is a look at the future as far as water quantity is concerned. But I am afraid I must infringe on my companion speaker somewhat because any discussion of water quantity inevitably involves water quality.

There is as much water today as there ever was in this closed-system earth on which we live. The trick is to get the right quantity to the right place at the right time and with the required quality.

One of the surest ways of meeting the water crisis in areas of shortage is to use the existing supply more efficiently and that certainly includes recycling of waste and reclamation of polluted water to make it usable.

So Mr. Ruckelhaus' discussion will contribute to an awareness of water quantity as well as quality, just as mine will discuss some aspects of quality as I attempt to examine the crystal ball for a forecast of quantity.

There is no argument on the need for additional supplies of potable water. Each of us needs to drink about two quarts of water daily. That is one of the areas you are primarily concerned with—drinking water. But it is peanuts compared to the 2,500 gallons of water required every day to sustain a man's food chain from soil to the table plus another 500 gallons to grow cotton and wool for his clothing. The per capita consumption thus grows to 3,000 gallons per day.

But beyond this there are the industrial and other needs, many of which contribute to pollution by the return flow to the rivers, but which do not represent any great part of the withdrawn supply. These are the waters I refer to as a potential new supply when pollution is controlled.

The rate per capita of water use has been rising steadily over the centuries. It appears that the higher the state of civilization, the higher the per capita need for water to sustain the fine art of living. With a United States population projected to increase from our present total of 200 plus million to 270 million by the year 2000, even with the slowest possible rate of growth, the geometric total of population times per capita needs shoots skyward at an almost frightening rate.

Nevertheless, I have confidence that if, un-

like Einstein, we will look at the future and think positively about present and potential ways and means of solving the problems of water supply, we can avoid the total crisis which is now indicated by some regional situations. I prefer the thinking of the late automotive engineer and industrialist, Charles F. Kettering, who said he looked to the future because he planned to spend the rest of his life there.

In considering potential water supplies for the future, I think of a college dairy course which starts out with the definition of a cow as "a completely automated milk-manufacturing machine." Well, Mother Nature is also a completely automated water manufacturing machine. In the continuous hydrologic cycle there are approximately 325 million cubic miles of water constantly moving from the earth and the oceans to the atmosphere and down to earth again in Nature's distillation and purification process.

But just as the cow needs the hand of man in one way or another, both in the extractive and distributive process, Mother Nature needs man's hand to make the water supply available to the areas where and when man requires it.

This help can be pretty well divided into three or four categories—supplementing Nature by conservation and more efficient management and use of natural rain and snowfall, augmentation of precipitation by cloud seeding, and desalting of the limitless brackish waters.

We are already well along on the first of these categories. Man has used, abused and overused the water in natural lakes, water courses and underground since the beginnings of time.

Here on the North American continent, misuse was not critical in the early days, but we are paying the penalty today for the pattern of sewage and industrial waste disposal which was set at that time and intensified by the industrial and chemical revolutions. The problem of erosion and siltation which increased as man broke the sod and used the watershed cover has compounded the problem of clean usable water.

Nevertheless, a deteriorating situation has been reversed in the last several decades. First, the Government moved in to help with the conservation and storage of water in the Western States by creating an agency to catch the high spring runoff from the mountains for use later in the year when natural rainfall was a scarce commodity.

Then came flood control reservoirs and before long, both conservation and flood control had been merged with other river management purposes to provide multiple benefits, including water for municipal and industrial uses.

Better watershed management practices are scaling down erosion and siltation. And incidentally, I want to correct an apparent misimpression that Lake Mead, behind Hoover Dam on the Colorado River, is silting up to the point where it may become useless as a water storage facility.

This problem was considered from the beginning of studies. The project was designed for a useful life of several hundred years, and a detailed review of the actual siltation rates, made before Glen Canyon Dam was constructed, indicated our early studies were on target. With the construction of Glen Canyon Dam upstream to create additional storage capacity nearly equal that of Lake Mead, the useful life of Lake Mead is calculated to be well over 500 years. This is without even considering upstream erosion control measures, which, no doubt, will double the useful life of the reservoir.

Finally, the landmark legislation which created first the Water Quality Control Administration and now the Environmental Protection Agency, set the stage for reduction of pollution and recycling of waste water which Mr. Ruckelshaus will discuss. I add only the reminder that every gallon of water which is reclaimed or restored by pollution control is as surely a gallon added to our available usable supply as any supply created by other new or more exotic technology.

Another way in which existing supplies may be stretched out is by the use of secondary distribution systems. It seems a waste to purify all water to the high standards required for human consumption, then to see the bulk of it dumped for watering lawns, for car wash systems, for laundries and high water use industrial plants which do not require these high quality standards. I wouldn't be a bit surprised, as the water pinch tightens, to see greater use made of secondary systems for the distribution of nonpotable supplies.

Other new sources of water include weather modification, desalination, and transbasin diversion. The latter, of course, is not new, but the scale in terms of quantity and length of diversion to which we may have to ge certainly is.

For example, we in the Bureau of Reclamation, along with the Corps of Engineers and organizations in the area are studying possible diversion of surplus water from the Mississippi River into Oklahoma, the high plains area of Texas and eastern New Mexico. Then there is the potential diversion of water from coastal streams of northern California southward.

There is the much talked about diversion of water from the Pacific Northwest, topped by the even greater plans, such as NAWAPA, which would divert Arctic water down the Rocky Mountain trench all the way to the Southwest.

None of these diversion studies are definitive as yet with the exception of transport of northern California water to southern California as provided in the California State Water Project. We already are accomplishing this to a degree by diversion of the Trinity River into the Central Valley Project system.

Nothing further is clearly defined or authorized as yet. Indeed, we have a study underway to determine the feasibility of an undersea aqueduct along the continental shelf as a possible alternative to high cost overland conveyance in California.

The most pressing problem in transbasin or trans-state diversions is to determine where the surpluses are. No one would seriously consider the diversion of any water from the Mississippi River system that can be used within the system.

We in the Department of the Interior have repeatedly said that there would be no advocacy of diversion of water out of the Columbia River system until the needs of that basin are fully determined and protected. The Congress has backed us up by authorization of a Western United States Water Plan study which will first of all totally evaluate the future water needs of the 11 Western States and establish a general plan to meet those needs for the next half century.

You will hear more of this plan in detail from our Assistant Commissioner Warren Fairchild at the Water Resources Section meeting at our Engineering and Research Center, Thursday morning. I urge you to attend this session and to tour our Engineering Center. It should be most worthwhile.

I will not dwell on the westwide Study further except to say it may well set a pattern for comprehensive planning which can be followed elsewhere. Water shortages are a wayof life in the West, but they are becoming more and more critical in other areas of the Nation, as well. There are many lessons in water conservation and use to be learned from the experiences in the Western States over the last century.

Many of you heard our Dr. Kahan yesterday discuss weather modification efforts to induce added precipitation to supplement natural rain and snowfall. The results of our research and operations in this area will have a bearing on our Westwide Study as it gives promise of making a major contribution to the available water supply.

I caution, however, that no one should expect man to conjure a rainstorm out of a clear sky. Cloud seeding can be successful only when there is moisture in the sky and atmospheric conditions are about right for a natural storm. Rainmakers then can give Nature an assist and trigger or increase rainfall. There must still be ground facilities for the control and storage of excess runoff, primarily by dams, reservoirs, and distribution facilities.

Finally, there is the unlimited potential of high quality desalinated water. The Department of the Interior has been deeply involved in this research effort through the Office of Saline Water. Our Bureau of Reclamation has been cooperating in areas where we have expertise and a particular interest in operational possibilities.

Reclamation has been the Federal agency having prime responsibility for the development and marketing of a water supply for irrigation and municipal and domestic use. The operational details in providing desalted water in marketable quantities, will fit naturally under this umbrella.

As the water crunch develops, it appears that the research efforts of the past two decades will soon be paying off by the development of a usable water supply in areas along the ocean and by purification of brackish water inland. Another logical possibility is the desalting of geothermal brine utilizing energy from molten masses within the earth's crust which are relatively close to the surface in some areas.

The Bureau of Reclamation and the Office of Saline Water are working as a team under the direction of the Assistant Secretary of the Interior for Water and Power Resources to generate the added push to move the geothermal saline water potential from research to operational stage.

It seems clear to me that in future decades, large-scale desalting plants located near the ocean can be beneficial as a source of water inland as well. This can be done either by pumping the purified sea water inland or, more likely, by exchanges, whereby desalted water would be used in the coastal areas and the naturally occurring water used inland.

I want to make reference also to the President's reorganization proposals, particularly as they relate to a Department of Natural Resources. To my way of thinking, the public benefits in such a reorganization are overwhelming, both in cost savings and in effectiveness and efficiency of operations.

At the same time, the merging of all policy and planning operations in a single department would provide unified ground rules and added political clout by permitting the administration to establish priorities and to speak with a single voice in their support.

An augmented water supply must clearly have a high priority in this scheme of things. At the same time, it must be developed in a manner which will protect the natural environment. This will require the most careful coordination and planning and that in turn can be best provided under a single administrative umbrella such as the President proposes in a Department of Natural Resources. We have organization charts of the proposed new department available and will be glad to discuss it personally with any of you.

Finally, and I am sure Mr. Ruckelshaus will speak of this in greater detail, there is the problem—and the challenge—of fitting our needs for an increased water supply into the equally obvious need for protection of the environment. I am totally for this concept as I am sure you here today are.

But I am concerned by some of the thoughtless and illogical accusations which have

been made and the court suits which have been threatened and in some instances actually filed in the guise of protecting the environment.

Can you imagine, for example, bringing to a halt the Central Valley Project in California, by stopping a pumping operation which has been in progress for better than 20 years and on which the entire San Joaquin Valley depends for water? Or for halting the State Water plan on which the whole southern California megalopolis is dependent for a future water supply.

Is there any room for argument that man's environment, or for that matter, the total environment, has not been improved by these operations?

Then there is the blind opposition which has been expressed to the Peripheral Canal which is designed not to destroy but to protect the Delta area where the San Joaquin and Sacramento Rivers come together to flow out to San Francisco Bay. These actions cannot be the result of logical and thoughtful analysis of the realities we face in water supply.

We are running into the same kind of illogical comment and blind and negative opposition on some environmental statements which are now a part and parcel of our operations. Some of these comments, I regret to say, come from some Government agencies. The authors quite obviously had not done their homework before getting on the record.

Our environmental statements are not prepared idly. They and the measures they describe to protect the environment are the result of careful planning and thoughtful consultation by our own professional staff of ecologists and planners with their counterparts in other Federal agencies, as well as State and local groups.

I somehow get the feeling that the Environmental Protection Act is being utilized in some quarters to build up a curtain of blind and unthinking opposition which could swamp the agencies charged with responsibility for specific functions in natural resources management and bring orderly programs to a halt. Certainly, this negativism bears little relationship to this key phrase in the National Environmental Protection Act in which Congress declares that:

"It is the continuing policy of the . . . Government . . . and other concerned public and private organizations, to use all practicable means and measures . . . *to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic and other requirements of present and future generations of Americans.*"

I underline and emphasize the words *"to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic and other requirements of present and future generations of Americans."*

Charles A. Lindbergh, who in his autumn years has taken up the cudgel for conservation and is a member of President Nixon's Citizen's Advisory Committee on Environmental Quality said it best when he asserted, speaking of conservation and our natural resources: "The pre-eminent task is one of balance. We must always balance."

That is our objective in the Bureau of Reclamation, as it is with you and others who are concerned with the future. We must balance man's needs with protection of the natural environment.

But it is not an objective which can be achieved by the negativism evident in too many areas. To achieve the balance that will make a future possible for man will require better understanding of the needs of man and the ways to meet them. It will require more and better considerations of the relationships of man and nature. The long-time effects, as well as the immediate results, must be carefully weighed. And in the process, as we extend our understanding, we must keep civilization going.

We have time to do it. With a positive, enlightened approach it can be done. Efforts of knowledgeable groups like this organization, who are concerned with meeting the needs of man, are needed and can be effective. There is much to be done.

H.R. 1—THE SOCIAL SECURITY AMENDMENTS OF 1971

Mr. PERCY. Mr. President, 20 million older Americans now receive social security benefits. Many of these citizens depend completely, or largely, upon social security for their total income. Thus, the action taken late yesterday by the House of Representatives on H.R. 1, the Social Security Amendments of 1971, is of great importance to these people.

I welcome the action taken by the House in raising social security benefits by 5 percent, effective in June of 1972. Added to the 10 percent benefit increase enacted earlier this year by Congress, this increment represents a welcome improvement in the income of older Americans.

The House action is significant for other reasons, however, as it contains a number of improvements in the basic social security system. I am pleased to report that five of these improvements are recommendations that I made over a year ago.

The first of my proposals incorporated into the House bill provides that social security benefits will increase automatically as the cost of living rises. Everyone knows that retired people living on fixed incomes are the hardest hit by inflation. This change in the social security law will now protect recipients against inflation.

The second of my proposals extends full benefits to widows. Under the present law, a man can draw 150 percent of his monthly benefit if he is married. If he is a widower, he receives his full benefits. Yet if he leaves a widow, she receives only 82½ percent of his total allotment. It is a cruel blow to a woman who loses not only her husband on whom she depends for companionship and comfort, but also loses almost half of her income at the same time. Although her benefits are reduced substantially, her rent and other nonflexible budget items remain the same—or even rise. H.R. 1 will end this situation by allowing the widow to receive 100 percent of her deceased husband's primary insurance amount.

The third proposal will extend social security benefits to children dependent upon, but unadopted by, their grandparents. Because of a technicality in the present law, children who are dependent upon their grandparents, but have not been adopted by them, cannot receive benefits. This occurs even though the real-life situation of these children is no different from that of the adopted grandchildren living with their grandparents. I offered this proposal as a floor amendment last December and the Senate accepted it. Unfortunately, it was lost when time ran out before the House and Senate could resolve differences between their respective social security bills. I am very pleased that the House decided to reincorporate this measure into H.R. 1.

The fourth amendment of mine which was accepted by the Senate last December, but which was lost because of insufficient time to resolve House and Senate versions on social security, removes the "relative responsibility" clause which now discriminates against adult blind and disabled persons applying for public assistance. The present law forces these individuals to undergo a humiliating, degrading experience when they apply for medical or financial assistance: They must prove to the State that their parents are either unwilling or unable to support them before they can receive aid. In essence, they are asked to bankrupt their parents. The effect of this law has been to discourage blind and disabled persons who desperately need benefits from applying for them simply because they do not wish to humiliate either themselves or their parents. The substance of my amendment to eliminate this inequity has now been added by the House to H.R. 1.

Finally, although the House did not go as far as I have recommended toward liberalizing the so-called "retirement test, it did raise from $1,680 to $3,000 the amount of money a social security recipient can earn in a year without suffering a loss in benefits. I have proposed that the "earnings limitation" be raised from $1,680 to $2,400 immediately, with a complete phaseout of this limitation over a period of 7 years.

My amendment calling for the higher limitation of $2,400 was accepted by the Senate last December, but again, it failed to become law when the entire social security bill died. When H.R. 1 comes to the Senate floor later this year, I intend to reintroduce my amendment calling for the higher ceiling.

Since the social security program was originally devised to provide only a "floor of protection" against the loss of earnings caused by a worker's retirement, death, or disability, the "retirement test" was established to assure that a worker had, in fact, retired. Social security was never intended to provide much more than a modest standard of living; an individual was expected to supplement social security with individual savings or a private pension plan. But a retired person is allowed to retain full social security benefits no matter how much he gets in dividends and interest from investments or savings, while he cannot keep all of his earnings once he makes more than $1,680. This discriminates against the low- and middle-income workers whose earnings were never quite high enough to allow them to invest in stocks and bonds, or to save large amounts of money.

The concept behind the "floor of protection" is all well and good, except that in today's real world it is causing severe hardships for many older people. Even if a person does as he should and invests in a private pension plan or in savings, this does not assure him of an income. as one labor expert explains:

In all too many cases the pension promised shrinks to this: If you remain in good health and stay with the same company until you are 65 years old, and if the company is still in business, and if your department has not been abolished, and if you haven't been laid off for too long a period,

and if there's enough money in the fund, and that money has been prudently managed, you will get a pension.

One private study of pension plans projected that less than 10 percent of 60,000 low-paid workers would ever receive pension benefits.

What does a person do if all his savings have been eaten away by inflation and his pension plan has collapsed or otherwise failed to provide his needs? All he can do is try to supplement his income by working. Yet under present law, he is penalized for doing so.

Given the barriers of age discrimination which operate in the field of employment, I think that if an older person can actually succeed in getting a job, he should not have his total income reduced. This is wrong. We should be encouraging older Americans to work, and be opening up jobs for them, not penalizing them for working.

When H.R. 1 reaches the Senate, I intend not only to work for enactment of my bill to liberalize further the earnings limitation, but also to work for the passage of three additional bills—all designed to improve health care for older people. The first two of these bills are aimed at improving nursing home care: One calls for the development of more uniform standards for determining eligibility for Federal assistance provided to facilities for long-term care. It would eliminate the widespread confusion which now exists with respect to levels of care and service provided by nursing homes.

The second proposal directs the Secretary of Health, Education, and Welfare to study the feasibility of requiring a single State agency to have the responsibility for administering the medicaid program and for licensing and inspecting long-term care facilities. At present there is a complicated and confusing diffusion of responsibility among various agencies.

The third new proposal would simply offer prescription drugs to medicare patients at no cost. Drug expenses represent a sizable budget item for the chronically ill and disabled elderly. My bill is intended to offer these individuals some relief.

I would like to commend the House Ways and Means Committee and the House of Representatives for their hard work on this comprehensive and very complicated piece of legislation. I would especially like to commend the House for including an entirely new provision which will reward older people who work after age 65 but who do not accept benefits. Once these people do retire, their benefits will now increase by 1 percent for each year in which they work after age 65 but do not collect benefits.

Another important provision lowers from 65 to 62 the age computation point for men. Under the present law, only women are allowed to exclude the years between 62 and 65 for social security computation purposes.

This means they can exclude years which would otherwise result in their receiving lower benefits. H.R. 1 eliminates the differences which now discriminate against men in this respect.

H.R. 1, the comprehensive Social Security Amendments of 1971, relates primarily to the problem of income maintenance among the elderly. We still need to focus our attention on many other serious problems which currently make life so difficult for older Americans, but the action taken yesterday by the House of Representatives is important and commendable. It moves us a little closer to our goal of allowing older Americans to live their lives with a sense of dignity and independence.

Mr. President, the Governor of Illinois, Hon. Richard B. Ogilvie, has written me an urgent letter stressing the need for the passage of H.R. 1.

He points out the rapidly growing cost of welfare in Illinois and the need for Federal legislation to help Illinois with its welfare problems which are similar to problems faced by other States.

Mr. President, I ask unanimous consent that Governor Ogilvie's letter be printed in the RECORD at this point.

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

STATE OF ILLINOIS,
OFFICE OF THE GOVERNOR,
Springfield, Ill., June 18, 1971.

Hon. CHARLES H. PERCY,
U.S. Senator, New Senate Office Building, Washington, D.C.

DEAR CHUCK: Our state is going broke because of welfare costs. Three years ago the welfare budget was $430 million. This year it is $920 million and for the next fiscal year beginning July 1, it will be at least $1 billion, 120 million. The rate of growth for welfare costs is more than 30% per year; state revenues grow at less than 7% even with the new income tax.

I believe that the run-away cost for welfare—largely mandated by federal laws and regulations—pose a fundamental threat to the continuing vitality of our federal system of government. The situation is reminiscent of that which reached the United States Supreme Court some 150 years ago in the landmark case of Marbury vs. Madison. There, the court determined that the power to tax is the power to destroy, and so foreclosed the states from taxing a federal bank. Today, we see the reverse of that situation. The federal government has created a program, and has required the states to fund it. In so doing, it threatens to destroy them.

Soon H.R. 1, the welfare reform bill, will be coming to the floor for House consideration. It is not a perfect bill. Were it in our power to write an ideal bill for Illinois, you and I could both improve it immeasurably. This however is not the case; therefore we must be realistic. Last year federal welfare reform died because of a coalition of opponents with contradictory objections to the legislation. Given the welfare crisis in Illinois we must not let that happen again.

Seven per cent of our people receive some form of welfare assistance from the state. Well over two-thirds from the Aid to Families with Dependent Children program. Title IV of HR 1 is addressed to a reform of that program commencing in fiscal year 1973. It should be sooner, but most of all, it must be a part of the total reform package. I urge you to vote for HR 1 and keep Title IV in tact.

As indicated in my welfare message to the General Assembly last month, we are taking significant steps at the state level to meet the crisis as best we can. However, welfare is a national problem. Indeed it is a national disgrace. We need your help now.

Sincerely,

RICHARD B. OGILVIE,
Governor.

MARYLAND'S COLONIAL HERITAGE

Mr. MATHIAS. Mr. President, each State of the Union is rich in its own particular heritage, and my own home State of Maryland is no exception. Along the shores of the Potomac remain vestiges of a way of life that was slower and possibly closer to the earth than our own jet age.

The colonists who settled on the Potomac have left us fascinating glimpses of their way of life that can be seen now in the old colonial churches of Maryland which were the focal point of their society.

Mr. President, I ask unanimous consent that an article written by Dan Balz, and published in the Washington Sunday Star, detailing the colorful histories of four such churches, be printed in the RECORD.

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

OUT OF TOWN—A VISIT TO FOUR COLONIAL MARYLAND CHURCHES—ALONE WITH THEIR MEMORIES

(By Dan Balz)

Long ago, when tidewater tobacco had not exhausted the land along the Potomac, the church was a central part of the settlers' lives. In simple brick buildings the people gathered for worship, for education and social intercourse—and, at certain stages in history, for revolution.

Today, except for services, these churches are deserted—alone with their memories.

One Sunday, as my wife and I explored four old churches in nearby Maryland, we were moved by the peacefulness that surrounds them. After we left, there were some things from each church that stayed inside of us—things far away, yet at the end of our finger tips.

From the Old Durham church in Ironsides, for instance, we carried away a strong impression of the kneelers—narrow benches between the pews that are decorated with pastel, petit point flowers set on a dark background. As we entered the chruch, we turned all of them down. Each row had it own pattern, each pattern was different. The effect of these designs—a mixture of uniformity and individuality—was unique. Although not as stately as the needlework cushions at the Washington Cathedral, this personal touch reflected the dignity of the colonial church in a way no spire or carved altar could. It was the unexpected sight we somehow had expected.

While most of the churches look similiar on the outside, all being constructed of brick in traditional arrangements of headers and stretchers (rows of bricks laid lengthwise alternated with rows of bricks laid sideways), each is distinct in its setting.

St. Ignatius Church of Chapel Point, the oldest continuously active church in America, stands on a high plain overlooking Port Tobacco River where it joins the Potomac, with a cemetery at the front separated from the church by an iron fence. Straight old cedars and three large pines surround St. John's Church at Oxon Hill. And at Durham Parish two ancient mill stones bracket the entrance which buzzes with wasps, and a low brick wall defines the outer limits of the yard. Two magnolia trees protect the walkway, and on the left as you enter is a rusted, vine-covered anchor, while on the right is an old sundial.

Fascinating designs and colors are formed by the shapes and stains of the different windows. Some are round, snuggled below the peak of the roof; others are latticed, forming white outlined diamonds of stained glass four, five, even six feet high. At Christ Church in Accokeek, built in 1696, the col-

ored windows with panes of red and green and blue and yellow are located at either end of the church. If you peer through the windows at one end and look through the church to the windows on the other side, the effect resembles a kaleidoscope. More subtle, but as striking, the windows at Oxon Hill are composed of rectangles of muted rose and lime-green glass touched with bolder splotches of flame and violet and a circle of deep reds, blues, yellow and orange. The subdued light which gently filters through the windows is the perfect foil for the rustic interior.

The doors of the churches also have their own personalities. At Christ Church, the curved molding and rounded top of the double set form a graceful entry, while at St. Ignatius the doors are tall and narrow, elegant in their age—the last remnants saved from a fire in 1866 that destroyed most of the church. And at Durham the eye is caught by simple, handworked hardware in tiny hearts of black metal silhouetted against the white-painted wood.

Each of the church interiors tells in exacting detail the way our ancestors worshipped in colonial and early America. The pews are stark and solid (particularly at St. Ignatius), and the patterns of the wooden boxes surrounding the pews reflect an austerity of life that the people in the early 1800s probably accepted as comfort. Similar in design to those in Christ Church in Philadelphia, the St. Ignatius pews are straight-backed and high-sided with narrow, thinly padded kneelers.

There is still evidence, at St. Ignatius of the segregated seating pattern of early churches. In the front sat the white settlers; in the back, separated by a cross aisle, sat the Wesorts (a racially mixed group of people peculiar to the area); and in the balconies sat the slaves. Although the ground floor is now solid with pews in the corners near the back, splits in the molding leave evidence of another arrangement.

All of the churches have a common feature, a surrounding graveyard which tells a continuing history, for the dates, names, symbols and materials have changed with each age. Gnarled wooden crosses isolated by the stones of a later period; rusted metal crosses, frail but solid; simple obelisks and even simpler round and flat stones, fill the cemeteries.

Not infrequently, there are faded American flags drooping from thin dowels stuck in the ground. There are also plastic flowers, and at Ironsides a few graves are marked by glass cubes no more than a foot high which enclose flowers or mementos. And, in a few cases, only plain white cards labeled in black indicate the final resting places of the poor.

Some of those buried are well known—or were—like the soldier of the Revolution in St. John's yard, or the families of Poseys, or the Mudds at St. Ignatius, believed to be relatives of the Dr. Mudd who treated John Wilkes Booth's injured leg after he assassinated President Lincoln. Other identities have been lost, the old gravestones disguised by nature.

That was when the peacefulness seemed the most pervasive, when we walked among the graves, looked back at the churches and thought about it all.

As we left St. Ignatius, Father A. R. Thoman, S.J.—the only person we had met on the tour—who has been the resident priest there since 1953, said simply, "God bless you." It was something which we should have expected, but like the needlepoint, the mill stones, and the colorful diamonds, it too was unexpected.

CHURCH TOUR

Begin on Indian Head Highway (Route 210) on the southern edge of the Beltway, and follow it south until it intersects with Route 225. Turn left on 225 and continue until you get to LaPlata. There 225 intersects with 301 at a stop light. Turn right, then be prepared for another right on Route 6 at a stop light just ahead.

Stay on Route 6 for several miles until the road forks. (There's a Texaco station in the middle of the fork.) Take the left fork, which leads you to a narrower, more winding road and follow it past a tiny red schoolhouse tucked off on the right. Shortly you will come to St. Ignatius Church of Chapel Point.

From St. Ignatius backtrack to the red schoolhouse (or, if you miss that, the fork and the Texaco station) turn left and continue west on Route 6 for about seven miles. At Durham Church Road, turn left and go another two miles until you find the Durham Parish churchyard on the left.

From Durham Church, you can either backtrack your way on Route 6 through to La Plata to Route 225 and then Route 210, or you can pick up 425 and follow it until it meets 225, turns left to pick up 210, and then go north.

Stay on Indian Head Highway until you get to the intersection with 373 near Accokeek. Turn left and follow Bryan Point Road for a mile until you meet Farmington Road, and you'll see, on your right, Christ Church.

Return to Indian Head Highway, and follow it north until you see signs for Fort Washington. Turn left on Fort Washington Road and, less than a half mile later, turn right on Livingston Road. Another half mile ahead, turn right on Pebble Road, and then take an immediate left onto Oxon Hill Road to St. John's Church.

THE ECONOMIC CONSEQUENCES OF DECEPTION

Mr. DOLE. Mr. President, for some time, the Senator from Kansas and numerous other observers of the Nation's economic condition have sought to point out that the guns and butter policy of the previous administration has been the major cause of our current economic instability. It seems difficult to contend against the record of the inflationary pressures generated by an expanded and escalated war in Vietnam being left wholly unchecked until long after the economy had gone nearly out of control. Today, we are paying the price for the previous administration's failure to deal with the consequences of war-fueled inflation. But as a noted economics reporter points out in today's Washington Post, that failure may be in large part attributable to the fact that the officials in charge of economic policy in that administration, along with the press and the American public, were deceived, deluded, and denied information about policy decisions relating to escalation of American involvement.

Hobart Rowen's article entitled "L. B. J.'s Economic Aides Were Misled" is informative and adds still broader dimensions to the ramifications of recent disclosures involving the history of U.S. involvement in the Vietnam war.

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:

L. B. J.'s ECONOMIC AIDES WERE MISLED

(By Hobart Rowen)

Among the many persons misled by President Johnson, one can deduce from the Pentagon papers, were his chief economic advisers: by hiding the 1964 decision to open an air war against North Vietnam, and the April 1, 1965 commitment of American GIs for offensive action in South Vietnam, reasonable tax and budgetary moves were delayed for years.

As a result, Lyndon Johnson messed up the American economy, as he pursued his disastrous course in Vietnam. It's still in bad shape.

The papers published last week by The New York Times show that the Johnson Administration reached a "consensus" in early September 1964 to attack North Vietnam. There are no dollar-estimates to go along with the military decisions.

A check with the key Budget officials of that era indicates that they learned of the secret air war against Vietnam and the April, 1965, commitment of troops for the first time when they read it a week ago Sunday in The New York Times.

President Johnson allowed a picture to be built up of a troubled Chief Executive, bewildered by the burdens that had been laid upon him. In the late spring of 1964, prior to the Gulf of Tonkin attacks on the Maddox and Turner Joy, this correspondent (then with Newsweek) was one of a couple dozen taking the regular press "walking tour" with LBJ around the backyard of the White House.

Talking about Vietnam, he suddenly stopped the walk and said with all apparent sincerity: "I don't know what the f . . . to do about Vietnam. I wish someone would tell me." His "candor" with top economic officials was on about the same level as that with the press. The documents show that on Feb. 1, 1964, covert military operations under the code name Operation 34A had already begun.

A few months later, the election campaign against Sen. Barry Goldwater was in full swing and Johnson's recurrent theme was: "You don't want to put *that* fellow's finger on the trigger, do you?" There were private sessions as well (I recall especially one in Orlando, Fla.) that made LBJ's commitment not to "get tied down in a land war in Asia" sound pretty convincing.

But now we know that all the while, it was a deceitful if politically productive performance: Johnson was re-elected, profiting from the caution coincident with the war decision of April 1, 1965, to guard against "premature publicity" or "any appearance of sudden changes in policy."

Among the Johnson "confidantes" who were sold down the river by this duplicity were the Chairman of the Council of Economic Advisers, Gardner Ackley, Treasury Secretary Henry H. Fowler and Budget Director Charles L. Schultze.

By the early fall of 1965, well-posted congressional sources such as Sen. John C. Stennis (D-Miss.) were saying that the following year's budget would run $10 to $12 billion over earlier estimates for fiscal 1967.

Yet, on Sept. 9, 1965, still working in the dark, Ackley made a speech in Philadelphia saying that figures "sometimes quoted in the press . . . can at this point only be pure figment of someone's imagination. The estimates we at the Council have put into our tentative projections do not even approach that order of magnitude."

On Oct. 5, 1965, Fowler went to a Chicago meeting of the American Bankers' Association where he said: "If I thought defense was going to add $10 to $15 billion dollars to our fiscal 1967 budget, I'd be back in my office right now considering proposals for tax increases to pay for it." As the fiscal year moved along, the Stennis numbers proved all too accurate.

It was clear even then that Fowler and Ackley knew less about the war buildup than many of their contemporaries on the Hill and in the Pentagon. The announced military buildup as of July, 1965, was approximately 200,000 men. But in a Nov. 28, 1965, column I wrote for The Post headed "Concealing the Costs of Vietnam" I quoted various sources as suggesting that the escalation was going faster. In that piece, I cited a re-

port by Lloyd Norman, military correspondent for Newsweek revealing that the Pentagon was "pushing for—and predicting—a force of 400,000 to 500,000 men (in Vietnam) later in 1966."

There were plenty of people skeptical of the official Johnsonian estimates of war involvement in late 1965, but the proof of their intuition or sound judgment wasn't vindicated until publication of the Pentagon papers.

In June, 1965 (remember, the ground troop commitment was made secretly in April), the Johnson administration had the audacity to ask Congress for a mere $700 million supplemental appropriation for Vietnam. And in January, 1966, it was still officially estimating the fiscal 1967 cost of the war at $10 to $12 billion, instead of the real figure—twice that big. Month by month, as 1966 slipped into history, the Budget Bureau concealed from the American public what it knew was going on.

It seems hard to grasp in retrospect, but a Washington Post story of Feb. 4, 1966, reported that the day before, Fowler went before the Joint Economic Committee of Congress and warned that a tax increase or "harsher" measures than proposed by the administration "could throw the economy into a tailspin." Fowler's advice: "Go slow."

In retrospect again, the Federal Reserve Board and its former chairman, William McC. Martin, look very good in their historic controversy with LBJ over the discount rate in December, 1965.

The Fed, over Johnson's, Fowler's and Ackley's objections, raised the discount rate in December, 1965, after holding Martin off since October. LBJ called Martin to his Texas ranch and made a big issue of the Fed bucking the administration. But it was clear to Martin that a tremendous surge of war-based activity was giving the economy an inflationary thrust, without any compensating tax action. Martin got a sense from his friends in business that orders from the Pentagon were zooming, but he got neither guidance nor information from the White House.

It has long since been an accepted fact—among Democratic as well as Republican historians—that the current inflation can be traced back to the failure of the Johnson administration to plan to pay for the war that it escalated in midsummer of 1965.

What becomes apparent now is that the inflation had its real inception even earlier, at a White House strategy meeting on Sept. 7, 1964, when the air attacks against North Vietnam got official sanction.

It's a sad chapter in American history; it will make an equally sad footnote in the textbooks on economics. Economic advisers will always wonder whether they get the whole truth, half truths, or deceptive verbiage from the White House and the Pentagon.

HEALTH CARE DELIVERY IN SOUTHERN ANNE ARUNDEL COUNTY

Mr. KENNEDY. Mr. President, in recent hearings of the Health Subcommittee on the health care crisis in America, we heard testimony in many parts of the country that access to medical care for the poor in rural areas is haphazard and uneven at best and nonexistent at worst.

An excellent two-part series on the delivery of health care in southern Anne Arundel County, written by Bruce F. Freed, was published recently in the Baltimore Evening Sun. It describes in vivid fashion the second-class medical treatment received by our rural poor and dramatizes the need for major reforms in our health delivery system if we are to make the basic right of good health a reality for all of our citizens.

I ask unanimous consent that the articles be printed in the RECORD.

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

THREE OVERBURDENED DOCTORS CARRY LOAD OF FILLING NEEDS OF 16,000

(By Bruce F. Freed)

ANNAPOLIS.—"Southern Anne Arundel county is our Mississippi delta."

That's a Baltimore health planner's grim description of the state of medical care in the south county—that rural, isolated, impoverished 84.7-square-mile bit of the Deep South between Route 214, just 2 miles below the South River, and the Calvert county line.

To the south county's 16,000 residents living in the rolling farm country only slightly larger in area than Baltimore city, medical care is provided by three overburdened physicians and entails traveling long distances to the area's two health department clinics and to Annapolis and Baltimore hospitals.

But to the poor, black and white, the problem is felt more sharply.

Their story can be told in human and statistical terms, both highlighting the severe obstacles to decent medical care facing the south county's 920 families, almost 4,000 persons, earning less than $3,000 annually and holding Medicaid cards provided the indigent and medically indigent by the state Health Department.

DIFFICULTIES FOR THE POOR

To the poor it means difficulty finding a doctor who will accept their medical card, sitting long hours in packed waiting rooms at one of the county Health Department clinics or at a Johns Hopkins Hospital clinic, and having to spend a 12-hour day and to travel over 55 miles one way just to keep one clinic appointment at a Baltimore hospital.

To the needy expectant mother, it means she can't deliver her child at Anne Arundel General Hospital, the 250-bed nonprofit, voluntary hospital, in Annapolis, only 15 miles from the south county, because local obstetricians won't take the case.

Medicaid payments for delivery are too low, doctors say.

It also means having to find a friend who will drive her the 55 miles to Baltimore because local volunteer ambulance companies are too overburdened to make the trip.

And to many, it means passing Anne Arundel General Hospital, the only hospital serving Anne Arundel county from Pasadena south to Calvert county, on the way to Baltimore's teaching hospitals for tests, medical reports and specialized treatment.

NORTH ARUNDEL HOSPITAL

North Arundel Hospital in Glen Burnie provides only limited services and does not normally accept patients holding Medicaid cards. Like Anne Arundel General Hospital, admission is through private doctors.

Statistics also tell another part of the story.

They show that the south county's 16,000 residents are served by only 3 doctors—one in his late 40's, the other 50 and the third in her mid 60's.

They show that all of Anne Arundel county has a serious doctor shortage, lagging far behind Baltimore city and the four other metropolitan Baltimore counties in the number of nonspecialist physicians.

The Physician Manpower Survey, conducted in 1968, found only 66 physicians delivering primary care in the county: 21 in general practice, 19 in internal medicine, 15 in obstetrics-gynecology and 11 in pediatrics.

Compared with the rest of the Baltimore metropolitan region, Anne Arundel county has the lowest number of primary care physicians practicing over half their time in the county—only 24.7 per 100,000 population.

FEW ON MEDICAID TREATED

Baltimore county has 41 per 100,000, Carroll county has 47.5, Harford county has 36.6 and Howard county has 26.

Statistics show Anne Arundel General Hospital and North Arundel Hospital in Glen Burnie treat few Medicaid patients.

Of the 22 hospitals in the metropolitan region caring for Medicaid patients in fiscal 1969, Anne Arundel General ranked 17th and North Arundel placed 20th.

Johns Hopkins Hospital provided by far the most number of days of care and University Hospital provided the third highest number of days of care.

Figures on out-patient visits, clinic patient visits and emergency room use by medical card holders for the region's 22 hospitals paint the same picture.

Anne Arundel General ranked 16th and North Arundel 18th, with Johns Hopkins Hospital and University Hospital again placing first and third.

Johns Hopkins Hospital and University Hospital treat many more Anne Arundel adults and children holding medical assistance cards than do the county's two hospitals.

DECEMBER ADMISSIONS

Figures on December admissions for Anne Arundel county children and adults on Medicaid show that Johns Hopkins admitted 106, University admitted over 14, while Anne Arundel General took in 59 and North Arundel only 28. Medicaid admissions statistics for University Hospital do not include children since their care is not federally subsidized.

If admissions figures for December on children only are examined, they show that Johns Hopkins Hospital admitted 22, University Hospital 7, Anne Arundel General 15 and North Arundel 6.

The problem the south county's poor face in getting medical care stems from a variety of factors.

One immediate problem is the lack of public transportation and the difficulty in attracting doctors into the south county.

Other problems are a medical assistance fee schedule and overwhelming paperwork that doctors say makes it uneconomical to treat medical assistance card holders, the lack of a teaching hospital to provide outpatient services and a fragmented Health Department clinic set-up that provides only specialized care, mainly to children and expectant mothers, and that is oriented toward Baltimore's teaching hospitals, not the county's hospitals.

TRANSPORTATION MAJOR FACTOR

"Transportation is a problem, period." That statement is heard over and over again from the south county poor, from south county anti-poverty workers and from Dr. Howard Beard, Health Department chief.

No public transportation, explains one Office of Economic Opportunity worker, means the poor have a hard time getting to the doctor, the drug store, the Health Department clinic and Anne Arundel General Hospital in Annapolis.

"They're simply out of reach," she exclaims.

Adds Dr. Aris T. Allen, an Annapolis physician with many south county patients, "Even if a person has a medical assistance card, a problem he often faces is that there's not transportation for the rural parts."

For persons living on monthly Social Security checks or the monthly public assistance checks, that means having to pay a friend with a car $1.50 every time they need to be driven to get a prescription filled, see a doctor or get to Annapolis to catch a bus to Baltimore.

The south county's three doctors, who

bear the brunt of providing medical care, find it "difficult to get more physicians down here. Most doctors are going into specialties," says Dr. Charles Wirth, a south county doctor.

THREE PRACTICE

Dr. Willard Smith, of Shady Side, and Doctors Wirth and Emily Wilson, of Lothian, practice in the south county.

But, as they readily admit, their patient loads are now bursting at the seams and they have to spend six-day weeks, mornings, afternoons and evenings, to see their patients.

Dr. Smith, 50, and a victim of an attack of angina two years ago, sees 50 patients on an average day.

"My caseload is almost too much for me to handle by myself," the general practitioner says. "I've been searching for another man for three years. I have enough work for two."

Dr. Smith will be losing a Naval Hospital interne who has been helping him one night a week this June. He doesn't know whether he'll be able to find a new assistant.

The Anne Arundel County Medical Society recognizes the problem, but explains society head Dr. Raymond Srsic, a Severna Park pediatrician, "It's difficult to take direct action."

AREA OF NEED

"When physicians come into the area," he says, "we direct them to areas of need. South county is a needy area."

South county poor charge that some doctors turn away Medicaid patients—a charge partially supported by random calls to Annapolis physicians.

"Some doctors won't accept medical assistance cards for any service or provide limited service," reports Dr. Allen, whose own practice includes 60 to 70 per cent medical assistance card holders.

This concerns him. "There is a certain amount of community responsibility in which all should share," he says.

"Offhand, I have knowledge of four to five doctors who refuse to take Medicaid patients," adds Dr. Edward S. Beck, an Annapolis internist.

The reason: "I would think that a doctor taking medical assistance patients is doing it at some sacrifice," he explains.

Under the Medicaid fee schedule, doctors receive $6 for an office visit, $2 less than the average office visit fee.

For Dr. Allen, that $6 just about covers office costs. "It's not paying enough," he says.

SEVENTY-FIVE PERCENT OF FEE ALLOWED

The state medical assistance program does not pay 100 per cent of the doctor's customary fee, explains John Morris, head of the state Health Department's medical assistance program. The federal government requires that medical assistance pay only 75 per cent of the fee.

But, in practice, the state Health Department doesn't even pay the federal standard.

Instead, because of a severe budget squeeze, it pays only 60 per cent of the customary fee.

The Maryland Medicaid program received $83 million last year and is asking for $105 million for fiscal 1972.

Mr. Morris admits that the low Medicaid fees limit the number of doctors participating and affects patient services.

"Some doctors have told us they can't participate for the amount of money we reimburse them," he reports, a fact reflected in Anne Arundel county, where poor expectant mothers can't find private obstetricians to care for and deliver them and, thus, can't be admitted to Anne Arundel General.

In theory, Maryland's medical assistance program was designed to provide poor patients with the same medical care received by more affluent patients, explains a Baltimore area health care planner.

In reality, he continues, it doesn't because the medical assistance program fees are kept low.

"By inadequately reimbursing physicians, the medical assistance program places the burden of delivering health care on the hospitals," mainly the Baltimore teaching hospitals, not Anne Arundel county's hospitals.

Staffed by private physicians, Anne Arundel General takes people only admitted by physicians on the staff.

With the medical assistance program paying only $60 for a normal delivery, and only $105 for total obstetrical care, including prenatal and post-partum checkups, most private doctors avoid handling medical card holders.

According to Dr. Allen, the theory behind the Medicaid fee schedule "was to encourage the patient to go to a teaching hospital," a theory heatedly denied by the state Health Department.

FREEDOM OF CHOICE

"The patient and doctor have freedom of choice," explains Mr. Morris. "The medical assistance program is not set up to guide people to teaching hospitals," where physicians in residence would deliver and treat Medicaid patients.

But, still many south county poor bear their children at Johns Hopkins Hospital or University Hospital because they can't get admitted to Anne Arundel General Hospital.

Anne Arundel General only accepts an expectant mother holding a medical card for delivery in case of an emergency, normally when she goes into active labor. In these circumstances, she is accepted into the hospital through the emergency room where an obstetrician on call will deliver her.

However, as one health expert points out. the obstetrician will deliver the mother without having seen her medical records and not knowing whether any special precautions should be taken.

"It's never made sense that anyone in the south county should go past Anne Arundel General up to Baltimore," admits Lyman Whitaker, Anne Arundel General administrator.

"I wouldn't want my wife to make the journey."

ELECTIVE SURGERY

Medical assistance patients also have trouble receiving elective surgery such as tonsillectomies.

Says Mr. Whitaker, "For elective work, a person holding a medical assistance card might have trouble finding a physician to do the work."

The trouble is related, in part, to the fact that Anne Arundel General Hospital is not a teaching hospital and does not provide outpatient care.

Teaching hospitals have residents and internes on their staff who provide care to Medicaid patients. Because internes and residents are being trained at and are being paid by the hospital, the medical assistance program does not pay them for their services.

Anne Arundel General has not become a teaching hospital "because there's not that much work here to maintain residents," explains Mr. Whitaker. "That's the hang-up."

EMERGENCY CARE DIFFICULT

"Last time we looked at the figures on deliveries, two years ago," he declares, "we found the volume was not large enough to justify having a teaching hospital extend a residency program in obstetrics down here."

Emergency care is also very difficult for south county medical card holders to receive at the Annapolis hospital.

"This hospital," states a Community Action Agency report, "has a small emergency treatment service, but for admission to the hospital or prolonged treatment, a patient must have his own private physician," something many of the south county poor don't have.

"Therefore," the report continues, "a poor person who has no private physician and is in need of emergency service such as an appendectomy, finds his medical card of no use and will be required to travel to Baltimore unless he can pay the fee for the service."

The Arundel Health Department operates 13 community-established and funded clinics throughout the county, 2 of which serve the south county at Churchton and Davidsonville, that provide specialized services.

Services include well baby, maternal health, family planning, preventive medicine, mental health, public health nursing, dental health and communicable disease clinics.

CLINIC STAFFS

The clinic staffs are made up of area private physicians and residents from University and Johns Hopkins hospitals.

As Dr. Beard, head of the county health department, points out, "on-going health care is not provided through the clinics."

The south county poor are especially hard hit by the fragmented clinic program.

"There are few clinic services for adults in the south county," they commonly complain. "We have to go to private doctors or to the Baltimore hospitals."

Hospital administrator Whitaker agreed. "The Health Department clinics are very limited," he says.

A visit to the clinic can sometimes be a frustrating experience. At times, some poor clinic visitors say, as many as 25 appointments are made at 8:30 A.M. for an hour and a half doctor visit. If you are not seen then, they state, you have to return at the next clinic session.

A poverty worker sums up the problem: "Our county Health Department is not the most active, innovative, creative health department in the world."

CAN BE OVERWHELMING

The complex medical care system the south county poor have to deal with can be overwhelming.

To them, health care may mean the local doctor, the Health Department clinic, the Department of Social Services, Anne Arundel General Hospital or one of the departments in the Baltimore hospitals.

Which to use and how to use it can be very baffling to them.

Dr. Allen and a south county anti-poverty worker recognize this problem.

There's a lack of sophistication on the part of the poor," he explains.

"They sometimes just don't know how to utilize medical and welfare facilities."

Says the south county worker, "These people are not sophisticated enough to deal with the system," referring to the hospitals, clinics and the legal rights of the poor.

"We have people," she adds, "who go up to the Baltimore hospitals and just sit there. They'll stay till they see a doctor and that can be a very long time."

LACK OF MONEY HAMPERS MEDICAL AID FOR THE POOR

(By Bruce F. Freed)

ANNAPOLIS.—The obstacles the 4,000 poor in Anne Arundel county's rural south section face in getting decent medical care are not new.

Nor are the plans proposed by anti-poverty workers, doctors and health experts to improve health care in that impoverished, isolated section stretching from the Calvert county line north to Route 214.

Proposals such as building a south county comprehensive health center, setting up programs to bring more doctors into the south county, opening Anne Arundel General Hospital to more poor patients, and establishing a south county bus system have been bandied about for over two years.

But these are the approaches that might possibly break the barriers that have kept easy access to medical care from many of the south county's poor blacks and whites.

BASIC QUESTION ASKED

The question that must be answered, says a Baltimore health expert, is, "How do we extend the linkage between the people in south county and a community hospital, comprehensive health care clinic or a medical corpsman?"

One answer is to establish a comprehensive health care center at the south county Human Resource Development Center that would include an eight bed hospital.

"The idea has been kicking around for a couple of years," an Annapolis Community Action Agency spokesman admits.

Basically, the plan calls for setting up child delivery facilities for pregnant south county mothers to eliminate the need for them to travel 55 miles to Baltimore to give birth.

Facilities for emergency, preventive and therapeutic health services, including mental health and alcoholism clinics, and the training of nurse-midwives and para-professional medical personnel would also be established to fill the south county's gaping health care gap.

ENTREES TO FEDERAL MONEY

Human Resource Development Center workers see the nurse-midwife and para-professional training programs as the proposed health center's entrees to needed federal money.

"In order to get money from the government for anything," complains a knowledgeable anti-poverty official, "you have to be innovative. You just can't get money for a regular health center."

Hence, the training program proposals are included.

The Human Resource Development Center and its parent Community Action Agency asked last month for a $900,000 grant from the Federal Department of Housing and Urban Development to expand the south county center.

The expanded facility would include a Health Department clinic. But, as a poverty worker points out, "this new clinic will be set up like the other county health department clinics," providing only fragmented medical services now available.

HARSH REALITIES

The new comprehensive health center, however is more easily proposed than built.

Anti-poverty workers are aware of these harsh realities. "We have problems of an isolated area, a sparse population, unattractiveness to doctors, no money" says one.

Others see the lack of federal money and gaps in the current federal health care programs as serious obstacles.

"There's no money for a comprehensive health center," says a metropolitan Baltimore health expert. "The Feds haven't set up any health priorities" for the dispersal of federal funds.

Another health planner worries about the "gap in federal health care coverage."

EXAMPLE OF PROBLEMS

The problems faced by a proposed East Baltimore comprehensive health center are an example of problems that might confront a south county health center, she says.

The federal Medicare program for people over 65 and the state federal medical assistance program for the indigent and medically indigent would cover the cost of only part of the comprehensive services to be provided to the East Baltimore poor.

The federal programs would only partially pay for in-patient hospitalization, ambulatory care services, dental care, drugs, eyeglasses and public health services.

Money would be needed to pay for those poor not covered by Medicare and Medicaid and to cover various services for which certain poor children and adults are not now eligible.

Thus, until new funds are found or new programs established, the health planner explains, service cannot be comprehensive at the health center for the nonpaying patient.

Instead of creating a health center in the south county, some planners have suggested expanding Anne Arundel Hospital in Annapolis to include an extensive out-patient clinic.

"Maximize the uses of existing facilities," a planner exhorts.

The Annapolis clinic would be within reach of the south county poor once a new south county bus service begins operating in the early summer.

"Anne Arundel General is a resource that should be more available to the community than it is now," one health care expert says.

But it currently isn't, and that concerns Anne Arundel General's administrator, Lyman Whitaker.

"I recognize some voids in our coverage" he says. "But I'm not sure that our role is in this thing and what the government's role should be.

QUESTION OF RESPONSIBILITY

"I'm not sure," he continues, "that our organization has broad responsibility beyond its function as a hospital to which patients come."

Even with his confusion about the extent of the hospital's responsibility, Mr. Whitaker does see the need "for developing our own new feeders," new ways of admitting patients to the hospital.

To do that, he says, the hospital needs money from other than voluntary contributions, currently its financial mainstay.

"It comes down to basic economics. All our activities are paid for by the patients who use the facilities.

"If we broaden our program, it would cost money . . . and we would have to get state aid."

STATE OFFICIAL'S PROPOSAL

John Morris, director of the state Health Department's medical assistance program, sees a comprehensive health center affiliated with Anne Arundel General Hospital as "within the realm of possibility."

Mr. Morris' approach would be to have the state Health Department contract with the hospital to provide out-patient services.

"It would take a great deal of planning," he adds, but it can be done.

Concerned about the doctor shortage in the south county, the Anne Arundel County medical society is exploring setting up a preceptorship program under which medical students would serve under county doctors to gain experience.

Dr. Raymond Srsic, society president, says the program, currently in operation at the University of Maryland Medical School, is now being studied by a county medical society committee.

FINANCIAL BURDEN

"The county has to find physicians who will bear the financial burden of supporting the student," the Severna Park pediatrician explains. "We're studying to see whether there are any family doctors in the county who want to participate in the program."

The south county's transportation gap, the most immediate barrier to medical care, might be bridged by early June.

Don Rosenshine, a transportation coordinator at the south county's Human Resource Development Center, is awaiting approval of a $50,000 loan from the Farmers Home Administration to set up the south county's first bus network that will cover the area from the Calvert county line to the Parole shopping center, a scant five miles from Annapolis.

"The new bus system will make a great dent in the transportation problem faced by many in the south county," he says.

"We've planned that the buses will be accessible to everyone."

ADDITIONAL ADVANTAGES

Mr. Rosenshine's new bus system, which will use three 40-passenger buses, is expected to increase job and educational opportunities, hitherto restricted in the south county, and to indirectly improve health care.

Dr. Aris T. Allen, an Annapolis physician, says, "Many of the poor now lack education and jobs. That's why so many of them are on Medicaid."

Five early morning and late afternoon employment runs have been scheduled to the Parole shopping center as well as midmorning and midafternoon shopping trips that will bring the lower-priced Annapolis area supermarkets closer to the south county poor.

South county poor without cars are now limited to doing their shopping at small, high-priced local stores.

PATIENT TRANSPORT SERVICE

Mr. Rosenshine is now working on what he calls a "simple plan" to get a $12,000 grant from the state Health Department to bring medical care closer to the south county poor.

His idea, which he insists is not unique, calls only for a car, a driver and money to cover the costs of the trips by poor patients to the south county's three doctors in Shady Side and Lothian and the county Health Department clinics in Davidsonville and Churchton.

But, as he sadly recognizes, much as his programs will bring medical care closer to south county residents, they won't persuade more doctors to treat indigent patients holding medical assistance cards, they won't attract more doctors into the south county, and they won't broaden Anne Arundel General Hospital's services.

THE FUTURE OF THE TWO-PARTY SYSTEM

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the RECORD a paper recently presented before the Taft and Hinckley Institute of Politics at the University of Utah by Mr. Bert Willis. Mr. Willis is a former member of my staff. He came to my attention as a bright young intern in 1967, and since then has gone downtown to further his own very promising future.

Mr. Willis has made some especially pertinent comments regarding the future of our two-party system. I believe the points he has presented are extremely timely and deserve the attention of the Senate.

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

THE NON EMERGING MAJORITY

(By Bertram C. Willis)

Many observers are announcing the death of the political party. Witness, for example, the statement of a Saturday Review article that "We are confronted with the fact that the traditional party system is as obsolete as the magneto."[1] What is the situation of the political party in America? More important, what is its future?

The indications are overwhelming that we are currently in a watershed era for American political organization. One could argue that every third of a century during the past hundred years has seen such a watershed. The turn-of-the-century saw William Jennings Bryan practicing his own brand of polarization with its consequent reinforcement of a Republicanism so strong that only Republican in-fighting led to Democratic victories during the century's second decade. The second third-of-the-century saw probably the strongest and most diverse national coalition ever developed in this country when Franklin D. Roosevelt welded together farmers and factory workers, Southern conservatives and Northern liberals and other diverse

Footnotes at end of article.

elements into the bloc which swept both him and Democratic majorities into Congress in 1932 and has kept that party predominating for the great majority of years since.

It is hardly novel to suggest that the Roosevelt Democratic coalition, the coalition which experienced its watershed in 1932, is at least in serious disrepair and in all probability is ceasing to be the dominant reality in American political life. The coalition's demise, heralded by "purists" from both left and right, has led to calls for new coalitions from members of both parties, as evidenced by Phillips' *The Emerging Republican Majority*[2] and Scammon and Wattenberg's *The Real Majority*[3]. However, there is another real possibility beside those put forward by the various coalition-formers. This possibility is that there will be no new coalition, neither Democratic nor Republican, the political parties will indeed achieve the irrelevance which already many attribute to them.

Whatever they become, political parties, if they are to survive, will be something different than they have been before. In a number of ways traditional party roles have been preempted without other roles of equal significance taking their place. Ironically, Roosevelt's actions as President may well have gone a long way towards the eventual demise of his own coalition because of his great expansion of government provided social services. No longer, as was the case earlier in the century, does the party ward boss dispense substance to the needy as inducement for party support; instead the apolitical Social Security Administration distributes support through apolitical state welfare departments. While parts of the Poverty Program have perhaps seen a return to the political administration of social services, these were doubtless but a fleeting shadow of the system's former glory.

A related role is, of course, party involvement in government employment. No citizen of this state, after watching recent state and local government activities, would wisely claim that patronage is dead. The question of its significance to political parties, however, is another matter. Utah municipal elections, those involving the offices with the highest percentage of patronage positions, seem to see little activity by the patronage employees for the party ticket. Instead, one sees each office emptied as the clerks and typists and receptionists and administrative assistants go out to work for their own man. While there is a political loyalty, it is not primarily a party loyalty.

On the national level, we have "Hatch Acted" the overwhelming majority of federal, and a significant number of state, employees turning them at best into political neuters and probably into a very real detriment to the political parties in America. Not only is there no compulsion for civil service employees to participate in party politics; we have chosen to punish such activity. Thus, we have removed a group whose political activity has traditionally been highly significant stemming as it does from deep personal economic interest.

But, Institutional changes in government can hardly account for the substantial changes which we are seeing in the political parties. To quote the sometimes political philosopher Woody Guthrie, "The Times Are A Changing."

The electronic media reflects and to a great extent, creates this change. It has been suggested that the first electronic media revolution, the radio era, enabled Roosevelt to hold his coalition together.[4]

Certainly, in a manner impossible for the printed media, radio made Americans a single people and susceptible as never before to the national political party. Then, gangbusters gave way to Dragnet, Big John and Sparkie were displaced by Captain Kangaroo, and radio was edged out by that consummate political medium, television.

It would be difficult to overestimate the impact of television on political parties. Television heralded the rise of personality politics at the expense of party politics. Witness Senator Muskie who in one deft fifteen minute spot ad the night before last November's elections rocketed himself out from the pack of Democratic presidential hopefuls into the position of "man to beat" in order to get the Democratic nomination for the Presidency. Witness the nomination and election of John F. Kennedy which brilliantly utilized television. Anyone who has had the experience of working in any proximity to a presidential campaign becomes deeply aware of television's pervasive influence. In this state, Utah Valley schools were dismissed so that students could overfill BYU's field house for the appearance of one presidential contender. This overflow was not required by a desire to spread the candidate's message among those present nearly so much as to spread the impression via the media of an accelerating bandwagon. Similarly, Salt Lake County was bombarded by twenty-five thousand "personal" invitations to attend the already well publicized speech of the leading presidential contender in the Tabernacle, which seats seven thousand, and still there was discussion of moving the whole affair into the two thousand-seat Assembly Hall because of the importance to the television publicists of having people hanging out of the windows. Both efforts achieved their goal magnificently with the candidates faring well on television with, as a side benefit, increased support from those who personally attended the meetings.

No organization, including a political party, is photogenic; some men are. It would appear that the convincing twenty-second spot ad for a political party has yet to be written, yet the effective twenty-second spot ad for, or against, individual candidates are legion. In such ads, does one find that the candidate's political party is identified? Rarely. We will let others argue about whether television has made candidates approach the issues more superficially than in earlier days. What is clear is that television, the most effective political medium, has glorified the candidate at the expense of the party.

Not only does television opt for the candidate at the expense of the party; similarly it glorifies the illusory issue, again at the expense of the permanent party. Before television came into its own, a wisely conducted political campaign was mapped out early in the year. Issue presentation was part of this plan and was formulated after research, including surveys, completed by mid-summer. The plan was then exalted to holy writ status, to be obeyed through the vicissitudes of the campaign. The truism "Act Don't React" was consistently voiced along with the assurance that people and basic issues don't change and that, therefore, it is much better to fight on one's own ground than to deal with strange, new and, therefore, unimportant issues.

This stability was upset by the ability of the media, particularly television, to escalate a formerly minor issue into a major concern and to dramatically present an event overshadowing all of the formerly overriding issues. Witness the law and order issue of recent interest. One wonders what the outcome of Senate races in states like Indiana, California, New Mexico, Utah and Florida would have been had last October seen a repetition of the riots which engulfed several cities in the nation earlier in the decade.

A riot in Chicago, a ceasefire in Saigon, a shipment to Cuba or a ping pong tournament in Peking can alter the result of an election in Utah. Candidates fail to react at their peril. Campaigns must be continuously reevaluated and redirected. The early planning and researching, work for which the political party is particularly well-adapted because of its ongoing nature, becomes less significant. The political party sees another of its roles diminished.

Having said all this of television, one should be particularly careful that he not credit this medium with changing society when it actually is only mirroring the changes.

Certainly one of the significant changes within the American society is its greatly increased affluence. The ability to support vast social services and a vast defense establishment simultaneous with growing personal wealth evidence this affluence. This phenomena is not without impact on American politics.

Affluence, for example, has been credited for the impatience with which many young persons see society. One writer observes:

Affluence in one way increases dissatisfaction, and thus, conflict by contributing to a mentality of demand, an inordinately expanded set of expectations concerning what is one's due, a diminished tolerance of conditions less than ideal. Precisely because an affluent society can deliver so much, because its expanding resources create the impression that all good things are possible if only men honestly pursue them, because so many of the things which have vexed man historically and made his life "solitary, poor, nasty, brutish, and short" have been removed; the standards by which acts, conditions and problems are judged to be "intolerable" have been dramatically enlarged or softened.[5]

Such concern with societal perfection has led to a great fascination with issues, particularly among the rising, university-based generation. But political parties are not issue oriented; they are constituent oriented.[6]

Observers frequently point out this non-issue orientation of political parties, for example:

It is in this sense that party can be termed basically a container, composer, and cumulator, a statistical rather than a rational or conscious order. As such it may be a more or less passive channel for regular expression without influencing or being influenced much along the route. . . . Party in America continues to make possible a popularly based policy-making process without very much directing policy outcomes themselves.[7]

Historically, this absence of issue orientation has doubtless worked to the advantage of both the parties and the nation by placing the parties in a role of reconciling the enormously diverse interests and concerns reflected from a greatly varied people. It is no mean task to weld together an organization containing Senators Jackson and McGovern and Eastland; nor is it easy to form the umbrella for Senators Griffin, Goldwater and Scott. Obviously, such groups must rely upon something other than a common issue orientation to cement them together. The irony is that the same ability to treat political issues with relative passivity which has enabled the political party to hold together in the past now estranges it from an increasingly issue-oriented constituency with the resulting charges of irrelevance.

This charge of irrelevance is given further credence by the age of the party leadership, men who won their political spurs in long-ago battles over labor legislation, civil rights legislation and even social security as well as other matters purportedly of interest chiefly to historians. Witness the "new liberal" coolness towards Hubert Humphrey in 1968 despite his dedication to liberal causes for decades. The current period of rapid change poses problems for any party leadership drawn from past battles since in the eyes of the new recruits they will continue to represent the earlier, rather than the current, agenda.

While conclusions crediting television and affluence with an increased emphasis on issues and personalities and a decreased role for party politics are certainly debatable, the conclusion that party support is eroding is unmistakable. The incidence of ticket

---

Footnotes at end of article.

splitting is one method of measuring this eroding support. In elections contested by the two major parties, there is overwhelming evidence of an upswing in this phenomenon.[8]

In Utah, for example, 1968 saw a Republican presidential nominee rolling in on a landslide at the same time that a Democratic governor was winning 2:1 and a Republican Senator was winning his own handsome victory. Traditionally Democratic Rhode Island provided an even more striking example of this split ticket voting when, in 1964, Republican John Chafee resoundingly defeated his Democratic opponent 61 to 39 percent at the same time that Lyndon Johnson was picking up 81 percent of that state's votes in the face of Barry Goldwater's 19 percent.

Similar conclusions follow from analyzing party affiliation. Longitudinal studies indicate that the percentage of persons identifying themselves as independents is rising relatively slowly.[9] These figures, however, are deceptive and do not accurately reflect the rate of the rush to independent status. The momentum of this trend towards independent voting patterns is seen when voters are broken down by ages since today's young voters are tomorrow's majority voters. Specifically, in 1940 approximately one out of every five persons in his twenties identified himself as an independent. In 1968, two out of every five did so. This shift among the young to independent identification has been at the expense of both parties. For example, 1968 saw the Gallup poll reporting that for the first time during this period, the number of independents exceeded the number of Democrats in this age group.[10] Lest, liberals greet this news too gladly, it should be pointed out that George Wallace did particularly well among this group of issue and personality oriented young independents.[11] Lest anyone should wax Pollyanna-like about this rising percentage of independence being a result of political descretion, it should be pointed out that current search shows ticket splitters to be unusually highly motivated by political alienation, a far cry from discretion, and to, therefore, vote not for those whom they feel to be best qualified, but against those whom they find to be the lesser, or less-known, of two evils.[12]

This situation has not been without its exploiters. If money is the mother's milk of politics, as claimed by Jesse Unruh, the milkmen have been quite adequate in shifting to this more personalized and issue-oriented situation. This spring in Washington has already seen several party fund-raising dinners. The Republican affair combined the Republican National Committee with that party's committees in the House and the Senate and reportedly netted around $2 million. The Democratic National Committee's dinner reportedly netted around $1 million, but the Senate and House Democrats are having their own party later this month which should pull in another million. While $2 million per party sounds impressive, it pales when compared with the expenses involved in running a campaign. Obviously, the national committees can do little to dent the minimum $200,000 or $300,000 expense of a successful Senate campaign in a small two-party state, and even less when the total gets up around the million dollar mark for the larger states. Neither do these sums begin the dent the many millions required for a presidential race.

The really significant campaign contributions are obviously directed not to the party for distribution but directly to the particular campaign. Recent years have seen heavily issue-oriented groups such as the Council for a Livable World, the AFL–CIO's Committee on Political Education, the Committee for an Effective Congress and, to a less successful extent the Americans for Constitutional Action solicit funds from their publics to be used in those races where the "correct" issue mix is present. Now we have a similar phenomenon with issue-oriented groups setting up to lobby for their particular concerns. While the very conservative Liberty Lobby has already jumped into this field, this group's position on the political spectrum did not make it a particularly formidable force. However, the latest entry in this field, Common Cause, could well be another story. Common Cause, claiming to represent the solid, decent middle American but looking to many moderates and conservatives suspiciously like a legislative arm of ADA, has apparently struck a responsive chord among many Americans resulting in their sending both their $15 membership fee and a heavy volume of mail to Members of the House and Senate supporting Common Cause backed legislation.

We pay a heavy price for such issue-oriented organizations. Their undermining of the political parties without providing comparable, ongoing day-to-day organizations raises serious problems for political stability.

This is a diverse nation, a diversity which is reflected not only between but also within its political parties. Take away the parties and their admittedly imperfect but nonetheless basically democratic nominating and other procedures and what is left? One writer fears "the erosion of party as an action intermediary and the conversion of elections into candidate-image affairs for which only the very wealthy or those close to the very wealthy need apply." [13] If Americans fear unresponsive government, let them also fear the awesome influence held by a single group that contributes $100,000 to a single Senate campaign or that can mobilize enormous pressure on Members of Congress. Perhaps in an era of too many people giving answers where they don't even know the questions we should look more sympathetically at institutions like the political parties, which because of their ideological diversity are able to "bring us together."

The obvious question is what can be done? First, parties must, as they have always done in the past, roll with the punch. In areas where they can't be effective, they must not waste effort, while increasing their attention to areas where they can contribute. For example, party identifications cannot compete as well as personalities and issues. Consequently, parties must increase their ability to select attractive candidates and render greater assistance to them.

Political leaders have both a special stake in and a special responsibility for the strengthening of their parties. They need the parties to hold what little order there is in the political process. Their special responsibility is to both use and support their parties. In the long run, they least of all can afford the sort of undercutting of their own parties which we saw, for example, on the part of the Johnson Administration in its emasculation of the national Democratic Party. Whatever the titles may be, the President is the leader of his political party. He may choose to accept that responsibility and place people directly under his Administration's control at the head of the apparatus, as President Nixon has apparently done, or he may choose to establish his own political apparatus in the White House and simply let the party organization atrophy. While the latter course may be in the short run the easier, it is in the long run the costlier. Nonpresidential politicians also have a responsibility to support the organization whose nomination they seek. The primarily non-ideologically, mechanics oriented coalition being formed by Laurence O'Brien deserves the support of all the would-be Presidents in the Democratic Party. Leading political contenders must learn to forego the temptation to seek to make political points as "their own man" at the expense of discrediting the institution of party politics.

Ideologically oriented fund raising and lobbying groups have a similar responsibility to aid the preservation of the parties. This responsibility stems not from any congruence between either party and any particular group; as already shown, parties by their very nature will never fit comfortably with any ideology. Instead, this responsibility stems from a commitment to political order and the need for compromise within the American political system. Fund raising groups can have an enormously beneficial effect upon the parties simply by making some of their donations to the parties and letting the parties, in turn, allocate funds to the candidates. Since nothing talks in politics like money talks, such acts could help the parties find a stronger voice.

Perhaps the greatest hope for political parties comes from the American ability to muddle through, coupled with the fact that the trend towards the death of political parties is simply a trend; the wake is not yet. Americans, for the most part, continue to exercise the party affiliation which they learned early in life. The 1968 Presidential election, for example, saw party voting far outstrip any other basis for decision making.[14] Parties thus continue to represent greatly different Americans in a number of different ways.

In an area of great diversity, we have no acceptable alternative to effective political parties serving as a vehicle for varied interests and personalities. It is our responsibility, and the responsibility of all Americans involved in their nation's politics, to work for such parties.

FOOTNOTES

[1] Harvey Wheeler, "The End of the Two Party System," *Saturday Review of Literature*, November 2, 1968, p. 22.

[2] Kevin Phillips, *The Emerging Republican Majority* (New Rochelle: Arlington House, 1969).

[3] Richard M. Scammon and Ben J. Wattenberg, *The Real Majority* (New York: Howard-McCann, 1970).

[4] Wheeler, *op cit.*

[5] Everett Carl Ladd, Jr., *American Political Parties, Social Change and Political Response* (New York: W. W. Norton, 1970), p. 255.

[6] Theodore I. Lowi, "Party Policy and Constitution in America," in Chambers and Burnham, *The American Party System* (New York: Oxford University Press, 1967), pp. 239–240.

[7] Ibid, p. 264.

[8] Walter Dean Burnham, "The Changing Shape of the American Political Universe." *American Political Science Review*, Vol. 59, 1965.

[9] Ladd, *op cit.*, pps. 232–233.

[10] Ibid, p. 302.

[11] Philip E. Converse, *et al.*, "Continuity and Change in American Politics: Parties and Issues in the 1968 Election," *American Political Science Review*, December, 1969, pps. 1104–1105.

[12] Burnham, *op. cit.*, p. 27.

[13] Walter Dean Burnham, *Critical Elections and the Mainsprings of American Politics* (New York: W. W. Norton), pps. 177–178.

[14] Converse, *op. cit.*, pps. 1098–2001.

THE PENTAGON STUDIES

Mr. McGEE. Mr. President, in this week's issue of Newsweek, Stewart Alsop poses some interesting questions relative to the recent divulgence by the New York Times of the top-secret Pentagon studies of the U.S. role in Vietnam.

As was pointed out by Mr. Alsop, it was just a few years ago when this same newspaper editorially expressed indignation over the "breach of security" arising from the publication of a story in the

Saturday Evening Post on the Cuban missile crisis.

Mr. Alsop's piece is worth reflection, not only on the part of the New York Times, but also by those who have not as yet realized the ramifications of the publication of these documents.

Mr. President, I ask unanimous consent that Mr. Alsop's column be printed in the RECORD.

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

BREACH OF SECURITY

(By Stewart Alsop)

WASHINGTON.—It is interesting and rather wryly amusing—to juxtapose a couple of editorials that have appeared in the New York Times. One appeared on June 16 after a Federal judge ordered the Times to suspend publication of the top-secret Pentagon studies of the U.S. role in Vietnam.

The Times called this "an unprecedented example of censorship," which indeed it is. But then, the verbatim publication of great masses of top-secret papers is also unprecedented.

"What was the reason that impelled the Times to publish this material in the first place?" the Times asked rhetorically. "The basic reason is, as was stated in our original reply to Mr. Mitchell, that we believe 'that it is in the interest of the people of this country to be informed' . . ." The editorial continues on that lofty note: "We publish the documents and related running account not to prove any debater's point . . . but to present to the American public a history—admittedly incomplete—of decision-making at the highest levels of government . . ."

The other editorial, which was even more righteously outraged, appeared in the Times some years ago. It was entitled "Breach of Security," and it denounced an article "purporting to tell what went on in the executive committee of the National Security Council . . . The secrecy of one of the highest organs of the United States has been seriously breached."

"M'CARTHY TECHNIQUE"

"What kind of advice can the President expect to get under such circumstances?" the Times asked, again rhetorically. "How can there be any real freedom of discussion or of dissent; how can anyone be expected to advance positions that may be politically unpopular or unprofitable? Does no one in Washington recall the McCarthy era and the McCarthy technique? . . . The various positions of the members of the NSC taken during deliberation must remain secret . . . The integrity of the National Security Council, and of the advice received by the President, is at stake."

The article that inspired the Times to this burst of righteous indignation was a Saturday Evening Post piece on the Cuban missile crisis by Charles Bartlett and this writer. It too was an attempt "to present to the American public a history—admittedly incomplete—to decision-making at the highest levels of government." Although the Times, fortunately, could not know it at the time, the article had been read in advance (and rather badly edited) by no less an authority on national security than the President of the United States. It contained no word from any NSC paper, or from any other secret document.

REASONS—AND REASONS

The writers' reasons for writing the article were perhaps less lofty than those claimed by the Times in its recent editorial. They included a desire to do a good reportorial job (the account was later confirmed in detail in Robert Kennedy's book on the Cuban crisis). They even included a desire to make a bit of money. But like most reporters, we also believed that "it is in the interest of the people of this country to be informed . . ."

No doubt a desire to inform the people was a major reason for the Times' decision to publish the secret papers. But (to adopt the Times' own rhetorical style) might there not have been other reasons too? Does it not matter a great deal to the Times who does the informing? Is it not the Times' criterion that if the Times does the informing, that is in the national interest, and if somebody else does it, that is "a breach of security"?

And is the Times really indifferent to whether or not the information which it is "in the interest of the people of this country" to publish, supports the views of the Times? The article that so enraged the Times pictured the late Adlai Stevenson, then a major Times icon, in a somewhat dubious light, and that perhaps had something to do with the rage. The Times has long passionately supported the cause that the leaking of the Pentagon papers was obviously intended to serve.

The purloined papers printed by the Times were first offered to Sen. George McGovern and Rep. Paul McCloskey, the leading doves in the Senate and House. Obviously, the purpose of the leak was to prove that this country became involved in Vietnam by a process of stealthy deception; and that therefore the United States should withdraw forthwith, leaving the South Vietnamese to their fate.

In fact, the documents do not really prove what they are intended to prove. Allowing for the need for contingency planning, and allowing also for Lyndon Johnson's well-known passion for concealment, there is less deception of the public in the documents than self-deception.

There is the ancient American illusion that wars can be won cleanly in the air, rather than bloodily on the ground, of course. But the basic self-deception was the illusion that, if the United States could only find the right combination of sticks and carrots, the Vietnamese Communists would (in Robert McNamara's phrase) "move to a settlement by negotiation." The unswerving goal of the Communists, then and now, was and is the imposition of Communist rule on all former French Indochina. There is no stick short of "bombing them back to the stone age," and no carrot short of turning Saigon over to their tender mercies, that will divert them from that goal.

No American President who was also an honorable and humane man could hit them with that stick, or offer them that carrot. Yet the illusion that the North Vietnamese are capable of "reasonable" compromise is amazingly persistent, especially among liberal Democrats—its most recent manifestation is the "Clifford Plan," strongly supported by the Times.

NONSENSE

Despite its ineffable self-righteousness, the Times is certainly a great paper, though not as great as when it had the Herald Tribune to worry about. Moreover, anyone who has been around Washington for some time knows that a lot of governmental nonsense has been perpetrated in the name of "security." Most reasonably diligent reporters, including this one, have been investigated by the government for publishing information the government found it inconvenient to have published.

Yet surely there is a problem of security worth worrying about when "the various positions of the members of the NSC," as well as National Intelligence Estimates and secret coded messages from foreign governments, are reproduced verbatim in great quantities. Indeed, the Times series, by the Times's own standards, is the most serious "breach of security" in modern history. Yet those who wait for the Times to denounce this particular breach will have a long wait.

THE SUPPLY OF ENERGY

Mr. BROOKE. Mr. President, on June 4, in his message to Congress on the Supply of Energy, the President stated:

> One important way of fostering effective performance is to place responsibility for energy questions in a single agency which can execute and modify policies in a comprehensive and unified manner.

I strongly support this proposal and hope that Congress will act soon to assure consistent and intelligent administration of our Nation's energy policies.

In this connection, I invite the Senate's attention to an item in Platt's Oilgram of June 8 announcing that on Monday, June 7, the Federal Power Commission had authorized the Boston Gas Co. to import large quantities of liquified natural gas from Algeria and Canada. I am pleased at the Commission's action; it helps to assure that the homeowners and consumers who burn gas in the Boston area will have adequate supplies of this vital fuel in the coming winter.

However, I am deeply disturbed that one agency of the Federal Government—the Federal Power Commission—could authorize imports from Canada and Algeria of a heating fuel, while another agency of the Government—the Oil Policy Committee—has not acted on proposals to provide increased imports of another vital fuel for the New England area, No. 2 fuel oil.

Mr. President, it is clear that there is little, if any, coordination between the fuel and energy policies of the various agencies of the Federal Government. This is happening despite assurances in the President's message that until the new Department of Natural Resources comes into being, he would "continue to look to the Energy Subcommittee of the Domestic Council for leadership in analyzing and coordinating overall energy policy questions for the executive branch." I note that both the Chairman of the Federal Power Commission and the chairman of the Oil Policy Committee serve on the Energy Subcommittee.

The tragedy is that the people of New England and the Northeastern States suffer the most from the inconsistent and contradictory policies of our Government.

I find no reason why one agency of the Government should allow importation of gas from Canada and Algeria to provide heating for the New England area, while another agency of Government forbids imports of No. 2 fuel oil from Eastern Canada and the Eastern Hemisphere for New England.

It might be noted that nearly three-quarters of the homes in New England are heated by No. 2 fuel oil and a clear case has been made for a substantial increase in the level of imports of this product.

I cannot understand the reasons for the inconsistency. If we can import one product to help some homeowners and consumers, we should be able to import another product which is burned in most of our homes.

These facts demonstrate once again the need for complete revision of the Oil Import program. That revision should begin with a decision by the Oil Policy

Committee to raise the level on No. 2 fuel oil coming into the Northeastern States to a minimum of 100,000 b/d. Further, the Oil Policy Committee should allow that fuel oil be purchased anywhere in the world, just as importers of natural gas are able to bring it in from anywhere in the world.

Mr. President, I ask unanimous consent that the article from Platt's Oilgram be printed in the RECORD.

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

[Excerpt from Platt's Oilgram, June 8, 1971]

FPC APPROVES FOREIGN LNG PURCHASES BY BOSTON GAS, WASHINGTON, JUNE 7

FPC today authorized Boston Gas to import 1.9 million Mcf of Ln-gas from Algeria and Canada by April 1972.

Company won permission to purchase about 714,200 Mcf of LNG from Gas Metropolitan of Montreal at prices ranging between 84.56¢/Mcf and $1.47/Mcf. LNG will be conveyed to Boston in cryogenic tank trucks at cost of 45¢/Mcf.

FPC also allowed purchase of 1.25 million Mcf of Algerian LNG from Gazocean International or its affiliate, Alocean, which will transport LNG by tanker to company's storage facilities at Commercial Point near Boston harbor.

Commission said cost of Algerian LNG will be about $1.66/ Mcf, subject to change resulting from new tax, fee or duty charges levied by Algiers.

Boston Gas told commission it needed to import LNG because it has supplier, Algonquin Gas Transmission, needed to ensure adequate supplies for next winter.

JOINT RESOLUTION OF MAINE LEGISLATURE IN RESPECT TO PRISONERS OF VIETNAM WAR

Mrs. SMITH. Mr. President, for myself and on behalf of my colleague from Maine (Mr. MUSKIE), I ask unanimous consent to have printed in the RECORD a joint resolution of the Maine Legislature memorializing Congress in respect to prisoners of the Vietnam war.

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

JOINT RESOLUTION MEMORIALIZING CONGRESS IN RESPECT TO PRISONERS OF THE VIETNAM WAR

We, your Memorialists, the Senate and House of Representatives of the State of Maine assembled in the regular session of the One Hundred and Fifth Maine Legislature, do respectfully represent that:

Whereas, the Governments of the United States and North Vietnam are parties to the Geneva Convention; and

Whereas, it is the intent of the Geneva Convention that the high contracting parties to the convention insure the proper and humanitarian treatment of prisoners; and

Whereas, the Government of North Vietnam has not conformed its actions to the terms of the Geneva Convention and has shown a blatant disregard for the feelings of the families of prisoners held; now, therefore, be it

Resolved: That we, your Memorialists, speaking for and on behalf of the people of the State of Maine, recommend and urge that the Congress of the United States take all possible steps to gain the release of names, addresses and state of health of every captive American; repatriate or remove to a neutral country all sick and wounded prisoners; permit the International Red Cross or some other humanitarian organization to monitor the prison camps and help minister to the needs of the captives; and abide by the Geneva Convention, which they have signed, in the sending and receiving of prisoner mail, including shipments of food, clothing, medical supplies and educational and recreational materials and to bring the weight of world public opinion to bear on the Government of North Vietnam to require them to live up to the terms of the Geneva Convention which our government has signed in good faith and with which we are conforming; and be it further

Resolved, That copies of this resolution, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Honorable Richard M. Nixon, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to the members of said Senate and House of Representatives from this State; and be it further

Resolved: That the Maine Legislature also express, on behalf of the people of Maine, our sympathy, moral support and great respect for the unfailing courage of our Americans who are prisoners of war or missing in action and their patient and courageous families.

THE HIGH DOLLAR COST TO CITIES OF INMIGRATION

Mr. HUMPHREY. Mr. President, during the 1960's about 1,350 counties in the United States had such heavy outmigration that they declined in population. In the 1950's about 1,500 counties suffered such declines. The great majority of these counties were overwhelmingly rural in character. And where did the people leaving these counties move to? To our cities. And at what dollar cost to the cities receiving these migrants? Mr. Ronald W. Crowley in the 1970 winter issue of the Journal of Human Resources addressed himself to this important, and admittedly, complex problem. This study is that the net dollar burden of inmigrants on the population of a city is significant. Although these costs may be only temporary, they are high and do represent a subsidization of migrants by nonmigrant residents of a city for a period of time immediately following migration.

The net burden of inmigrants on the population of a city is calculated in this article by multiplying the income distribution of inmigrants by an income-based per capita distribution of revenues and expenditures. A measure of the burden which compensates for different revenue-expenditure patterns among cities also is developed in the article. These statistics are used for examining the costs imposed by inmigration on 94 large U.S. cities. Among the cities studied, 1955–60 inmigrants imposed in 1960 a median net burden per city of $2,500,000; the median net burden per migrant was nine times greater than per city resident, $72 per migrant and only $8 per city resident.

Mr. President, these alarming facts again underscore the vital importance of our developing a balanced national growth policy in this country. Our cities cannot afford to continue underwriting such costs. Such heavy financial burdens in addition to those they must now bear in providing needed services for their residents bankrupt many of them.

To avoid these added costs we must give more attention to meeting the income and social services needs of prospective rural-to-urban migrants where they now live. Development of our Nation's rural areas and smaller communities must be moved higher on our list of national priorities. The future well-being of our Nation's larger cities clearly depends upon it. The newly established Subcommittee on Rural Development, of which I am privileged to serve as chairman, is now hard at work exploring what might be done to revitalize these less densly populated areas of our country.

We have already completed 4 days of hearings here in Washington and 2 days of field hearings as part of this effort. Four more days of field hearings have been scheduled during the month of July. I am convinced, Mr. President, that the people of this country are now ready to turn their attention and energies toward the business of improving both this Nation's quality of life and its standard of living. However, as we go about addressing ourselves to such important tasks, we must develop a better understanding of the social, economic, and political forces involved in a society such as ours which has become so highly mobile. Mr. Crowley's article on the costs of inmigrants on the population of the cities to which they migrate gives us some new and important insights to consider in that regard. I urge my Senate colleagues to review the article carefully. I urge other government officials at the National, State, and local levels to do likewise.

I ask unanimous consent that Mr. Crowley's article be printed in the RECORD.

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

AN EMPIRICAL INVESTIGATION OF SOME LOCAL PUBLIC COSTS OF IN-MIGRATION TO CITIES

(By Ronald W. Crowley)

I. INTRODUCTION

In this study, we are concerned with estimating the public costs of in-migration to the large cities; we concentrate not on the functional city, i.e., the SMSA, but on the political entity of the central city.[1] This restriction was imposed by the lack of adequate financial data for areas of the SMSA outside the central city. As well, our concern is only with the costs imposed upon the central city government; thus both the private sector and some local governments (special and school districts, for example) are excluded.

II. THE METHOD OF ANALYSIS

There are at least two possible approaches to the problem. One is the use of cross-sectional or cross-temporal regression analysis to examine how costs vary as the volume of migration increases. In the case of the latter, the data are unavailable; for the former, problems with differences in the input-output structure of cities, their size, and a host of other factors make it exceedingly difficult. Where it has been used, regression analysis appears to discount the in-migration variable as important.[2]

A second approach involves an examination of the contribution of in-migrants to revenues and the incremental expenditure that they cause to be generated. This approach is basically the one that we have used.

W. I. Gillespie has allocated state and local expenditures and revenues by income class.[3]

Footnotes at end of article.

He obtained an income distribution of 37 variables (e.g., families, food expenditures, low-rent-housing families, mental hospital patients, and so on). The allocation of a government expenditure or revenue among income classes was then made on the basis of one or more of these income distributions. We have accepted Gillespie's relative distribution (Table 1) as the basis for our study. Since we are interested only in local government, we have assumed that this relative distribution is applicable to local government spending in the relevant categories.[4]

TABLE 1.—PERCENTAGE DISTRIBUTION OF STATE AND LOCAL GOVERNMENT REVENUES AND EXPENDITURES, BY INCOME CLASS, 1960

[In percent]

	Money income						
	Under $2,000	$2,000 to $2,999	$3,000 to $3,999	$4,000 to $4,999	$5,000 to $9,999	$10,000 and over	Total
Revenue (taxes):							
Individual income	0.4	0.8	3.1	6.7	42.5	46.5	100
Sales and excise	4.4	7.3	8.7	16.0	50.7	12.9	100
Property	5.1	6.9	7.2	12.6	49.1	19.4	100
Social Security	3.3	6.0	8.5	10.7	49.3	22.2	100
Expenditures:							
Highways	5.2	8.1	8.5	15.3	47.8	15.2	100
Education	8.3	7.3	10.0	12.5	46.7	15.2	100
Social security	63.4	28.8	6.4	1.3	.1		100
Public health	32.6	19.1	6.7	8.8	25.5	7.3	100
Public housing	36.7	30.6	18.8	9.5	44.4		100
Miscellaneous	21.1	10.9	9.9	11.6	35.7	10.9	100
General expenditures	14.0	9.0	9.0	11.0	43.0	14.0	100
Interest	6.4	5.5	5.7	6.3	26.8	49.3	100

Source: Computed from W. Irwin Gillespie, "Effects of Public Expenditures on the Distribution of Income," in "Essays in Fiscal Federalism," ed. R. A. Musgrave, tables 14 and 16.

If m_{ij} is the proportion of revenue raised in income class j from revenue source i and e_{ij} is the proportion of expenditures in functional category i spent on income class j, then M and E are rectangular matrices of order 4 x 6 and 8 x 6, respectively, as in Table 1.

We were able to obtain 1960 financial data for Gillespie's revenue and expenditure categories for each of the 94 cities with SMSA populations greater than 250,000 that we sought to examine.[5] Since the data were not in exactly the same format, reconciliation was achieved by consolidating our data to conform to his classifications. Then, $R[K]$ and $E[K]$ are diagonal matrices, respectively, of revenues from each source and expenditure on each function in city K.

The 1960 revenues and expenditures of each city were allocated to income classes according to Gillespie's relative distribution. The populations of the 94 cities were divided into income classes on the basis of the percentage of the United States population in each class, and per capita revenues and expenditures by income class were derived. The United States distribution, rather than city distributions, was employed since it was the one used by Gillespie as his basis of allocation. It might appear that there has been a bias introduced by the inclusion of rural inhabitants; however, since this "bias" is already present in Gillespie's distribution, using the U.S. population is an attempt to compensate for his inclusion. It also serves to deemphasize the inclusion of state expenditures (since they would be on the basis of rural *and urban*), thus resulting in a distribution which pertains more specifically to local government.

Now,

$$R[K]_j=\sum_{i=1}^{4}R_i[K]m_{ij}$$

$$E[K]_j=\sum_{i=1}^{8}E_i[K]e_{ij}$$

$$N[K]_j=E[K]_j-R[K]_j$$

$$\sum_{j=1}^{6}P_j=1.0$$

$$C[K]=N[K]_j/P[K]P_j$$

$N[K]_j$ is total *net* expenditures by city K on income class j; P_j is the proportion of the total U.S. population in income class j; $P[K]$ is the population of city K; and $C[K]_j$ is per capita net expenditures by city K on income class j. We obtained the number of in-migrants, IM_j, to each city K in each income class j from the *Census of Population*.[6]

$$IM[K]=\sum_{j=1}^{6}IM[K]_j$$

Multiplying the income distribution of in-migrants by per capita net expenditures, and summing over all income classes, we have $B[K]$, the total burden of in-migration to city K.

$$B[K]=\sum_{j=1}^{6}IM[K]_jC[K]_j$$

This burden may be interpreted as a cost imposed in 1960 by those individuals who migrated to—and remained in—the cities between 1955 and 1960.

III. METHODOLOGICAL PROBLEMS

Before presenting the findings, we should examine the pertinent assumptions of our methodology. We have uncritically accepted Gillespie's relative distribution of expenditures and revenues by income class. Since there has been so little work done on this subject, it is difficult to assess the validity of the estimates and, indeed, of the methodology. To the author's knowledge, there have been no published criticisms of it, and other authors appear to have accepted the findings and methodology.[7]

We should repeat that the focus of this study is on the central city as a decisionmaker. Hence, we excluded all governmental units but the civic administration in the central city. In revenues, we excluded intergovernmental grants since it was decided that the extent of grants would be determined by agencies outside the city government. A problem is that costs which are compensated by intergovernmental transfers are cost which are borne by other levels of government and at least initially *should be* considered as a cost in the city in question.[8] (This criticism has been partially met in the discussion of net burden below.) We excluded publicly-owned utilities since these were assumed to be self-financing on a user-charge basis.

Our approach assumes that costs and revenues vary only with income, that is, there is no other dimension to the expenditures and revenues of city governments. This simplifying assumption may be incorrect in some instances, since costs may vary with other economic, social, and demographic variables. For example, among in-migrants there may be a greater or lesser incidence of a particular cost-associated characteristic in every income class than there is among nonmovers.

A related problem is the implicit assumption that net expenditure on the marginal migrant in an income class is equal to the average for the class. This is probably not unreasonable. In the case of property and sales taxes—the main sources of revenue for city governments—there do not appear to have been any arguments for significant economies of scale, that is, arguments that revenue from a tax base changes with population size due to purely supply considerations.

On the cost side, there exists a considerable amount of conflicting evidence. The logical arguments for the traditional U-shaped average cost curve are persuasive. Nevertheless, empirical studies of the individual functions carried out by local governments have not borne out such a conclusion.[9] Those who have found diseconomies of scale may have confused differences in quantity with differences in quality of local government goods, or they may have failed to consider the operation of varying demand constraints.[10]

The costs of in-migration rest in both current and capital costs. We have framed our discussion in terms of current costs, but the data implicitly allow for capital costs through inclusion of an approximate value of capital used (depreciation).

Gross in-migration does not represent a net addition to population of the same amount as the migration. To some observers, in-migration may even appear to cause out-migration from cities, and in this context the two should be treated together. However, we would want to suggest neither causation nor the use of net migration data, since both would be misleading. The cost of out-migration is analytically distinct from that of in-migration; out-migration may aggravate the problem of financing city services, but it does not reflect specifically the cost imposed by in-migrants.[11]

We have treated the level of city government revenues and expenditures as politically determined and representing the decision of the community with respect to publicly-provided goods and services. The constant per capita revenues and expenditures per function imply that the community is willing to undertake increasing redistribution within itself to maintain previous per capita consumption of publicly-provided goods. The implicit assumption must be either: (1) that migrants represent a marginal change which will not alter the desired level of goods and services, or (2) that the political mechanism does not accommodate such change even if desired, or (3) that the same level and mix is indeed a preferred one. All are plausible possibilities.

Another problem concerns a bias in our computations. The base for the per capita revenues and expenditures of a city against which in-migrants are compared includes nonmovers, movers, *and* migrants. Under the circumstances of a positive burden, the net expenditures per migrant will be higher but the net relative burden (for definition, see below) will be lower than would be the case if the base were exclusive of migrants. We were unable to eliminate this bias.

Finally, it should be emphasized that the "burden" that we have computed is for a point in time. It is not at all inconsistent that those who impose a cost in 1960 may be of net benefit in later years. Nevertheless, this possibility does not alleviate the *current* problem of cities, even though it does suggest that the essential problem may be not with in-migrants per se, but rather with the time distribution of their demand for publicly-provided goods.

Footnotes at end of article.

IV. THE EMPIRICAL RESULTS

Table 2 presents frequency distributions of (1) the total cost or burden of in-migration per city, (2) the expression of this burden in relation to the number of city residents, and (3) the per migrant cost.[12] It is apparent that in a majority of cities the burden is relatively small when expressed in per capita terms.

TABLE 2.—TOTAL AND PER CAPITA BURDENS OF 1955-60 IN-MIGRATION TO 94 CITIES, 1960

Type of burden and size class of burden	Number of cities
Total money burden:[1]	
$0 to $1,999,000	44
$2,000 to $3,999,000	20
$4,000 to $5,999,000	14
$6,000 to $7,999,000	5
$8,000 to $9,999,000	3
$10,000 to $11,999,000	1
$12,000 to $13,999,000	2
$14,000 plus	5
Total money burden per city resident:[2]	
$0 to $9.99	55
$10 to $19.99	27
$20 to $29.99	9
$30 to $39.99	2
$40 to $49.99	0
$50 to $59.99	0
$60 to $69.99	1
Per migrant burden of in-migration:[3]	
$0 to $39.99	20
$40 to $79.99	38
$80 to $119.99	11
$120 to $159.99	13
$160 to $199.99	5
$200 to $239.99	5
$240 to $279.99	0
$280 to $319.99	2

[1] Median, $2,248,000; mean, $4,406,000.
[2] Median, $8; mean, $11.
[3] Median, $72; mean, $89.

There are, however, some problems in interpreting these data. The disparity in functions carried out by city governments creates differences in revenue-expenditure patterns. It is possible that a given total money cost may represent a greater real burden to one city compared to another because of higher costs *per function*.

To incorporate this possibility, the burden of in-migrants was expressed relative to the "burden" of all city residents.[13] We computed the average burden of all city residents and subtracted this from the average burden per migrant. The difference was then expressed as a percentage of the former (Table 3). This "relative burden" is probably the best measure for intercity comparisons. For any city, the greater the number of functions, the greater the amount of external financing, ceteris parabus. For example, if education and welfare were functions of one city, the amount of federal and state grants (not included in our revenues) would be greater than for another city which did not have these functions. Cities that rely on considerable external financing might have a high per capita in-migration burden, but they would also have a high per capita burden per resident. Thus, we have a comparison between in-migrants and residents for each city.

TABLE 3.—REGIONAL DISTRIBUTION OF RELATIVE BURDEN FOR CENSUS BUREAU REGIONS[1]

Size of Relative burden	Number in each region									
	Northeast	Middle Atlantic	East North Central	South Atlantic	East South Central	West North Central	West South Central	Mountain	Pacific	Total
Negative burden								1	1	2
Positive burden:										
0 to 30 percent		2	8	2	3	3	4	2	7	31
31 to 60 percent	2	6	7	3	3	1	5	1	3	31
61 to 90 percent		4	1	2	1	1		1		10
91 to 120 percent	3	4		2						9
121 to 150 percent	1	3	1			1			1	7
Over 150 percent	1	1		1			1			4
Median burden (percent)	118	72	32	57	35	40	33	18	26	41
Number of observations	7	20	17	10	7	6	10	5	12	94

[1] The classifications in this table are based on the Bureau of the Census regions, with the exception of the inclusion of Maryland, District of Columbia, and Delaware in the Middle Atlantic region ather than the South Atlantic. It was felt by the author that cities such as Washington, Baltimore, and Wilmington were more like cities in the former than the latter.

In only two cases were in-migrants of benefit (in the sense of imposing a smaller cost than the residents) to the receiving area. These cities were Albuquerque, New Mexico, and San Jose, California. It is relevant that both are located in the West. As the Advisory Commission on Intergovernmental Relations has noted, there is a tendency for very different distributions of low income people to pertain to various areas of the United States.[14] In the Southwest, it is frequently the suburbs which contain large elements of low income inhabitants. Table 3 suggests a strong regional pattern in the size of the relative burden.

Table 4 shows the ten cities with the largest and the ten with the smallest "absolute" and "relative" burdens. Table 5 is a frequency distribution of the burdens according to city and SMSA populations. Size does not appear to be a crucial factor.

TABLE 4.—LARGEST AND SMALLEST "ABSOLUTE" AND "RELATIVE" BURDENS OF IN-MIGRATION FOR CITIES IN METROPOLITAN AREAS OVER 250,000 POPULATION

	Per migrant burden (dollars):	Net relative burden: (Percent)
Largest:		
1.	Boston, Mass. $301	San Antonio, Tex.[1] 662
2.	Washington, D.C. 297	Johnstown, Pa. 237
3.	New Haven, Conn. 236	Boston, Mass. 219
4.	Norfolk-Portsmouth, Va. 234	Miami, Fla. 187
5.	Chattanooga, Tenn. 232	Peoria, Ill. 147
6.	Worcester, Mass. 216	Saint Louis, Mo. 145
7.	New York, N.Y. 200	Providence-Pawtucket, R.I. 140
8.	Jacksonville, Fla. 195	San Francisco-Oakland, Calif. 137
9.	Wilmington, Del. 180	Pittsburgh, Pa. 136
10.	Richmond, Va. 172	New York, N.Y. 133
Smallest:		
1.	San Antonio, Tex. 12	Albuquerque, N. Mex. −9
2.	Albuquerque, N. Mex. 22	San Jose, Calif. −6
3.	Charleston, W. Va. 22	Paterson-Clifton-Passaic, N.J. 5
4.	Peoria, Ill. 26	Tulsa, Okla. 7
5.	Paterson-Clifton-Passaic, N.J. 27	Phoenix, Ariz. 9
6.	Shreveport, La. 28	Wichita, Kans. 9
7.	Dallas, Tex. 29	El Paso, Tex. 9
8.	Houston, Tex. 32	Akron, Ohio 9
9.	Omaha, Nebr. 32	Gary-Hammond-East Chicago, Ind. 11
10.	Wichita, Kans. 32	Charlotte, N.C. 11

[1] San Antonio has a large relative burden primarily because of the low "net burden per resident" ($1.57). For all of the cities in the study, this is the smallest burden by a considerable margin. Because of the extremely small values, the large "net relative burden" for San Antonio might be explained by chance variation or error in either the burden per migrant or the burden per resident.

TABLE 5.—SIZE OF RELATIVE AND ABSOLUTE BURDENS OF IN-MIGRATION FOR THE 10 LARGEST AND SMALLEST CITIES WITH METROPOLITAN AREAS OVER 250,000 POPULATION, 1960

	1960 population (thousands)		Net burden per in-migrant (dollars)	Net relative burden (percent)
	Central city	SMSA		
Largest:				
1. New York, N.Y.	7,782	10,695	$200	113
2. Chicago, Ill.	3,550	6,221	75	53
3. Los Angeles-Long Beach, Calif.	2,823	6,039	72	32
4. Philadelphia, Pa.	2,003	4,343	123	110
5. Detroit, Mich.	1,670	3,762	$114	68
6. Baltimore, Md.	939	1,727	169	61
7. Houston, Tex.	938	1,418	32	28
8. Cleveland, Ohio	876	1,909	64	43
9. Washington, D.C.	764	1,989	297	102
10. St. Louis, Mo.	750	2,105	71	145
Smallest:				
1. Johnstown, Pa.	54	281	36	237
2. Bakersfield, Calif.	57	292	35	36
3. Lancaster, Pa.	61	278	35	73
4. Harrisburg, Pa.	80	372	124	64
5. Charlestown, W. Va.	86	253	22	61
6. Orlando, Fla.	88	318	97	29
7. Wilmington, Del.	96	415	180	21
8. Columbia, S.C.	97	261	38	108
9. Reading, Pa.	98	275	36	71
10. Peoria, Ill.	103	313	26	147

It is apparent from these data that in-migrants impose not inconsiderable burdens on the cities to which they migrate. The magnitude of the burden, however, is subject to wide variations—especially with respect to the region in which the central city is located. It is important to stress, in concluding this section, that our results reflect, in a very real sense, characteristics peculiar to particular cities. The inadvisability of attempting generalizations for all cities in the United States becomes immediately apparent. For example, the relatively low burden in Lansing, Michigan, probably reflects the high minimum salaries of government officials; in Clifton-Paterson-Passaic, New Jersey, and Wilmington, Delaware, the pervasive influence of E. I. du Pont de Nemours as an employer; and in cities such as San Diego, California, the importance of armed forces personnel. In the model that we have employed, intercity variation is a function primarily of differences in the income distribu-

Footnotes at end of article.

tion of in-migrants relative to the native population and of absolute and relative differences in the revenue-expenditure mix.

V. CONCLUSIONS

On the basis of an income distribution of in-migrants and an income-based relative distribution of government expenditures and revenues, we have estimated the net cost of in-migration to central city governments. This has been a legitimate exercise only if we can assume that the incidence of characteristics which determine revenues and expenditures relative to income is approximately equivalent over migrant and nonmigrant groups. If it is, we have an indication of the total cost of in-migration to cities and the amount of subsidization of in-migrants which is being undertaken by nonmigrant groups of the cities in question or by senior levels of government.

Whether the burden is endogenously or exogenously financed makes little difference for purposes of our analysis of the size of the burden. However, to the extent that it is exogenously financed, or to the extent that endogenous beneficiaries in the private sector are not specifically taxed, the cost is not being distributed in such a way that an optimal amount of migration might result. (Indirect evidence that the costs are not being efficiently distributed is found in the unabated internal pressure from certain groups to continue and to encourage city population growth.[15]) If, on the other hand, the nation, as expressesd through its political process, has decided on the desirability or the right of individuals to move, then this analysis suggests that there are significant public costs associated with such a policy.

FOOTNOTES

[1] The definition of in-migrants used here is that of the Bureau of the Census, *Census of Population, 1960*, PC (2)—2C, "Mobility for Metropolitan Areas." Migrants are those who change county in changing residence; movers are those who do not change county in changing residence; and nonmovers are those who change neither county nor residence. The Census yields the number, and characteristics of those 1960 residents who migrated to the city between 1955 and 1960.

[2] Cf., for example, H. E. Brazer, *City Expenditures in the United States* (New York: National Bureau of Economic Research, Occasional Paper No. 66, 1959); S. Sacks and A. K. Campbell, *The Metropolitan Context for Fiscal Decision-Making* (New York: The Free Press, 1967); S. Sacks, "Metropolitan Area Finances," in *1963 Proceedings, National Tax Association* (1954); S: Scott and E. L. Feder, *Factors Associated with the Variations in Municipal Expenditure Levels* (Berkeley: University of California, 1957); W. L. C. Wheaton and M. J. Schussheim, *The Cost of Municipal Services in Residential Areas* (Washington: U.S. Government Printing Office, 1955).

[3] W. Irvin Gillespie, "Effects of Public Expenditures on the Distribution of Income," in *Essays in Fiscal Federalism*, ed. R. Musgrave (Washington: The Brookings Institution, 1963); W. Irving Gillespie, "The Effects of Public Expenditure on the Distribution of Income: An Empirical Investigation" (Ph. D. diss., Johns Hopkins University, 1963). Although there are a number of studies dealing with the revenue aspects of government, the author is aware of only one other dealing with expenditures. Tax Foundation, Inc., *Tax Burdens and Benefits of Government Expenditures by Income Class, 1961 and 1965* (New York: The Foundation, 1967). This was not used because the years did not correspond to the one in which the author was interested (1960).

[4] See the discussion below for a qualification of this statement.

[5] We chose all of the cities in the United States with a population over 250,000 in the *metropolitan* area. Revenue-expenditure data were available, only for cities over 50,000 population, in the *Compendium of City Government Finances*. Since some SMSAs are comprised of multiple central cities, cases of municipalities smaller than 50,000 population arose. These were excluded from further study. They included: (1960 SMSA population in parentheses) Allentown-Bethlehem-Easton, Pa.-N.J. (492,000); Anaheim-Santa Ana-Garden Grove, Calif. (704,000); Davenport Rock Island-Moline, Iowa-Ill. (319,000); Duluth-Superior, Minn.-Wis. (277,000); Fort Lauderdale-Hollywood, Fla. (334,000); Huntingdon-Ashland, W. Va.-Ky.-Ohio (255,000); San Bernardino-Riverside-Ontario, Calif. (810,000); and Wilkes-Barre-Hazelton, Pa. (347,000).

[6] Bureau of the Census, *Census of Population, 1960*, PC (2)—2C, "Mobility for . . . ," Table 4. A correction was made for unattached individuals who were excluded from these data. We assumed that unattached individuals who migrated had the same income distribution as did the aggregate of unattached individuals.

[7] For example, P. A. Samuelson, *Economics* (New York: McGraw-Hill Book Co., 1967), p. 167; *Report of the Ontario Committee on Taxation, 1967* (Toronto: Queen's Printer, 1967); Tax Foundation, Inc., *Tax Burdens. . . .*

[8] Cf., for example, U.S. Senate, Subcommittee on Intergovernmental Relations of the Committee on Government Operations, *Catalog of Federal Aids to State and Local Governments* (April 15, 1964), p. 75. There are some significant exceptions to this statement in per capita grants and those programs with "matching" provisions.

[9] An excellent summary of numerous past studies is contained in W. Z. Hirsch, "The Supply of Urban Public Services," in *Issues in Urban Economics*, eds. H. S. Perloff and L. Wingo, Jr. (Baltimore: Resources of the Future, 1968), pp. 477–526.

[10] See A. Breton, "Scale Effects in Local and Metropolitan Government Expenditures," *Land Econmics*, 41 (November 1965), pp. 370–71.

[11] This problem might be received in the context of this study by assuming that out-migrants are a representative cross-section of the city population, hence imposing no incremental burden or benefit by out-migration.

[12] For a more complete exposition of these costs for each city, see the author's dissertation, "The Nature and Social Cost of In-Migration. . . ."

[13] A "net burden" exists in the sense of the term used here because of the tendency for municipal governments to finance expenditures out of borrowing and intergovernmental grants. The difference between expenditures and revenues in this context represents the amount of city expenditures shifted to another level of government, or to another generation.

[14] Advisory Commission on Intergovernmental Relations, *Metropolitan Social and Economic Disparities: Implications for Intergovernmental Relations in Central Cities and Suburbs* (Washington: U.S. Government Printing Office, September 1964).

[15] This might also reflect a different time perspective such that in-migrants are viewed as benefits to the city *over their life cycle.* (See Section III.)

A CRISIS OF CONFIDENCE

Mr. CHURCH. Mr. President, a related aspect of the current freedom of the press debate concerning the publication of the McNamara papers in the New York Times and the Washington Post is the ability or inability of historians of foreign policy to gain access to official papers in our Government archives. Scholars and others, says Prof. Richard W. Leopold, one of the Nation's most distinguished diplomatic historians and presently president of the Society of Historians of American Foreign Policy, "have grown impatient and angry—and rightly so—over their inability to examine the post-war records of certain departments—including State, Treasury, Defense, Army, and Navy—and of such organizations as the National Security Council."

In a paper originally presented as his presidential address at the luncheon meeting of the SHAFP on December 28, 1970, during the annual meeting of the American Historical Association in Boston, Professor Leopold cogently outlines the crisis of confidence among scholars, archivists, and others regarding the full use of official documents in archives and Presidential libraries.

I ask unanimous consent that Professor Leopold's presidential address be printed in the RECORD.

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

A CRISIS OF CONFIDENCE: FOREIGN POLICY RESEARCH AND THE FEDERAL GOVERNMENT

(By Richard W. Leopold)

This presidential address is not the one I first planned to make.[1] My original topic took shape a year ago in Washington when I listened to my predecessor tell this Society "What's Wrong with American Diplomatic History." Combining the proper concern of a responsible scholar with the understandable impatience of a frustrated researcher, President Alexander DeConde catalogued a multitude of sins in a wide-ranging and hard-hitting address, which appeared in the May 1970 issue of the Society's *Newsletter* and which was discussed at a breakfast session during the annual meeting of the Organization of American Historians at Los Angeles in April. Among other things, President DeConde discussed the role played by presidential libraries in the writing of recent diplomatic history. He noted that records, vital to understanding foreign policy, are sometimes closed by the whims of former presidents or by the wills of close associates. Since such restrictions do not apply to the chief executives themselves or to those who may be commissioned to chronicle their achievements, Professor DeConde deplored the fact that retired presidents can "present their views and explain their foreign policies a generation or two before scholars not in any way connected with their administrations could examine and use the records." Thanks to these presidential libraries, Professor DeConde concluded, past incumbents "do not have to wait for posterity to judge them. Each can plan his own monument and try to preserve an honored place, whether or not deserved, in the nation's history."[2]

These misgivings expressed by Professor DeConde are widely held among historians. I share some of them, though I also feel that it is easier to diagnose the disease than to prescribe the cure. Even a year ago, I was prepared to argue that, on balance, the student of foreign policy had been the gainer, not the loser, from the growth of the presidential library system. Absorbed as I then was, somewhat unwillingly and certainly not very happily, in an investigation of charges against one presidential library, it seemed to me that I could best use this brief hour of presidential majesty to discuss the problems that these unique archives pose for historians of American foreign policy. It was clear to me then, as it is clear to me now, that those problems are not well understood by many members of our profession.

But in the year since Professor De Conde challenged us in Washington, it has become

Footnotes at end of article.

increasingly evident that there is a larger issue that cannot be ignored and that should be openly discussed even if it cannot be easily resolved. The issue is the crisis of confidence between those engaged in research in foreign policy and those administering the records of the federal government. It is this larger crisis of confidence—its manifestations, causes, and possibly cures—that I wish to analyze today. In the process, I shall suggest some things that the Society for Historians of American Foreign Relations can do to meet the challenge and to help rebuild the confidence so necessary for all who engage in historical research.

The chief manifestation of this crisis of confidence is the swelling chorus of scholars' protests against the restrictive policies regulating access to government archives created after 1945. Historians and others have grown impatient and angry—and rightly so—over their inability to examine the postwar records of certain departments—including State, Treasury, Defense, Army, and Navy—and of such organizations as the National Security Council. There may be no unanimity among scholars on when unrestricted access should be permitted—some advocate opening almost all records over eight or ten years old—but it is evident that the date 1945 has become intolerable. These protests, of course, are not new. Almost four years have passed since Herbert Feis described the plight of "The Shackled Historian," and he has kept up his attack in articles and reviews. It has been two years since Ernest R. May offered his "Case for 'Court Historians,'" in which he argued that policymakers in Washington would benefit enormously, as would the profession, if trained scholars, working from records now closed to them, could prepare draft histories of recent diplomatic events. Seven weeks ago, James MacGregor Burns issued his call to arms, "The Historian's Right to See," in the *New York Times Book Review*. Only a few days ago, in a vigorous letter to the same publication, William L. Langer endorsed Professor Burns' views.[3]

A second manifestation of this crisis of confidence—and the order here may reflect my own battle scars—is the attack against the Franklin D. Roosevelt Library. This is not the time or place to discuss that unfortunate case, though I will later allude to its larger meaning for the profession. It is enough to note that the most serious charge—one raised by only a single scholar—is that in 1966, to benefit a Library publication, the Hyde Park staff deliberately and systematically withheld from him six letters between President Roosevelt and Ambassador William E. Dodd that were then, and had long been, open to all other scholars. More important, the complainant was joined by nineteen other historians in September 1969 in a letter to the *New York Times Book Review*, deploring as a serious abuse of archival power the alleged systematic concealment of the Library's publication project from several scholars who could have profited in their research by perusing the assembled material before it went to the printer. The joint letter also took note of allegations that, for over a decade, documents at Hyde Park had been withheld from several researchers, seriously affecting their work. Finally, the twenty signatories asserted that the operations and publications of the Roosevelt Library were not completely above suspicion, and they called for a thorough investigation into the history of the publication project and the administration of all presidential libraries. Since September 1969, there have been newspaper stories alleging or intimating that a scandal of serious proportions had been uncovered at Hyde Park. On December 20, 1970, there was released a 448-page report, dated August 24, 1970, of the *ad hoc* committee, appointed jointly by the American Historical Association and the Organization of American Historians, to investigate the charges against the Roosevelt Library and related matters. That report, along with the rebuttal of the chief complainant and comments by the Archivist of the United States and by the past president of the Society of American Archivists, may now be purchased at cost.[4]

A third manifestation of the crisis of confidence between the historian of a foreign policy and the federal government is a growing conviction that custodians of government archives, at best, are overworked and hobbled by bureaucratic procedures or, at worst, are lazy, capricious, and inefficient. It is impossible to measure accurately the extent of this feeling. Some of the criticisms are vague and often amount to nothing more than a belief that the researcher was not shown everything he needed to see. Some of the criticisms are specific, but they are voiced privately and passed along by word of mouth, often being exaggerated and distorted in the process. The directors or division chiefs of archival institutions are, usually, the last to learn of such complaints, even though they are the persons who can best check the validity of the accusations and take corrective action if necessary. This third manifestation should be qualified in two ways. First, critics like Professor Burns do not blame the immediate custodians of federal records; their quarrel is with those who determine rules of access. At no time, for instance, did Professor Burns support the attack on the Roosevelt Library. Second, for every scholar voicing a grievance against professional archivists, there are probably ten who feel indebted to these public servants. But commendation, unlike criticism, does not make good newspaper copy; hence, the impression that the professional archivist is not doing his job properly has been allowed to spread.

A fourth manifestation on the crisis is the mounting criticism of the long respected *Foreign Relations* series. The complaints against the Historical Office of the Department of State are of two sorts. One is that the annual volumes have fallen more than twenty years behind currency and are still losing ground. Such a situation seems intolerable to many oldsters who can remember the prewar meetings of the American Historical Association during which resolutions were introduced annually, calling upon the government to reduce the time lag, then pegged at fifteen years. It also bothers those not quite so old who can recall high-level statements during the Kennedy administration that the twenty-year line would be held. The other complaint is that access to the Department files is tied to the release of the *Foreign Relations* volumes for a given year. That is, the open period for State Department records presently goes through 1941. The limited access period runs from 1942 through 1945; bona fide scholars can examine most of the unpublished papers for those years, but their notes are subject to scrutiny and deletions. The closed period begins with 1946 and will not move to 1947 until the four remaining volumes for 1946 are released. Thus, scholars still cannot examine the manuscript records for the evolution of the Truman Doctrine, the lifting of the Berlin Blockade, or the coming of the Korean War.

Reflecting this mounting criticism, the Joint AHA–OAH Coordinating Committee on the Historian and the Federal Government created an *ad hoc* committee of specialists to consider ways of expediting the publication of the *Foreign Relations* series and of resolving the related problem of access to files of the Department of State. Nine historians and political scientists met on September 11, 1970, and drafted several recommendations, most of which were transmitted directly to the AHA representatives on the Department's Advisory Committee on *Foreign Relations*. The recommendations urged the Historical Office to reexamine the method of printing and indexing the series, to reduce the number of volumes covering a single year, to create a board of outside consultants to help with the preliminary selection of documents, to grant scholars access to those volumes still in galley proof, and to prepare finding aids for unpublished materials in departmental files. Also in September, the *ad hoc* committee recommended to the AHA Council and the OAH Executive Board that—in cooperation with other scholarly organizations such as the American Political Science Association and the American Society of International Law—they petition Congress for legislation transferring to the control of the Archivist of the United States all departmental and agency records over twenty years old. Such records, with certain exceptions, should be automatically declassified and made available for scholarly research. One would have to be an eternal optimist to expect immediate legislation along those lines, but the creation of the *ad hoc* committee, the stature of its members, and the nature of the recommendations reveal again how thin the patience of diplomatic historians has worn regarding access to government records after 1945.[5]

A fifth manifestation of this crisis of confidence is the questions that scholars are again raising about official history. It is no coincidence, of course, that this questioning should become more marked at a time when all government is viewed with suspicion, when the credibility gap seems to be a permanent fixture of the Washington landscape, and when the academic profession has geared itself to resist all government-sponsored accounts of the Vietnam tragedy. Of the histories written by public employees, now in progress, three are of most interest to students of foreign policy: *The History of the United States Atomic Energy Commission*, the first two volumes of which covering the period to 1952 were published in 1962 and 1969; the gargantuan *United States Army in World War II*, seventy volumes of which have appeared since 1947; and the *United States Army in the Korean War*, the initial two installments of which were released in 1961 and 1966.[6] To my knowledge, no serious questions have been raised about the Atomic Energy Commission enterprise, perhaps because scholars do not expect the Commission's files for the late 1940's to be declassified. On the other hand, the Army project, which over the years has had many distinguished historians associated with it, has become the target of criticism, some of which is still not voiced publicly.

Here also the complaints are two, and again one concerns access to records. The opening to private scholars of records used by writers in the Office of the Chief of Military History has been too slow to satisfy outsiders. The other complaint relates to the volume entitled *The Employment of Negro Troops* written by Professor Ulysses Lee, an able black historian who served ten years in the Army before retiring as a major. The criticism has been directed not against Lee but to the fact that his volume is the only one of the seventy in the *World War II* series in which the preface is signed by the general editor rather than by the author. This fact has led to rumors, and even assertions, that the Army had insisted upon changes in the text that Lee refused to make. My own investigation has led me to doubt the validity of the charge; but since Lee is dead, any inquiry must remain inconclusive. I am obliged to refer to this ugly matter because it has been bruited about the profession and is symptomatic of current misgivings about official history, especially official history written by the military and involving social relations more than battlefield operations.

The sixth and final manifestation of the crisis of confidence between the diplomatic historian and the federal government concerns the committees that advise government departments and agencies in their historical activities. Both the personnel and operations of the committees have been criti-

Footnotes at end of article.

cized. The committees, it is alleged, consist of older historians who are friendly to the department or agency and who will not, therefore, ask embarrassing questions. It has been suggested that historians who serve on such committees are more occupied with promoting the interests of those they advise than with the interests of the profession they represent—that they are more zealous in protecting the agency from its bureaucratic superiors than in protecting the scholar from governmental whims. The committees I primarily have in mind are those that advise the Department of State on the *Foreign Relations* series and the Army, Navy, and Air Force on their historical programs. The same criticism might be made of the Atomic Energy Commission's Historical Advisory Committee, the newly created Archives Advisory Council, and—though to a lesser extent—the National Historical Publications Commission.

How valid are the criticisms of these advisory committees? Are their members "kept men," guilty of the loosely applied phrase "conflict of interest"? I think it is indisputable that the members could do a better job for their historical constituency. There is a tendency to be more concerned with making certain that the Secretary of State, the the Navy, or the Army hears what a good job his historical branch is doing (thus facilitating the flow of adequate appropriations) than with making sure that the scholarly world learns what kind of job the advisory committee is doing (thus facilitating the the flow of adequate information). Among the committees the process of selection and the term of service vary greatly, as do the frequency and length of meetings. Reports are usually, though not invariably, prepared, but they are not publicized properly to be of maximum value to the historical profession.

Let us look more closely at one of the committees—the one of most concern to members of this Society and the one, on paper at least, the best conceived. The Department of State's Advisory Committee on *Foreign Relations* was created in 1957 after the Historical Office had been accused of suppressing, in its documentary publications, the full story of Franklin D. Roosevelt's wartime diplomacy.[7] The American Historical Association nominates three of the seven members; the American Political Science Association and the American Society of International Law each nominate two. Members serve staggered terms of four years and elect their own chairman. Former members receive full information about each annual meeting and are occasionally asked for advice. A report to the Secretary of State is prepared after each meeting; only twice since 1957 has there been none. Few historians read this report, however, since the full text has appeared only in the *American Journal of International Law*. From time to time, summaries have been published in the *American Historical Review* and the *AHA Newsletter*. The report for 1969 was the first to be printed in its entirety in the *AHA Newsletter*. Lest you conclude that such a practice, if continued—as I hope it may be—will insure proper publicity in the future, I would remind you that fifty-five percent of the members of the Organization of American Historians do not belong to the American Historical Association.

Over the years, many able diplomatic historians have served on the Department of State's Advisory Committee. Yet two uncomfortable facts must be faced. First, the AHA representatives are not selected by that body's Committee on Committees, and they make no report to the Council. The original three members were chosen in 1957 from a list of names compiled by the AHA Committee on the Historian and the Federal Government, but in recent years the Executive Secretary, undoubtedly with informal advice from others, submits the names to the Director of the Historical Office for approval by the Department of State. To insure a more representaive list of nominees, the AHA Committee on Committees should henceforth be utilized.[8] The second unpleasant fact is that despite diligence and dedication, as well as eloquence and exasperation, in fourteen years the Advisory Committee has been unable to persuade the top-level officers in the Department of State to give the Historical Office the personnel it needs to keep the *Foreign Relations* series only twenty years behind currency or the authority it requires to hasten the process of declassifying documents. On the last point, I should add that some problems of declassification lie beyond the jurisdiction of the Department of State.

Major historical organizations play no role in selecting members of the Army, Navy, and Air Force advisory committees or, to my knowledge, of the Atomic Energy Commission committee. I have never seen a published summary, much less the full text, of the reports prepared by those advisory committees, although the Chief of Military History edits a semiannual newsletter that should interest specialists. The new Archives Advisory Council includes representatives of the American Historical Association, the Organization of American Historians, the Southern Historical Association, and the Western History Association. Apparently, the Archivist of the United States selects the name or names submitted to him by those organizations. I have found no evidence that those representatives report to their organizations in such a way that those belonging to the organizations are kept informed. Minutes of the meetings of the Archives Advisory Council appear in *Prologue*, a periodical to which I shall refer subsequently. An exception is the case of the National Historical Publications Commission, whose two delegates from the American Historical Association are nominated by the AHA Council on the recommendation of the AHA Committee on Committees. Those two delegates also submit a report that is printed in the AHA annual report.

So much for some manifestations and causes of the crisis of confidence that exists today between the researcher in foreign policy and the custodian of government records. What can we as individuals and as the Society for Historians of American Foreign Relations do to restore mutual trust and goodwill? It is impossible, of course, to eradicate all sources of tension, some of which can be traced to laziness, carelessness, ignorance, suspicion, and paranoia. Because ignorance can be eliminated, the first step is for historians to expand their knowledge of the archival profession and especially of the National Archives and Records Service. During the unpleasant investigation that claimed almost all my time during the past year, I was appalled to discover how uninformed many historians were about NARS and, more particularly, the presidential library system. To be sure, the ignorance is not all on one side, but as historians let us first remove the beam in our own eye before we worry about the mote in the archivists' eye.

There is no excuse for historians to be unfamiliar with the history, organization, publications, and holdings of the National Archives. Its place within the governmental structure was analyzed in 1968 in a twenty-page report by a joint committee of the American Historical Association, the Organization of American Historians, and the Society of American Archivists. In 1969, H. G. Jones provided a book-length account, *The Records of a Nation: Their Management, Preservation, and Use*.[9] The published finding aids of the National Archives have been universally praised. Topical guides, special lists, preliminary inventories, and reference papers provide the scholar with essential information before he reaches Washington, and the situation will be even better when the new edition of the *National Archives Guide*, unrevised since 1948, is released. During the last eighteen months, these finding aids have been supplemented in two ways. First, the National Archives has been holding two conferences a year on different subjects to show how its records can be most profitably used. The conference in June 1969 dealing with diplomatic documents attracted many members of this Society; another in June 1971 describing World War II records can be expected to do the same. The second new aid is *Prologue: The Journal of the National Archives*, begun in the spring of 1969. There, within the covers of a single periodical issued three times a year at the modest price of $4.00, can be found helpful articles on archival matters as well as the latest facts about all presidential libraries, federal records centers, and NARS publications. In my judgment, *Prologue* and the *Library of Congress Quarterly*, with its valuable annual report on the Manuscript Division, are two of the best buys on the periodical market.

Until recently, students of foreign policy did not find it easy to obtain printed information about presidential libraries before visiting one of them. Although a great deal had been written about the novel problems faced by those new institutions, it had appeared mostly in the *New York Times Magazine*, always inconvenient to locate and use, or in periodicals like the *American Archivist* and *Special Libraries*, which few historians read. Thanks to funds provided by the Harry S. Truman Library Institute, the depository at Independence offered the fullest data. Since 1961 the Truman Library has issued once or twice a year a *Research Newsletter* that lists holdings of personal papers, microfilm collections, and oral history interviews. It has also held a conference every two years to acquaint specialists with its resources. The proceedings of four conferences have been printed, one in book form.[10] The oldest library at Hyde Park is only now beginning a drive for funds to establish a Franklin D. and Eleanor Roosevelt Institute that will also offer grants to scholars using the Library and provide money for conferences. On the other hand, the Roosevelt Library has pursued a substantial publicaton program that includes a calendar of Roosevelt's speeches from 1910 to 1920, a select bibliography of periodical and dissertation literature on the Roosevelt era (now being revised), a microfilm edition of Roosevelt's presidential press conferences, two volumes of documents bearing upon conservation, and—as everyone must now know—three volumes of materials from the Roosevelt Papers and other collections at Hyde Park dealing with foreign affairs from 1933 to 1937.[11] The last project is being continued to cover Roosevelt's second administration.

All presidential libraries are currently giving high priority to preparing printed finding aids and statements on access to restricted materials. These efforts stem in part from past criticism, including the charges made against the Roosevelt Library, and in part from the recommendations of April 1969 by the AHA Committee on the Historian and the Federal Government. Thus in December 1969 there was completed at Hyde Park a thirteen-page brochure entitled *Collections of Manuscripts and Archives in the Franklin D. Roosevelt Library*. After a preface that includes descriptions of existing finding aids and suggestions for appropriate citations to the various collections, the brochure lists alphabetically over 150 collections, giving for each the title, size, record number, type of finding aid available, and card number in the *National Union Catalog of Manuscript Collections*. A major omission, as the preface notes, is data on conditions of access. The preface does explain why some files are restricted, and it suggests procedures for those who wish to request permission to see closed materials. Copies of the brochure may be

Footnotes at end of article.

obtained without cost by writing to the Roosevelt Library. A second edition in preparation will indicate the specific restrictions on individual collections. In July 1970, the Dwight D. Eisenhower Library issued in the same format a forty-two-page brochure of its holdings. In January 1971, there appeared in a somewhat different format a thirty-five-page *Historical Materials in the Harry S. Truman Library: An Introduction to Their Contents and Use.* A similar publication can be expected from the Herbert Hoover Presidential Library where a less ambitious list of holdings has been available in mimeograph form for some time. All of these valuable finding aids should be studied carefully before the scholar leaves his home base.

Equally important are the steps being taken by presidential libraries to inform historians when closed documents are opened for use. That problem was never handled satisfactorily in the past, partly because the libraries lacked the manpower to inform individual researchers about collections they had used and partly because most scholars lacked the initiative to make personal inquiries about papers in which they were interested. The problem has been most acute at the Roosevelt Library, which has been in business the longest, and where now, twenty-five years after Roosevelt's death, most of the papers closed in 1949 by a committee acting according to his wishes, are being opened. Recent issues of *Prologue,* the *AHA Newsletter,* the *Journal of American History,* the *American Archivist,* and other periodicals have carried detailed lists of files in the Roosevelt, Harry Hopkins, and R. Walton Moore Papers in which one or more documents have been opened. The specific documents are itemized in an "Openings Book" kept in the Research Room at Hyde Park. Also in that room is a "Restrictions Book," which contains the most complete list of closed materials and which will serve as a source for the new edition of *Collections of Manuscripts and Archives.*

A few late developments involving other government depositories are worth noting. On December 21, 1970, the Department of Defense announced that the Washington records of the Combined Chiefs of Staff through 1945, except for "a very small portion of the total collection," had been transferred to the National Archives and were available for use in accordance with routine procedures governing access to all its holdings.[12] Also on December 21, 1970, the Naval History Division opened for scholarly use all of its classified records through 1958, unless such access was prohibited by laws, executive orders, or departmental instructions. These exceptions are very substantial, but the move should make available hitherto closed materials on the operational experience of the Navy's deployed forces, including the histories of various naval commands.[13] Within the last few months the Naval History Division has also published a very brief description of the rich holdings of the Navy Department Library and a very ambitious eighty-two-page revision of the extremely helpful *U.S. Naval History Sources in the Washington Area,* first compiled in 1957 and last revised in 1965. Both items have value for those engaged in foreign policy research.

Thus far it may seem I have been unduly critical of historians in their relations with archivists. I have indeed stressed the ignorance of many scholars concerning the work of the National Archives and Records Service in general and of the presidential library system in particular. If I had time, I would say more about the patronizing attitude of some historians toward professional archivists and the failure of many historians to instruct doctoral candidates in the use of archival materials. This failure is all the more serious because neither the *Harvard Guide to American History* nor such manuals as *Historians' Handbook* say anything about presidential libraries and the problems that an inexperienced researcher may encounter there. Every director of dissertations in recent United States history should see that his students know about Philip C. Brooks' *Research in Archives: The Use of Unpublished Sources,* issued in 1969, and that they regularly examine the *American Archivists.* Also on the required reading list for both experienced and inexperienced scholars should be Bernard A. Weisberger's forthcoming survey in *American Heritage* of the presidential library system.

I do not wish to leave the impression, however, that historians are alone to blame for the present tensions and distrust. Archivists too have been guilty of sins of omission and commission. The extreme charges against the Roosevelt Library might have attracted little notice if fuller publicity had been given in 1957 to plans to publish Roosevelt's letters on foreign affairs, in 1961 to decisions to suspend the project, or in 1967 to steps to revive the enterprise. Certainly there was no deliberate concealment of the *Foreign Affairs* project, as has been alleged. Yet officials in Washington and Hyde Park were naive to think that most historians would know about the undertaking because of one-sentence references to it in the reports of the Archivist of the United States for 1957 and 1958; because of a brief mention in a pamphlet prepared for a luncheon of the National Historical Publications Commission at the annual meeting of the American Historical Association in 1960; or because of a two-sentence notice of the Library's publication program (in which the volumes on foreign affairs were lumped with those on conservation and agriculture) in the Director's address at the Kansas City meeting of the Mississippi Valley Historical Association in 1965, an address printed later that year in the *Midwest Quarterly.* It should be obvious that papers read before the American Historical Association—even so-called presidential addresses—may pass unnoticed and that such papers, even if published in the *American Historical Review,* may go unread. Archivists must make repeated announcements of changed regulations and new projects. Bulletin boards in the Research Rooms at the National Archives and the presidential libraries provide one effective mode of communication; the columns of *Prologue,* the *AHA Newsletter,* the *Journal of American History,* the *American Archivist,* and—hopefully—the *SHAFR Newsletter* offer another.

Further, there are effective ways of keeping archivists on their toes when historians think they are not receiving suitable service. Some years ago a user of the Hopkins Papers at Hyde Park wished to correlate certain items therein with those in the President's Personal File. The archivist was unable to locate the latter and reported that they were either nonexistent or unavailable. The user was convinced that they did exist and requested the archivist to put his statement in writing. At once the administrative wheels began to turn; someone else was put on the job, and the missing papers were produced that very day. Of course, not every problem can be solved so easily. Perhaps the tale improved with retelling, but it does suggest three lessons. First, it is wiser—and also more decent—to attribute such difficulties to inefficiency or laziness rather than to a conspiracy to conceal. Asking for written explanations works wonders in a government organization. Second, as my informant remarked, it is almost impossible for a presidential archives to "hide" things from a knowledgeable researcher familiar with the collections simply because there are too many cross-references and other leads. Third, a disappointed scholar should complain at once and, if satisfaction cannot be obtained in the Research Room, should pay a visit to the Director. I am convinced that much of the misunderstanding, and even suspicion, that arose in the past could have been removed if there had been more direct talks between the users of presidential libraries and the Directors. Today, with attendance soaring at each presidential library, it is the researcher who must take the initiative when he encounters difficulties.

What happens if a historian cannot gain satisfaction, if he is persuaded that an archivist has been faithless to his code? The code requires, among other things, that an archivist "should endeavor to promote access to records to the fullest extent consistent with the public interest, but he should carefully observe any proper restrictions on the use of records"; that he "should not place unnecessary obstacles in the way of researchers but should do whatever he can to save their time and ease their work"; and that he "should not profit from any commercial exploitation of the records in his custody, nor should he withhold from others any information he has gained as a result of his official duties—either in order to carry out private professional research or to aid one researcher at the expense of another." Accusations that the archivists at Hyde Park violated those provisions of their code lay at the roots of the charges against the Roosevelt Library, the investigation of which cost two professional organizations and countless individuals so much time and money.

The Roosevelt Library case has several lessons to teach us during this crisis of confidence. The most important, in my judgment, is that the American Historical Association and the Organization of American Historians, if faced with similar charges in the future, should pursue a policy that does not commit them at the outset to championing the cause of any scholar who claims that he has been wronged professionally. Rather the two organizations should act promptly and jointly to determine whether the charges ought to be investigated. If the decision is in the affirmative, they should make certain that the inquiry insures justice for the accused as well as for the accuser and that, while the inquiry is in progress, the investigators are protected from personal attacks by either the accuser or the accused. The second lesson is that there does not now exist any proven machinery to deal expeditiously with complaints against public or private repositories, involving the discriminatory treatment of researchers or the unwarranted denial of access to documents. Neither the governing boards of the AHA and OAH nor their executive secretaries have the time to conduct an investigation. The same is true of the new Joint AHA–OAH Coordinating Committee on the Historian and the Federal Government. Hence, a way must be devised to create quickly a joint *ad hoc* committee for each new case, one that can begin work not later than one month after a complaint is registered. Delays can be costly. Although both the accuser and the accused should have an opportunity to object to persons chosen for the *ad hoc* committee, they must not have a veto, and they must file any objections at once and in specific terms. Such a recommendation was made on March 30, 1970, to the AHA Council and to the OAH Executive Board, and a variant of the plan has been tentatively approved.[14]

A third lesson is that the two major historical organizations should be joined by the Society of American Archivists in any future investigation of alleged archival wrongdoing. The joint AHA-OAH *ad hoc* committee investigating the charges against the Roosevelt Library would have benefited from having an archivist as a member. On March 30, 1970, it recommended to the AHA Council and the OAH Executive Board that the SAA be represented in all such cases. That recommendation has been accepted. A fourth lesson is that each *ad hoc* committee should

Footnotes at end of article.

contain one member who can devote his full time to the probe, as H. G. Jones did in a joint AHA-OAH-SAA committee's study on the status of the National Archives. The Roosevelt Library inquiry could neither have been conducted so extensively nor have been completed in ten months if the committee chairman had not previously been granted by his university a year's leave for research purposes. A fifth lesson is that guidelines must be developed to help future *ad hoc* committees avoid some of the obstacles and escape some of the harassments encountered by those investigating the charges against the Roosevelt Library. Such a recommendation was included in the final report, which fully presents the nature of those obstacles and harassments.

I come finally to the role that the young Society for Historians of American Foreign Relations can play in these matters. In my judgment, the Society should not involve itself directly in any investigation into an alleged breach of archival ethics. As individual diplomatic historians with a large stake in the proper administration of government depositories, we should work with the American Historical Association, the Organization of American Historians, and the Society of American Archivists in their inquiries, but as a Society we have neither the money nor the staff to undertake such tasks. Indeed, in May 1969 the Society came close to embarking upon a disastrous course. Fearing that the charges against the Roosevelt Library were not being properly handled, a distinguished member of this Society suggested to President DeConde that he appoint an investigating committee. Excellent names were considered and procedures were readied before it was discovered at the last moment that the AHA Committee on the Historian and the Federal Government had already reached certain conclusions and had already achieved tangible results. Accordingly, this Society did not act. If it had gone forward and if the committee had incurred the same expenses that the joint AHA-OAH *ad hoc* committee later incurred for secretarial assistance, telephone calls, Xeroxing, travel, and—most of all—lawyer's fees, our Society might be over $10,000 in debt. These investigations are both expensive and time-consuming, and our Society would be wise to leave the financial burden at least to our older, richer, and better staffed sister organizations.

There are, however, four modest contributions the Society can make. One is to use the *SHAFR Newsletter* to inform members about developments in the archival world that they would not learn about unless they read the *American Archivist, Prologue,* or the *Library of Congress Quarterly*. Our editor has already taken steps in that direction with brief articles on research in the British Public Record Office, the National Archives, and the modern German Foreign Ministry Records. The *Newsletter* should publish in full the annual report of the Department of State's Advisory Committee on *Foreign Relations*. The editor might invite an archivist to write an essay telling us, if I may paraphrase the title of my predecessor's presidential address, what's wrong with American diplomatic historians when they visit archival centers. I would also urge the *SHAFR Newsletter* to pay particular attention to presidential libraries until their holdings, procedures, and personnel are better known.

A second step would be for our new Nominating Committee to suggest informally to appropriate authorities the names of members who might serve on committees that advise government departments and agencies in their historical endeavors. By appropriate authorities I have in mind the presidents or executive secretaries of the major historical organizations, but I do not rule out informal suggestions to the Director of Naval History, the Chief of Military History, or the Archivist of the United States. Since a diplomatic historian does not always sit on the AHA Committee on Committees, it would also help to forward to the Executive Secretary in November, in advance of that committee's annual meeting, names of members who could well represent the American Historical Association on joint committees.

Third, our Program Committee could propose sessions at meetings of the American Historical Association, the Organization of American Historians, the Southern Historical Association, and the Pacific Coast Branch of the AHA that would bring historians of foreign policy and custodians of government archives together to discuss common problems. Indeed, the Program Committee might try to arrange for such a session at the annual meeting of the Society of American Archivists.

A fourth step would be for our new Council to join with the AHA Council and the OAH Executive Board in maintaining steady and unremitting pressure on the national government to open its recent records impartially to all scholars at the earliest possible date. The final report of the joint AHA-OAH *ad hoc* committee investigating the charges against the Roosevelt Library urged the two major historical organizations to bring such pressure to bear, and our Society should join in that endeavor.

The seriousness of the present crisis of confidence between historians of foreign policy and custodians of government archives should not be minimized, but there are constructive steps that can be taken to restore mutual trust and to undo the damage wrought by ill-considered attacks upon the professional ethics of men without whose selfless service the writing of American diplomatic history would be much poorer.

FOOTNOTES

[1] This paper, in a slightly different form, was presented by Professor Leopold as his presidential address at the luncheon meeting of SHAFR on December 28, 1970, during the annual meeting of the American Historical Association in Boston.

[2] Alexander DeConde, "What's Wrong with American Diplomatic History," *SHAFR Newsletter,* I (May 1970), 1–18, especially pp. 4–5.

[3] Herbert Feis, "The Shackled Historian," *Foreign Affairs,* XLV (Jan. 1967), 332–343; Ernest R. May, "A Case for 'Court Historians,'" *Perspectives in American History,* III (1969), 413–432; *New York Times Book Review,* November 8, December 20, 1970.

[4] Available from the American Historical Association, 400 A Street, S.E., Washington, D.C. 20003 and the Organization of American Historians, 112 North Bryan Street, Bloomington, Indiana, 47401. The report costs $3.00; the reply and comments, $3.50. The files of the joint *ad hoc* committee have been deposited in the office of the American Historical Association. Microfilm copies can be purchased.

[5] Members of the *ad hoc* committee were Louis Morton (chairman), Wayne S. Cole, Robert A. Divine, Robert H. Ferrell, W. Stull Holt, Richard W. Leopold, Ernest R. May, Robert E. Osgood, and Bradford Perkins. Ferrell, Holt, Leopold, May, and Osgood have served or are serving on the Department of State's Advisory Committee on *Foreign Relations*. James M. Burns was invited but could not attend. Paul L. Ward, AHA Executive Secretary, was also present. Not every member of the committee endorsed every specific recommendation.

[6] The Marine Corps Historical Branch has published four volumes in each of its two, five-volume projects—*History of U.S. Marine Corps Operations in World War II* and *U.S. Marine Corps Operations in Korea, 1950–1953*—but, with one exception, these volumes are of less value to diplomatic historians. *Victory and Occupation* (1948) in the first series contains a highly useful account of activities in North China from September 1945 to May 1949.

[7] Richard W. Leopold, "The *Foreign Relations* Series: A Centennial Estimate, "*Mississippi Valley Historical Review,* XLIX (March 1963), 595–612, describes the early work of the Advisory Committee.

[8] As long as the Department of State has the final word on appointments and insists that the members, who are given access to classified materials, obtain a security clearance, it is unlikely that all shades of opinion within the historical profession will be represented on the Advisory Committee. Some historians will refuse to submit to a security check.

[9] *The Report of the Joint Committee on the Status of the National Archives* may be obtained from the American Historical Association while the supply lasts. It is reprinted in Jones, *op. cit.,* 275–295.

[10] Harry S. Truman Library Institute, *Conference of Scholars on Research Needs and Opportunities in the Career and Administration of Harry S. Truman, March 25–26, 1960* (Independence, 1960); *Conference of Researchers, March 30–31, 1962* (Independence, 1962); and *Conference of Scholars on the European Recovery Program, March 20–21, 1964* (Independence, 1964). See also, Richard S. Kirkendall, ed., *The Truman Period as a Research Field* (Columbia: University of Missouri Press, 1967).

[11] Robert L. Jacoby, comp., *Calendar of the Speeches and Other Published Statements of Franklin D. Roosevelt, 1910–1920* (Hyde Park: Franklin D. Roosevelt Library, 1952); William J. Stewart, comp., *The Era of Franklin D. Roosevelt: A Selected Bibliography of Periodical and Dissertation Literature, 1945–1966* (Hyde Park: Franklin D. Roosevelt Library, 1967); Edgar B. Nixon, ed., *Franklin D. Roosevelt and Foreign Affairs, 1933–1937* (3 vols., Cambridge: Harvard University Press, 1969).

[12] Office of Assistant Secretary of Defense (Public Affairs), News Release No. 1028–70.

[13] Naval History Division Instruction 5510.1 (December 21, 1970); Vice Admiral Edwin B. Hooper, USN (Ret.) to the author, January 19, 1971.

[14] *Final Report of the Joint AHA-OAH Ad Hoc Committee to Investigate the Charges Against the Franklin D. Roosevelt Library and Related Matters* (Washington: American Historical Association, 1970), pp. 276–277. The specific recommendations addressed to the AHA Council, the OAH Executive Board, and the Archivist of the United States appear on pages 431–437.

ENTRY OF UNITED KINGDOM TO EUROPEAN ECONOMIC COMMUNITY

Mr. JAVITS. Mr. President, the successful negotiation for the entry of the United Kingdom into the European Common Market—EEC—culminates a difficult 10-year effort and is an historic step which will forever change the political and economic map of Europe. The proposed expansion of the EEC is in keeping with the long-standing and fundamental foreign policy of the United States—to encourage a unified group of allies which can increasingly contribute to the common defense and to an outward-looking common economic policy. The expansion of the EEC will also have the effect of firmly anchoring West Germany in Western Europe, thereby mitigating the possible adverse effects of West Germany's Ostpolitik.

It is my view that an enlarged and strengthened EEC provides the basis for an even higher order of partnership be-

tween the United States and Europe; and that these successful negotiations represent a major foreign-policy reverse to the Soviet Union. The Soviet Union has been persistently and implacably opposed to the expansion of the EEC—and opposition was illustrated most recently by Brezhnev's attack on the EEC during the 24th Congress of the Soviet Communist Party.

I realize the difficulties in the United Kingdom concerning the British application to the Common Market. However, I am convinced that the short-term sacrifices that the British people will be called upon to pay—primarily in the form of higher food prices—will be more than compensated by the long-run gains—both economic and political, of the whole free world.

The expansion of the Common Market will cause new problems for the United States. It is clear that the United States must continue hard negotiations with the community in order to safeguard our economic interests. However, rather than to approach these upcoming negotiations with pessimism, let us recall that economically the United States has benefitted continually and extensively from the EEC despite some admittedly difficult specific problems—almost exclusively in the agricultural area. In the recent period of persistent U.S. balance-of-payments deficits, we have had a consistent trade surplus with the community of over $1 billion in each of the last 10 years. In addition, there has been the annual investment income which has been returning to the United States from our over $10 billion in direct private investment in the EEC. There is every reason why this positive relationship will continue and improve with a wider Common Market if we avoid the EEC becoming protectionist.

On this historic day, I offer my congratulations to the negotiating teams and particularly to the leadership roles played by Prime Minister Heath, President Pompidou, and Chancellor Willy Brandt. President Nixon is to be commended, too, for the positive and forward-looking attitude he took toward these negotiations, and finally, recognition must also be given to former Prime Minister Harold Wilson who began this historic process with the decisions he took in 1967.

SENATOR EVERETT JORDAN SUPPORTS END-THE-WAR AMENDMENT

Mr. CHURCH. Mr. President, one of our most distinguished Senators is my good friend and colleague, B. EVERETT JORDAN of North Carolina. When he speaks on critical issues affecting the state of the Nation, Senators in both parties listen; when he votes, Senators take note. Such is the case on the issue of ending our participation in the war in Indochina.

Last week, Senator JORDAN voted in favor of the McGovern-Hatfield amendment, as he supported last year's Cooper-Church amendments. His reasoning is soundly based on the Constitution of the United States, when he argues:

That Congressional approval of the goal of withdrawal by a definite date, whether it be the one set by this amendment or an earlier or later one, is a sound and constructive way for the Congress to share responsibility with the President.

I ask unanimous consent that Senator JORDAN'S excellent statement on the "end-the-war" amendment be printed in the RECORD.

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

STATEMENT OF SENATOR B. EVERETT JORDAN ON THE "END-THE-WAR" AMENDMENT

I intend to cast my vote in favor of the "End-the-War" Amendment when it comes up for decision in the Senate at 5 p.m. on Wednesday, June 16.

Last year I reluctantly voted against an earlier version of it because I thought the President should have more time to negotiate a peace in Paris but since then it has become obvious that these three-year-old talks are hopelessly deadlocked.

Most of the American people by using plain horse sense and cutting through the complex issues involved have long since come to the conclusion that we have everything to lose and nothing to gain by continuing our military intervention in Southeast Asia.

In ten years of fighting we have more than fulfilled our nobly-intentioned but ill-advised commitment to help the South Vietnamese defend their country against aggression.

Our sacrifices have cut wide and deep through every element of society and the American people can see no compensating spiritual or material gains to offset our continuing losses in blood, treasure, and national well-being.

Fifty-five thousand of our young men have lost their lives in this war and more are dying every week.

Three hundred thousand have been wounded and fifty years from now many of them will still be in veterans' hospitals all over the country.

Twenty to forty thousand of our soldiers now in Indochina are using heroin, according to recent estimates. Thousands more have already brought the deadly habit home with them—to live with for the rest of their lives, in many cases, and to join the tens of thousands of our civilian young people who have become addicted to this and other dangerous drugs.

The war has drained away our national strength in every conceivable way. The country is divided as it has not been since the Civil War. Respect for law and order has given way to violence and hostility toward some of our most cherished values. All too many of our young men have become draft card burners and deserters from the military services. They cannot believe in a war they do not understand.

We have used our God-given resources to pour more conventional firepower and destruction into Indochina than we used in all of World War II. We have done all this without intending or even hoping to win a military victory, meanwhile letting our cities decay and our institutions wither for want of adequate support. To pay for this war we have spent ourselves into a raging inflation with ever increasing prices for the necessities of life accompanied by ominously increasing unemployment and the highest interest rates in this century. Around 370,000 of our Vietnam War Veterans are jobless today, according to the Secretary of Labor as reported in the press.

On New Year's day in 1968 the press quoted presidential candidate Richard M. Nixon as having said: "When the strongest nation in the world is bogged down for four years against a fourth-rate military power in Vietnam and no end is in sight; when the nation with the greatest tradition of rule of law is torn apart by unprecedented lawlessness and racial strife, and when the President of the United States cannot travel to any country abroad or to any major city in the United States without fear of a hostile demonstration, then its time for a new leadership."

If that was true three and one-half years ago, it is ever so much more true today. I think the Congress has a duty now to assert itself and help the President lead us out of this war.

The amendment now before the Senate offers an opportunity for such cooperation. Furthermore, in its recently modified form the amendment contains several important safeguarding provisos, including one that the time limit shall be extended if the enemy fails to release all U.S. prisoners of war before the deadline, and another that nothing in the amendment shall be construed as affecting the authority of the President to provide for the safety of American armed forces during their withdrawal from Indochina.

I believe that Congressional approval of the goal of withdrawal by a definite date, whether it be the one set by this amendment or an earlier or later one, is a sound and constructive way for the Congress to share responsibility with the President, and I hope very much the Senate will act favorably on it.

THE MILITARY SELECTIVE SERVICE ACT

The PRESIDING OFFICER (Mr. CHILES). The hour of 12 o'clock having arrived, the Chair now lays before the Senate the unfinished business, which the clerk will state.

The assistant legislative clerk read as follows:

(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 resumed the consideration of the bill.

The PRESIDING OFFICER. The hour of 12 o'clock having arrived, pursuant to the previous order, the time between now and 1 o'clock is to be equally divided and controlled by the Senator from Mississippi (Mr. STENNIS) and the Senator from Alaska (Mr. GRAVEL).

Who yields time?

Mr. GRAVEL. Mr. President, I yield 2 minutes to the Senator from California (Mr. TUNNEY).

The PRESIDING OFFICER. The Senator from California is recognized for 2 minutes.

Mr. TUNNEY. Mr. President, I ask unanimous consent that an amendment which I have at the desk in the name of the Senator from Ohio (Mr. TAFT) and myself be considered as having been read for the purposes of qualifying under rule XXII.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. TUNNEY. I want to thank the distinguished Senator from Alaska for yielding me this time.

The PRESIDING OFFICER. Who yields time?

Mr. GRAVEL. Mr. President, if the majority whip has no further activities at this point in time, I should like to suggest the absence of a quorum and ask unanimous consent that the time be charged equally to the Senator from Mississippi (Mr. STENNIS) and myself.

GERMANENESS RULE

Mr. BYRD of West Virginia. If the Senator will withhold that for a moment, Mr. President, the Pastore rule of germaneness has not been waived for the day.

I ask unanimous consent that the Pastore rule not be waived prior to the vote on the motion to invoke cloture.

I am yielding time here on behalf of the Senator from Mississippi (Mr. STENNIS).

I further ask unanimous consent, if the motion to invoke cloture is approved, that the Pastore rule of germaneness then be waived for the remainder of the day.

I further ask unanimous consent that if the motion to invoke cloture fails, the Pastore germaneness rule apply from that time for a period of 4 hours.

Mr. DOLE. Mr. President, reserving the right to object—and I shall not——

Mr. BYRD of West Virginia. Mr. President, I reiterate my request for the benefit of Senators.

Without a request, the Pastore rule of germaneness would have begun to operate for a period of 3 hours beginning at 12 o'clock noon today or earlier.

I ask unanimous consent that if the motion to invoke cloture fails, the Pastore rule of germaneness operate for a period of—I am going to change it—for 5 hours, beginning at 12 o'clock noon today, and that if the motion to invoke cloture is sustained, the Pastore rule, as of the time of the vote on the motion, be waived for the remainder of the day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

The Chair hears none, and it is so ordered.

QUORUM CALL

Mr. GRAVEL. Mr. President, I renew my request for the absence of a quorum and ask that the time be charged equally to the Senator from Mississippi (Mr. STENNIS) and to myself.

The PRESIDING OFFICER (Mr. HUMPHREY). Without objection, the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HUMPHREY). Without objection, it is so ordered.

Mr. ALLEN. Mr. President, acting on behalf of the distinguished Senator from Mississippi (Mr. STENNIS), I yield 4 minutes to the distinguished Senator from South Carolina (Mr. THURMOND).

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 4 minutes.

Mr. THURMOND. Mr. President, I urge the Senate to invoke cloture today in the interests of the national security of this country.

My vote for cloture will be the first I have cast since coming to this body in 1954. I cast it on the grounds of national security—not on the basis of the war in Vietnam, not on our position in the Middle East or NATO, but rather on the basis of our security here at home.

As I have argued in this Chamber many times, the right of unlimited debate in the Senate is essential to protect the minority viewpoint on great issues of the day. Obstruction is sometimes necessary to prevent a majority from striking down the rights of the minority.

However, on this bill, continuation of debate clearly jeopardizes our national security. There may be future instances where unlimited debate would preserve our national security. Whatever the case may be, I shall stand on the side of national security.

The Senate has been debating the 1971 Selective Service Act since May 6. Scores of amendments have been debated and decided. Scores of amendments remain on the table, many by authors who have vowed to allow the draft to expire on June 30.

The Senate has the responsibility to check the powers of the executive branch when they are being exceeded. However, in this debate the move is to accelerate the Vietnam disengagement policies of the President by attempting to deny him the manpower needed to preserve our Military Establishment.

Mr. President, we have reached the point where our national security will be endangered if this debate is not ended. Unless the draft is extended for a minimum of 2 years, the manpower essential to preserve our strategic power will not be available. Even the majority of the supporters of an all-volunteer armed force recognize this plan is not feasible at this time. If the draft ends June 30, the United States will be entirely dependent on an all-volunteer armed force which has not passed the Congress.

The Senate seems to view the draft in the terms of those men actually drafted. Apparently some fail to fully realize that the draft induces into service tens of thousands of young men who volunteer for certain specialties rather than be drafted into the combat arms.

These specialties require highly qualified personnel to man our Polaris submarines, maintain our Minuteman missiles and provide the mechanical skills for operation of complex airplanes and other weapons. These systems involve our strategic credibility.

At present these needs are met because over 40 percent of the volunteers for the Air Force and Navy who manage these strategic systems are motivated by the draft to join the services.

Mr. President, on August 28 and 29 of 1957, I stood on this floor and spoke continuously for 24 hours and 18 minutes in defense of jury trials. This speech remains as the longest on record in the Senate.

Today, I would not hesitate to speak at such length again in defense of the Senate's right of unlimited debate. However, when this Nation's security is endangered, the pendulum must swing in favor of our existence as a military power worthy of our own defense.

Let no man say we struck down our right to talk. But rather let him say we did what had to be done when the security of our Nation was at stake.

QUORUM CALL

Mr. ALLEN. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum with the time to be equally charged.

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

Mr. ALLEN. 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. CRANSTON. 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 Senator from Mississippi is recognized.

Mr. CRANSTON. Mr. President, will the Senator yield to me for one-half minute?

Mr. STENNIS. I yield to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

QUALIFICATION OF AMENDMENT UNDER RULE XXII

Mr. CRANSTON. Mr. President, I ask unanimous consent that an amendment just submitted by the Senator from Minnesota (Mr. HUMPHREY) and me as a cosponsor, be considered as having been read so that it qualifies under Rule XXII.

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

Does the Senator from Mississippi wish to be recognized?

Mr. STENNIS. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The parliamentary situation is the division of time between now and 1 p.m. on the subject of the cloture motion.

Mr. STENNIS. Mr. President, is it correct that I am in control of one-half of that time?

The PRESIDING OFFICER. The Senator from Mississippi is in control of one-half of the time remaining.

The time remaining is as follows: The Senator from Mississippi has 16 minutes remaining and the Senator from Alaska has 20 minutes remaining.

Mr. STENNIS. Mr. President, first I wish to explain to the Presiding Officer and to Senators that I regret very much I have not been able to be in the Chamber since 11 a.m., but without going into detail it was simply a matter that demanded preference, even though this is highly important.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The request of the distinguished majority whip is that the Senate be in order. Order will be established. Attachés and pages and others will go to their respective places. There will be order in the Senate.

The Senator from Mississippi may proceed.

Mr. STENNIS. Mr. President, the situation demanded that I remain where I was, which was with the majority leader.

Mr. President, certainly I am cast in

an unusual role on a motion for the imposition of cloture. My position always has been to the contrary, but I have said all the time over the years that if it ever came to a question of national security I would be compelled to advocate a vote for cloture, and that is the situation today.

Rule XXII, under which cloture can be imposed, was born out of a national emergency on the question of security. To be brief, the late Woodrow Wilson, and I think it was in the year 1916, proposed that he arm the merchant ships with relativley small guns for their protection. He requested legislative authority to take that step. That was filibustered to death here in the Senate. He went ahead and armed this ships later, anyway. When the Senate reconvened the next year it passed rule XXII. A method of cutting off debate to meet a national emergency was the main prompting for passage of the rule. That was almost 60 years ago. The pendulum has traveled a long way since then and we are back where we started, so far as national emergencies are concerned. I do not say that hastily or ill advisedly.

Mr. President, the facts of life are that to maintain our security we must extend this Selective Service Act for some period of time. We have debated it over and over and we have had many votes on the period for which it should be extended. That period is now settled at 2 years. We have no alternative plan. No one claims he is ready with an alternative plan on the direct point of not continuing the Selective Service Act.

Whatever the virtue of the all-volunteer concept for all the services, and however well it may work, and however rapidly it may develop, we do not now have a plan in operation, a developed plan that can supply the necessary manpower. When I say the "necessary manpower" I am not talking about the manpower for the war in Vietnam. I think that will be relatively small and less and less. I am not talking about sending troops to Western Europe. I am talking about getting the Nation men of the right type, competence, and capacity to protect our Nation and our people here at home, the over 200 million in our 50 States.

To be specific, I am talking in terms of continuing a supply of manpower for our Polaris submarines and our attack submarines, about the protection of our shorelines and our foremost line of deterrence with nuclear weapons.

I have said in debate many times and I have proven by the record that some 38 to 42 percent of the young men out there on our carriers, in our submarines, manning our ICBM's here at home, and all the related activities of that kind are draft induced. They are draft-induced. According to what they themselves said when they came in, they are volunteers for a duration of years, 4 years in the Air Force, 3 years in the Navy, but they are draft-induced, and they have the alertness, the talent, and the adaptability, and they develop rapidly. They go into these key positions.

That time is expiring all the time and we have to bring men in all the time who have the capacity. Those capacities are found among the selectees, who have the talent and the aptitudes.

I have the figures here. They have been cited before in this debate over and over. They have never been disputed. I refer to just a few figures here. About 47 percent of our Air Force volunteers are motivated by the draft. Moreover, about 20 percent of our Minutemen missile crews must complete from 11 to 13 months of highly specialized additional training before they can be assigned to these weapons of nuclear deterrent. So 42 percent of them come through the influence of the draft.

Then it requires all this time to train those men. That time is going to be expiring in the months ahead, and we must be bringing in other men who have the qualifications to meet the requirements and to eventually fill those places and get into those channels of training.

So I do not think any susbtantial reasons can be given to refute my contention here that it is necessary to have an extension of that draft bill.

I like the attitude of the majority leader. He told me, when this debate started, when it was announced it was going to be filibustered, "I am against your bill, but I will cooperate to the hilt in seeing that it goes on through to a vote." That has been his spirit all the time. He has been quite active here. We felt that yesterday. We felt it before. But he is traveling the high road of statesmanship. He always does, I think.

With all respect to everyone, I think that is the high road of duty and responsibility, like it or not. I do not like the idea of having to resort to cloture here. I know Senators who oppose the bill are honest and Senators who oppose cloture are honest. I tell you right now that there comes a time when we have to close ranks. I submit that time has come now.

Mr. President, today the Senate will vote on a motion to cut off debate on the Military Selective Service Act. My vote on this motion will be affirmative. It will be the first time I have voted for cloture and I will be voting solely in the interest of our national defense.

A review of the inception of the cloture rule, rule XXII, reveals that it was adopted during a period of national emergency, shortly before war was declared on Germany when a Senate filibuster prevented passage of a bill authorizing arming of merchant vessels. President Wilson at that time pointed out that calling the Senate into special session would not gain passage of the bill because "the paralysis of the Senate would remain." More important, and germane, to the debate we have held in this Chamber for 7 weeks, was his statement that in a crisis situation, especially involving national defense when definite and decided action was required, action in the Senate would be impossible if several Members chose to carry on debate endlessly. He suggested that the Senate rules be changed.

On March 8, 1917, a resolution prepared by a joint committee of the majority and minority was presented to the Senate. It passed with only three Senators dissenting and became rule XXII, the cloture rule.

History has come full circle on the cloture rule. The Senators who voted for the cloture resolution in 1917 did so because an element of our national security was threatened by a Senate filibuster. Today, we are faced with a similar situation. Our national defense will be endangered if we do not pass the Military Selective Service Act.

The men who wrote and adopted rule XXII were wise in providing the Senate with this safeguard as a means of protecting our national security. It is a measure which I believe must be used as just that—a safeguard to protect our national security.

I believe that we must use this safeguard today, as we are faced with the expiration of the Selective Service Act.

I reiterate, I will vote for cloture as a matter of national defense.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. BAYH. Mr. President, throughout my career in the U.S. Senate, I have repeatedly and firmly exhibited my opposition to use of the Senate's provision for unlimited debate to block the will of a majority of Senators to vote on a particular measure. Certainly, as last year's debate on my amendment to establish direct popular election of the President illustrated, a handful of men can forestall action that is clearly consistent with both the wishes of the American people and the sentiments of their elected representatives. Thus is has been my belief that it would be in the best interests of this body and the country to revise the rule on cloture.

Today, in considering the cloture petition for the Selective Service Act, the Senate faces once again a decision on a matter of critical national importance. This year's bill contains several significant reforms of a system whose past inequities have done much to embitter and divide a substantial element of our society. In our debate we have taken action to insure that families that have lost a son in combat need not sacrifice another to war, even if he were not a sole surviving son. We have insured that selective service regulations—as other Federal agency regulations—must be published before they can take effect. For the first time, we have enacted meaningful pay increases for the military that will be a considerable aid in reestablishing the dignity of military service. We have established firm congressional guidance for the problem of drug abuse in the military.

Equally as important, the Senate has made the President directly accountable to Congress should he wish to augment our Armed Forces by using the draft. Firm ceilings have been set on both overall military manpower levels and induction authority for the next 2 years.

Most important, the Senate yesterday for the first time established as national policy the concept that the President must set a date certain for withdrawal

of all American forces in Indochina. If we delay the draft bill, we delay passage of all these reforms.

But, at the same time, we have failed to act favorably on many of the most important procedural reforms which would insure registrants the same due process rights that they receive under criminal law. Young men, conscripted under this act, continue to be compelled to fight and die in a war that I consider to be immoral and senseless. While the Senate has taken a first and tentative step to end that war under the Mansfield amendment, the killing still continues.

Several amendments whose enactment would help in reducing the inequities of this system—those regarding the composition of local draft boards and the wholesale reorganization of that system—have yet to be considered. No action at all has been taken on the one issue whose resolution may have the greatest bearing on our future defense budget and national security policy: overall military manpower levels—and how these levels reflect our national interest and intentions in all areas of the world.

In balance, the business of the Senate on Selective Service remains unfinished. To impose cloture now would not be in the best interest of either the Members of this body or the American people. Until we have finally considered all of these pressing matters, and made a clear determination of these pending amendments, I cannot support the measure to close debate on the Selective Service Act.

Mr. TOWER. Mr. President, it is with some reluctance that I will vote to limit debate on the pending Draft Extension Act. We have been considering this legislation for over 6 weeks on the floor of the Senate, and we had previously had very extensive hearings on this subject in both the Senate and the House Armed Services Committees. All facets of this bill have been discussed in depth, and all aspects have been examined at one time or another. There should no longer be any reason why we cannot proceed to a vote on final passage of this most important legislation.

I have long been a supporter of the use of extended debate in order to educate the public about what I considered to be the dangers of particular pieces of legislation. In fact, I have only voted to limit debate on one prior occasion during my entire 10 years here in the Senate. It has become apparent to me, however, that the desire of those who now support this extended debate is not to educate but rather to frustrate the decisionmaking system. Were it on some less important matter, I might be inclined to vote to allow this debate to continue. However, the national security of the United States is at stake in this instance. The question simply stated is this: Are we going to continue to provide sufficient manpower for the defense of the United States or are we going to unilaterally disband our Armed Forces. I cannot vote to disband the Armed Forces at a time when the threats to the security of the United States are at record levels. For me to do so would be an act of irresponsibility and an abrogation of my duty to maintain the strength of the Nation. I find it difficult to believe that even those who oppose the draft extension would prevent a vote on this matter.

Mr. President, some of those who have announced that they will try to frustrate the desire of the Senate to proceed on this matter say that by so doing they will automatically eliminate the draft. Nothing could be further from the truth. What would be accomplished, would be that those who have recently lost deferments would now be liable for immediate induction. The whole idea of the lottery system which most everyone in the Senate supported when President Nixon first recommended it would thus be frustrated. Those who had relied on the word of the Senate in this regard would now find that they had relied on this word to their own detriment. I for one, do not believe that our word should be violated. We must continue to provide for a draft while we are moving in an orderly manner toward a zero draft situation. By refusing to even let the Senate decide whether or not to extend the draft, the irresponsible action of a few is jeopardizing the security of this Nation.

I urge my colleagues to, in this instance, let the interest of the national security overcome their qualms about voting for cloture. There are many issues upon which I would not move to limit debate, but such an argument cannot be allowed when the security of this country is in the balance.

Mr. MUSKIE. Mr. President, I will vote for cloture today because I have always believed that once full debate on the merits of pending legislation has been completed and further discussion is for delay that the Senate should proceed to a vote on the question before it. All the main questions associated with the draft have been fully debated and voted upon. The Senate has considered reform of the draft, replacing the draft with a volunteer army, increasing pay, troop levels in Europe, and ending the war in Vietnam. Although I do not agree with the outcome of many of these debates, further consideration of the bill will not change the position of the Senate.

If cloture is invoked there will still be an opportunity for 100 hours of debate, and there will be a vote on every germane amendment pending to the draft bill.

It is clearly the purpose of some to prolong debate in order to prevent the draft bill from being enacted. Because I believe that the draft system is the most equitable way for distributing the burdens of defense during times of crisis and war, I do not favor the elimination of the draft. Therefore, I favor a continuation of the draft, especially with the pay raises included in this bill that will lead eventually to zero draft calls.

I do not believe that blocking renewal of the draft will materially contribute to ending the war in Vietnam. Our manpower needs in Vietnam are steadily decreasing as troops are withdrawn and pay raises are helping to increase the number of volunteers. Cutting off the draft for a period of time would not have a dramatic effect upon the continuation of the President's Vietnamization program.

I favor ending the war in Indochina with a date certain. Yesterday, by adopting the Mansfield amendment, the Senate took a step in that direction. I think we should speed this major move to end the war on its way toward possible enactment. I think this is the best and most effective way of withdrawing our military personnel from Indochina, and a filibuster on the draft will not contribute to this end.

By sending the draft bill to the House with the Mansfield amendment attached, there will be maximum pressure to accept the Senate version as is in order to avoid conference and pass an extension of the draft prior to the expiration date of June 30.

Mr. BROOKE. Mr. President, 15 times in the less than 5 years that I have been in the U.S. Senate, this body has considered and voted upon a motion to close off debate. And 15 times I have supported and voted in favor of cloture.

My reason is simple: Unlimited debate is incorporated in the rules of procedure of the U.S. Senate as an assurance against hasty action and ill-considered judgments. It is through such debate that Members of the Senate are able to inform their colleagues, raise questions and receive answers, resolve differences and render considered judgments. It is a right unknown in most other parliamentary bodies, and it is uniquely suited to our democratic principles.

In essence, I believe in unlimited debate. But I also believe that when that debate becomes filibuster and is used as a strategic device, cloture should be invoked and the Senate allowed to work its will.

In the month that the Senate has been debating the draft extension bill, many hours have been devoted to careful consideration of the important questions raised. Many of the amendments we are now considering are repetitive and I think that we have moved into a filibuster. Even though I have been a longtime opponent of the draft, I nevertheless believe that to prolong consideration of the draft bill for the purpose of postponing a final decision is wrong. I will therefore cast my vote to end this debate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had agreed to the concurrent resolution (Senate Concurrent Resolution 9) authorizing the printing of additional copies of Senate hearings entitled "Investigation into Electronic Battlefield Program."

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 645. An act to provide relief in patent and trademark cases affected by the emergency situation in the United States Postal Service which began on March 18, 1970;

S. 1538. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended;

S. 1732. An act to amend and extend the provisions of the Juvenile Delinquency Prevention and Control Act of 1968, and for other purposes; and

H.R. 2036. An act for the relief of Miss Linda Ortega.

The PRESIDENT pro tempore subsequently signed the enrolled bills.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting nominations, was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Presiding Officer (Mr. BEALL) laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Public Works.

(The nominations received today, are printed at the end of Senate proceedings.)

THE MILITARY SELECTIVE SERVICE ACT

The Senate continued with the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

The PRESIDING OFFICER. Who yields time?

The Senator from Alaska (Mr. GRAVEL) has 20 minutes.

Mr. GRAVEL. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRAVEL. Mr. President, I realize that today is a very historic day for the distinguished Senator from Mississippi and, as I understand it, the Senator from South Carolina (Mr. THURMOND), who has indicated that he will break a lifelong precedent to vote for cloture.

Of course, the argumentation made for this is the need of national security. I am not entirely optimistic, but I would hope that time will be given to us to prove the emptiness of that argument, and I think the only way the emptiness of that argument can be proved is by letting July pass, letting August pass, letting September pass, and we will find that, come October and November, this Nation will be every bit as strong as it is today. Only we would not continue to use the false crutch that we have had the last 20 years—the crutch of peacetime conscription, the crutch that afflicts this Nation much more than I and many others have been able to bring to the full appreciation of this body or of the American people.

Let us talk for a moment, however, about what has happened these last 7 weeks. Like many of my colleagues, the first part of May I heard that we were going to have to invoke cloture to get things moving. We have heard talk that we have dilly-dallied and these 7 weeks have been a waste of time. I think not. I think these last 7 weeks have been the most fruitful, most productive weeks, certainly this year, and certainly last year.

Let me cite for the record itself. We debated the Mansfield amendment, which was to cut 150,000 in Europe. This was the first time in recent history that any effort was made at all to give any examination of our policies in Europe—policies which are archaic, redundant, wasteful, and that have launched us on the road to bankruptcy. These facts would not have come out had we not had the extensive debate on the Mansfield amendment.

Just as an aside, the Senator from Montana (Mr. MANSFIELD) when he introduced the amendment, was prepared to vote on it that day. It was the Senator from Mississippi, and it was the administration downtown that asked for a week's delay so they could press their will upon this body. They were successful in so doing. But I say that up to now we have had on intelligent dialog or intelligent appraisal of what we have been doing in Europe, and I think it is about time for an intelligent change.

The American people were not aware of ridiculous facts such as that this country spends in excess of 8 percent of its gross national product on national defense, while West Germany, whom we are defending, spends 4 percent, and Japan, whom we are defending, spends 1 percent. We are suckers. If defense is good for everybody, everybody should pay equally; but that is not the case.

We have a 6-percent unemployment rate. West Germany imports in excess of 2 million people to man their industries. What idiocy, what total idiocy, would propel us on this course of action? Yet we hear that we must defend Europe; we must have these 300,000 troops in Europe because the Europeans will feel insecure if we do not.

Think of the ridiculousness of the situation. This country came to the aid of Europe in the First World War without commitment, voluntarily. It came to the aid of Europe in the Second World War without commitment, voluntarily. And now they will not believe us when we say we will come to their aid if they need it, and we have to mortgage and keep in ransom 300,000 American boys, and the American taxpayers pay the cost of it.

All of this came out in the debate on the Mansfield amendment, and a good deal more, which will lay a foundation for the revectoring of our foreign policy in that part of the world.

Next came the Allott amendment. That took a few days. Prior to that we had the Hughes amendment, which sought to increase the pay commensurate with House action. Unfortunately, the efforts of the Senator from Iowa (Mr. HUGHES) went down to defeat. They came back under the leadership of the Senator from Colorado (Mr. ALLOTT), with some slight changes, and they were successful.

What did the Senate do in that regard? It lifted the onus of a crushing tax, in effect, of 50 to 60 percent that we had been levying on these young people. Not only have we been drafting these young people, usurping their freedom, but we have been imposing a 50 to 60 percent tax on them by paying them slave wages. This the Allott amendment has rectified. We still will be pressing them into service and denying them their freedom, but at least now we will pay them a reasonable wage.

This also has established a system whereby we can have a volunteer army; and it was interesting that those who, prior to the passage of this amendment, made their case, "Well, we want a volunteer army, but we do not particularly want to pay the people at the proper rate," thereby were cutting out the ground from any effort to try a truly volunteer army.

That amendment was agreed to. The next amendment agreed to was an interesting one also. That was the Kennedy amendment. I note that we have only two Senators on the floor of the Senate at this time. I had canvassed the members of the Armed Services Committee, and they knew nothing about this, but in this bill, for the first time in American history, the President of the United States was given the power—the unlimited power—to fix the force levels at his own discretion. The first time in American history.

When I asked the members of the Armed Services Committee about it, they did not know this power was there. Everyone was concerned about the loophole as to the limitation on inductees, but for the first time in American history we had a paragraph in this bill that permitted the President of the United States to acquire as many people as he wanted in the armed services. Never before had that been done. Senator KENNEDY brought in an amendment striking out that section, and it was agreed to.

But it is interesting that we so rely upon the committee process that fundamental changes in the law can creep through the labyrinth of this committee process, to the Senate floor, and be acted upon by the Senate in due course, the membership thinking, "The committee did it, it must be all right."

But in this case, at least, the committee did it, by and large, without realizing it. But this body now knows that, without the Kennedy amendment, it would have given to the Chief Executive a greater degree of power than ever before in history.

It would not have been the will of this body, I think, to consciously erode its power; and this process of floor debate brought about a degree of knowledge on this bill that Senators would not have acquired otherwise.

Then we go to the Hatfield-McGovern amendment. On this amendment, of course, we were not able to secure a majority for its passage. We were not able to secure a majority of this body to say, "We ought to end this war by a specific date, not next week, but at some specific time in the future."

I think that is most unfortunate. I think if the war is bad, we should say it is bad and end it now. But we cannot even get the votes to end it in the future. The argument, of course, is that this facet of government or that facet of government——

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

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

The PRESIDING OFFICER. The Senator has 10 minutes.

Mr. GRAVEL. I yield myself 5 additional minutes.

The truth of the matter is that today in the United States of America, a freedom-loving people, freedom-loving taxpayers, our tax dollars are being spent to kill human beings. If the number of people being killed were killed in California, in New York, in Georgia, or in Alabama, we would be in special 24-hour-a-day sessions, talking about passing legislation to stop those people from being annihilated, because they were American people. But for some reason, because they are being killed by bombs released at 30,000 or 40,000 feet, over Laos, over Cambodia, or over Vietnam, for some reason, some reason involving the American psyche, we do not identify with that murder, with that butchery, and it goes on, because this body does not choose to act. It goes on because the American people tolerate the situation.

How this can happen I do not know. I do not know how we can place ourselves in such a position as to permit, daily, the annihilation of human beings, at our will, as a result of our decisions, and yet stand back and talk piously in terms of political position, in terms of delays—for what reason I know not.

We were able to secure a resolution defining our sense and our desire, as a result of the votes of 57 Senators yesterday. I do not understand why we cannot speak with a stronger voice.

Senator BYRD yesterday had to offer a motion that would vacate the time limitations permitted for debate on amendments that are still at the desk. If there is anything that proves that this body needs time for continued deliberation, it is the fact that we have amendments pending and we have time limitations agreed to on those amendments, which means that this body could work its will with dispatch on improving this legislation. If cloture passes today, for some reason, it means we have a blind, compelling desire not to think of these horrendous problems any more, but to close off debate and get the matter out of our sight, because we cannot tolerate the stench of it. That is the only conclusion I can come to.

These 7 weeks have been tremendously productive, and I can only compare them to the 7-week period last year at this same time, when our opposite numbers were waging a dilatory filibuster—a dilatory filibuster—in order to permit the President of the United States to withdraw the troops from Cambodia at his will, and not at the legislative behest of this or the other body.

Mr. DOLE. Mr. President, will the Senator yield at that point?

Mr. GRAVEL. I am happy to yield.

Mr. DOLE. Is there a difference between a filibuster and a dilatory filibuster?

Mr. GRAVEL. I think it becomes dilatory when the Senator from Kansas is performing it, and productive debate when I am performing it.

Mr. DOLE. Will the Senator yield further?

Mr. GRAVEL. I am happy to debate the issue.

Mr. DOLE. Has the Senator changed his position from that which he originally held, when he stated, "I announce my intention to the American people to conduct a filibuster against any extension of the draft"? Is that still the Senator's position?

Mr. GRAVEL. What is my colleague's point? I will be happy to yield for any point he cares to make, without wasting time on questions.

Mr. DOLE. The question is, Is the Senator conducting a filibuster?

Mr. GRAVEL. I think the filibuster has been conducted by the membership of this body. There are amendments that have come forward, there are additional amendments yet to come forward, and we have had to vacate time on them so we could vote on cloture. If that is the will of this body, fine; but if it is the will of this body to improve this legislation, and that is a filibuster, which I consider it to be, against the expiration of the powers of the President to draft, then I say, "Yes."

Mr. DOLE. The Senator says, "Yes."

Mr. GRAVEL. Mr. President, my time is very precious, and I would much prefer to pursue my points in this respect.

I should like to trace, very briefly, the history, but before doing that——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAVEL. I yield myself 3 additional minutes.

I would like to have that chart uncovered.

The argument made by my colleague, the Senator from Mississippi, as one who is changing his vote—and many others are changing their votes—is based on the issue of national defense, because of a national emergency.

Mr. President, there is no such national emergency, and there is no such call for national defense today, as to require the draft. The figures are abundantly clear, right there, accompanied by a statement which has been placed on the desks of all Senators dealing with these figures.

It is very simple. These are not figures I have conjured up. These are figures from the Department of Defense. They indicate clearly that we can have what the committee says it wants—2.4 million men. We can have the 2.4 million men without the legislation that has been passed by this body effecting the pay increases. But they conjure up other thoughts, as stated in the letter to all Senators by the Senator from Mississippi, that we need all those men for our Polaris submarines, that we need all these men to defend the homeland.

We do not need 2,400,000 men to defend the homeland. We do not need what we have today, 2,700,000 men, to defend the homeland. Let me give you the figures—and again, these are not my figures, these are figures of the Department of Defense.

We have in our strategic forces 134,000 Americans. If this Nation of 200 million people cannot get 134,000 Americans to volunteer for its defense, then there is something wrong with the system of freedom we have. We have 134,000 men—that is the number we have in our strategic forces, our bombers, offensive and defensive air forces, Minuteman missiles, Poseidon submarines, and Polaris submarines. That is all we have, 134,000 men. But, interestingly enough, we have 90,000 men in intelligence work and security surveillance. We have had testimony about the surveillance of Members of this body by the military. We have 90,000 people in the armed services doing that.

The Gates Commission demonstrated adequately that we had 97,000 American men in uniform mowing lawns, picking up butts, waiting on officers' tables in officers' clubs, and tending bar. That is really the muscle of our defense they talk of.

They say we need 2,700,000 men. In 1948, when the draft was foisted upon this body, the military came forward with the argument, when we had 1,300,000 men under arms, that we needed 2 million men under arms in order to protect this country.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. GRAVEL. I yield the floor.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The Senator from Mississippi has 7 minutes remaining.

Mr. STENNIS. How much time does the Senator from Alaska have remaining?

The PRESIDING OFFICER. The Senator from Alaska has 2 minutes.

Mr. STENNIS. Mr. President, the Senator from Alaska has given us the figures about only 134,000 men being needed for our strategic forces or in our strategic defenses. The word "strategic" as used by the military is just a word; it is just a name. "Strategic" is kicked all over the board everywhere and means one thing in one group and one thing in another.

But in this manpower category, strategic forces, the 134,000, does not include, for example, the carriers—all the crews and everything that goes with the carriers—the 12 we have surging through the seas, not all at once, but either in dock for repair or at sea. All the crew they have, the technicians on radar and all the men who work on the decks, are not in our strategic defenses as the Senator uses that term.

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

Mr. STENNIS. I yield.

Mr. GRAVEL. I have the figures on what the Senator from Mississippi is talking about. The figure for that is 385,000 men. If the Senator wants to add our strategic forces of 134,000 men to 385,000 men, it amounts to slightly more than 500,000.

Is it the point of the Senator that we cannot have the voluntary defense of this country?

Mr. STENNIS. I will answer the Senator's question.

In addition to the carrier crews, about which the Senator has given the exact figures, at least 100 submarines, other than Polaris submarines, are attack submarines, antisubmarine warfare sub-

marines, and all others except Polaris. All their crews and technicians and everything else that goes with it are not included in his 134,000 figure. That does not include all antisubmarine warfare forces, helicopters, and a great number of other things. There is no time to go into all that it does include. All their crews and personnel are not included in the 134,000 strategic forces he mentioned.

It is not the Senator's fault. It is the fault of these misleading terms. I call it the folk language of the military. One branch of the service will use a word with an altogether different meaning from the way another branch uses it. These are the figures taken from the records, and we bring them here for the Senate's consideration.

Mr. President, I ask unanimous consent—this relates to only one amendment—that amendment No. 212, by the Senator from Florida (Mr. CHILES), on special assistance to veterans, be considered germane to H.R. 6531 should cloture be invoked.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, I return to the discussion of the merits of this matter.

This is not a hasty decision that I made, and I am not asking any Member of this body to make a hasty decision. I am asking Senators to commit a very serious and grave act, as I see it, and that is to cut off debate. I have never done that before, and I would not ask it now if there had not already been full opportunity for debate. We have taken vote after vote after vote after vote on all the major and many of the minor phases of this bill. Even if cloture is voted, we would still have time for debate. I am ready and willing to take up all the amendments—there has to be somewhat limited time—that any Senator wishes to present, under the rules of the Senate, and each Senator would have 1 hour for debate.

I am asking for cloture only after 7 weeks of debate have been completed. Seven weeks ago today, we started on this bill, and, with slight interruptions only timewise, we have been on it ever since.

We have voted on more than 50 amendments already—some minor, but many of them major, and many of the major ones, in various forms, two, three, and four times. We had nine rollcall votes yesterday. So this is not a jumped up affair. This about as much deliberation—and high quality deliberation—as I have ever seen put upon any major bill since I have been in the Senate.

So I submit that there is no alternative except for the extension of this Draft Act. I submit that in view of what has happened, the Senate has no alternative but to go on and, in and orderly way, invoke cloture.

For the information of those who have come to the Senate since I made these remarks before, and in the event they do not remember this, rule XXII, which makes cloture possible, was born in the midst of stormy times and military necessity that created rule XXII.

Woodrow Wilson, in 1916, wanted to arm the ships that were being sunk by submarines. We were not at war. He requested the authority, and the Senate filibustered the bill to death. He went on later, anyway. But when the Senate convened the next year, they got together and passed rule XXII to meet a national emergency for the security of our great Nation.

Now, almost 60 years later, we are back in a period of uncertainty and insecurity to a great degree. We have this fine military setup, and let us be thankful we have it. It is on our land and on our borders and in the seas, trying to protect the free world. So we have to have the right kind of necessary manpower, and this bill is the only way we can get it for the immediate future.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAVEL. Mr. President, I think the Senator who filibustered was right and Woodrow Wilson was wrong.

Mr. President, the justification for the draft in peacetime finds its source in the unfounded ideological fear that we will lose the freedom and greatness that our ancestors were blessed to find.

The manipulation of this unfortunate fear has permitted the state to develop violent plans and actions that have no other way of gaining support.

Those plans and actions shrouded in secrecy, mired in mistakes and misunderstandings, have been unable to come forward into the light of a free society for approval.

No. Those plans have had to rely upon the sheer force of the draft to haul off to service young Americans whom we the leadership have not dared to face with responsible argument.

What sort of government policy must take its support at gun point? What sort of freedom is it that must protect itself by denying freedom and threatening imprisonment? What sort of justice is it that must be served by the admission of numerous injustices?

Let the defense of this Nation rest upon the consent of the governed and not upon the whims of the leaders.

In truth how can a people espousing a system of representative government ever gage its defense except by the willingness of the people defending it to defend it?

Mr. STENNIS. Mr. President, I send to the desk two amendments to lie on the table, and ask unanimous consent that they be considered as having been read for the purposes of qualifying under rule XXII.

The PRESIDING OFFICER (Mr. HUMPHREY). Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. GRAVEL. Mr. President, I ask unanimous consent to have printed in the RECORD the documentation that goes with the chart which is now in the back of the Chamber.

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

DEFENSE DEPARTMENT DRAFT DATA

The U.S. Senate Armed Services Committee has set an armed forces manpower goal of 2,400,000 by June 30, 1972. The Committee has implied that this goal cannot be met without a continuation of the draft.

However, in considering the data offered by the Armed Services Committee, the Senate was given data that has not allowed it to make a realistic decision on the draft. Most of the data reinforces the Department of Defense position for a continuation of the draft and a 1972 fiscal year end strength of 2,500,000 men. The data makes inadequate allowances for civilization (which in 1966–68 successfully eliminated 114,000 military jobs), and for the recently enacted pay increases.

The data provided by the Department of Defense admits:

1. That without pay increases (since enacted), and without the draft, armed strength would only reach 2,292,000 men. (Bar 1)

2. That with a pay boost and with improved personnel policies, troop strength would rise only to a minimum of 2,375,000 and a maximum of 2,395,000 (a difference of less than 1%—an overly inflexible figure). If 90,000 civilianized jobs are related to these figures, it easily brings DOD manpower requirements down to 2,400,000. (Bar 2)

3. The DOD target of 2,505,000 assumes the same conditions as the 2,400,000 goal of the Armed Services Committee but would exclude civilization from its improved personnel policies. (Bar 3)

SOURCES OF DATA IN CHART "DEFENSE DEPARTMENT DRAFT DATA JUNE 30, 1972, ESTIMATES OF TOTAL ARMED STRENGTH"

2,292,000 total DOD end strength by June 30, 1972—p. 65, May 5, 1971, Armed Services Committee Report to accompany H.R. 6531 (Report 92–93).

"The Department of Defense estimates that the maximum potential voluntary enlistment supply of FY 72 would be about 315,000 in *the absence of the draft* and *New Project Volunteers incentives*. This would be about 213,000 fewer men than needed . . ." (2,505,000—213,000=2,292,000)

2,375,000—2,395,000: same reference.

"If the Project Volunteer incentives are enacted, the FY 72 shortfall in new accessions would be in the range of 110,000—130,000 (report misprint reads 113,000) . . ."

"Now, note that the Department of Defense's *most pessimistic view* of the shortfall, *if* All-Volunteer incentives are implemented, is 130,000—again based on an end strength of 2.5 million, not 2.4 million." (2,505,000—110,000=2,395,000); (2,505,000—130,000=2,375,000).

Civilization

The numerical value of civilization based on experience is 90,000 men, est.—p. 601 "Hearings before the Committee on Armed Services United States Senate;" Feb. 2, 4, 8, 9, 10, 19 and 22, 1971; "Selective Service and Military Compensation."

"With respect to a program for the increased utilization of civilian manpower a program for civilian-military substitution was initiated in 1966 to replace, by end-1968, 114,000 military by 95,000 civilians. The establishment of hiring limitations on civilan personnel in P.L. 90–364, July 1, 1965, limited the actual substitutions to about 90,000 civilian personnel . . ."

DEFINITION OF "PROJECT VOLUNTEER"—WITHIN DEPT. OF DEFENSE

Statement of Secretary of Defense Melvin R. Laird Ref. A, p. 28:

"In April, 1969, as Secretary of Defense, I established a program called Project Volunteer within the Department of Defense. This program involved an intensive study of the problem of ending the reliance on the draft and the formulation of a workable plan to reach the zero draft call goal. The study has been very thorough. The plan has been carefully devised with the participation of all the services, the Army, the Navy, the Air Force, and the Marine Corps. The most important elements of this plan are, *first, pay*

increases; second, enlistment bonuses; third, increasing recruiting efforts; fourth, improvement of living and working conditions; fifth, increasing ROTC subsistence payments and scholarships; and, sixth, increasing medical scholarships." (Italic added.)

EARLY RELEASE—POLICY

Statement of Assistant Secretary of Defense Roger T. Kelley (Manpower and Reserve Affairs). Ref. A, p. 671:

"It does not appear that the Gates study allowed for the *early release* of Vietnam returnees and other overseas returnees at the levels planned under current policies, although the data available does not permit a precise quantification of the estimates."

Earlier, he said:

"The Gates studies estimated FY 1970 Army draft calls at about 145,000. The actual FY 1970 Army inductions were 195,600. The actual call was 50,000 higher than the Gates estimate. The actual high call in FY 1970 generated 40,000 more inductee losses and new accession requirements in FY 1972 than estimated by the Gates report." (Italic added.)

LAND FORCES—GENERAL PURPOSE FORCES

Statement of Assistant Secretary of Defense Roger T. Kelley, April 15, 1971. Ref. B, p. 8:

". . . our General Purpose Forces are sized so that the United States will be prepared for an initial defense of NATO Europe or a joint defense of Asia . . . the fighting elements are structured according to their respective modes of combat. . . . On average, the sustaining increments include roughly twice the total manpower found in the division . . ." (p. 9).

FY 1970 649,000.
FY 1971 565,000.
FY 1972 501,000.

Mr. GRAVEL. Mr. President, I have one final question to ask the Senator from Mississippi: Since the Senator has just submitted two amendments from the floor, does that mean that he has changed his view on the cloture motion, so that the Senate may handle the amendments?

Mr. STENNIS. They will be considered under the cloture motion.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. HUMPHREY). The hour of 1 o'clock having arrived, the Chair, pursuant to rule XII, lays before the Senate the cloture motion, which the clerk will state.

The legislative clerk read the cloture motion, as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon 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.

MIKE MANSFIELD, HUGH SCOTT, JOHN C. STENNIS, BOB PACKWOOD, GALE MCGEE, ROBERT P. GRIFFIN, ROBT. TAFT, JR., WM. B. SAXBE.

JOSEPH M. MONTOYA, PETER H. DOMINICK, HENRY BELLMON, CHARLES PERCY, MARLOW W. COOK, HENRY M. JACKSON, HUBERT H. HUMPHREY, JOHN TOWER.

EDWARD W. BROOKE, JAMES B. PEARSON, LOWELL WEICKER, ROBERT DOLE, FRANK E. MOSS, CLIFFORD P. HANSEN, GORDON ALLOTT, BARRY GOLDWATER, JENNINGS RANDOLPH.

CALL OF THE ROLL

The PRESIDING OFFICER. Under the provisions of rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 118 Leg.]

Aiken	Fannin	Mondale
Allen	Fong	Montoya
Allott	Fulbright	Moss
Anderson	Gambrell	Muskie
Baker	Goldwater	Nelson
Bayh	Gravel	Packwood
Beall	Griffin	Pastore
Bellmon	Gurney	Pearson
Bennett	Hansen	Pell
Bentsen	Hart	Percy
Bible	Hartke	Prouty
Boggs	Hatfield	Proxmire
Brock	Hollings	Randolph
Brooke	Hruska	Roth
Buckley	Hughes	Schweiker
Burdick	Humphrey	Smith
Byrd, Va.	Inouye	Sparkman
Byrd, W. Va.	Jackson	Spong
Cannon	Javits	Stennis
Case	Jordan, N.C.	Stevens
Chiles	Jordan, Idaho	Stevenson
Church	Kennedy	Symington
Cook	Long	Taft
Cooper	Magnuson	Talmadge
Cotton	Mansfield	Thurmond
Cranston	Mathias	Tower
Curtis	McClellan	Tunney
Dole	McGee	Weicker
Dominick	McGovern	Williams
Eastland	McIntyre	Young
Ellender	Metcalf	
Ervin	Miller	

Mr. BYRD of West Virginia. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), and the Senator from Connecticut (Mr. RIBICOFF) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Pennsylvania (Mr. SCOTT) is absent by leave of the Senate on official business.

The PRESIDING OFFICER. A quorum is present.

VOTE

The PRESIDING OFFICER. Pursuant to rule XXII, a rollcall has been had, and a quorum is present. The question before the Senate now is, Is it the sense of the Senate that debate on the pending bill, H.R. 6531, a bill to amend the Military Selective Service Act of 1967, shall be brought to a close?

The yeas and nays are mandatory under the rule. In order to expedite this vote, let us have order in the Senate.

The clerk will now call the roll.

The legislative clerk called the roll.

Mr. MATHIAS (when his name was called). On this vote I have a pair with the Senator from Pennsylvania (Mr. SCOTT) and the Senator from Ohio (Mr. SAXBE). If they were present, they would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS) and the Senator from Connecticut (Mr. RIBICOFF), are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness and if present and voting, would vote "yea."

The Senator from Ohio (Mr. SAXBE) is necessarily absent, and his pair has been previously announced.

The Senator from Pennsylvania (Mr. SCOTT) is absent by leave of the Senate on official business, and his pair has been previously announced.

The yeas and nays resulted—yeas 65, nays 27, as follows:

[No. 119 Leg.]

YEAS—65

Aiken	Dominick	Montoya
Allott	Eastland	Moss
Anderson	Ervin	Muskie
Baker	Fannin	Packwood
Beall	Fong	Pastore
Bellmon	Gambrell	Pearson
Bennett	Goldwater	Pell
Bentsen	Griffin	Percy
Bible	Gurney	Prouty
Boggs	Hansen	Randolph
Brock	Hollings	Roth
Brooke	Hruska	Smith
Buckley	Humphrey	Sparkman
Burdick	Jackson	Stennis
Byrd, W. Va.	Jordan, N.C.	Symington
Cannon	Jordan, Idaho	Taft
Chiles	Long	Talmadge
Cook	Magnuson	Thurmond
Cooper	Mansfield	Tower
Cotton	McGee	Weicker
Curtis	McIntyre	Young
Dole	Miller	

NAYS—27

Allen	Hart	Metcalf
Bayh	Hartke	Mondale
Byrd, Va.	Hatfield	Nelson
Case	Hughes	Proxmire
Church	Inouye	Schweiker
Cranston	Javits	Spong
Ellender	Kennedy	Stevenson
Fulbright	McClellan	Tunney
Gravel	McGovern	Williams

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mathias, against.

NOT VOTING—7

Eagleton	Ribicoff	Stevens
Harris	Saxbe	
Mundt	Scott	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 27. Two-thirds of the Senators present and voting having voted in the affirmative, the motion is agreed to.

The Chair wishes to inform the Senate that, under the terms and provisions of rule XXII, henceforth each Senator is limited to 1 hour of debate in all.

The Chair also wishes to inform Senators that, under the rules of the Senate, quorum calls are not to be taken out of any Senator's time, but if such quorum calls are used for dilatory purpose, the Chair is charged under the rules of the Senate to rule such out of order. This is just for information of the Senate.

PERSONAL STATEMENT

Mr. STEVENS. Mr. President, I did not vote on the cloture vote. Having discussed the matter with my colleague, the junior Senator from Alaska (Mr. GRAVEL), and having told him that I intended to have a pair on that vote, due to circumstances beyond my control it was impossible for me to have a pair; therefore, I did not vote. I would like the RECORD to show that it was because of my respect for my colleague, the very hard work he has put in on this bill, and

his feelings on the matter that I refrained from voting.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. For the further information of the Senate, lest there be any misunderstanding, it is very likely that there will be a number of rollcall votes this afternoon, and the leadership would therefore advise Senators to remain close to the Chamber, because these votes will be forthcoming.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. TOWER. Is a motion to reconsider the vote in order?

The PRESIDING OFFICER. Under the precedents, the Chair does not believe it would be in order. We have no such precedents. Rule XXII is rather exclusive, and the Chair believes that, since there is no precedent, he should just read the paragraph, as it may be of some help to the Senate:

> And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

And, of course a motion to reconsider this question would be some other business, so it would be out of order.

QUALIFICATION OF AMENDMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the amendment which was offered by the distinguished Senator from Indiana (Mr. BAYH) during the call of the quorum today just prior to the cloture vote be considered as having been read for the purpose of qualifying under rule XXII.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, if the Senator will yield, what has happened to other amendments on the desk?

Mr. BYRD of West Virginia. Mr. President, in response to the distinguished Senator, a request was made and granted——

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I am yielding on my own time.

Under a request which was stated and granted earlier today, and yesterday also, all amendments at the desk as of that time, respectively, were considered as having been read for the purpose of qualifying under rule XXII.

My only reason for the request I have just made is by virtue of the fact that the able Senator from Indiana had indicated to me last evening that he wished to offer an amendment today and he was unable to get it to the floor prior to the cloture vote.

PROGRAM

Mr. GRIFFIN. Mr. President, I yield to myself on my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. GRIFFIN. Mr. President, for the benefit of the Senate, while most of the membership is here, I wish to inquire of the distinguished majority leader whether he can give us some idea as to the schedule for the remainder of this week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished acting minority leader, it is anticipated that when the pending business is disposed of—hopefully some time this week—the Senate will then turn to the consideration of Calendar No. 80, S. 991, dealing with conversion of saline and other contaminated water, which has been held, in the opinion of the leadership, for more than a reasonable length of time. Then we will turn to the consideration of H.R. 7109, an act to authorize appropriations to the National Aeronautics and Space Administration. Then, following that, Calendars Nos. 221, 222, 223, 224, 225, and 226, not necessarily in that order, but that is the expectation; and that is about it, may I say to my distinguished colleague.

Mr. GRIFFIN. Now the natural question, I think, comes to mind: Does the distinguished majority leader really expect that we will get to a final vote this week on the draft bill?

Mr. MANSFIELD. Not necessarily, but we all live in hope, and part of that hope is that some of these proposals which I have brought to the Senate's attention, in response to the minority leader's request, can be disposed of, hopefully, during morning hour business.

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

Mr. GRIFFIN. Mr. President, I yield, if I have the floor, to the distinguished manager of the bill.

Mr. STENNIS. The committee now will be ready to handle any amendment—we might have to make exceptions for additional preparation, but generally we are prepared to handle these amendments—and I think the will of the Senate now is so clearly expressed that we should continue on and dispose of these amendments and not give unanimous consent to taking up other matters. I do not say that would be an absolute rule, and I know the leader will not ask for it unnecessarily.

Mr. MANSFIELD. No, only unobjected to bills, during morning business.

Mr. STENNIS. I thank the Senator.

Mr. MANSFIELD. And not even that, if the Senator objects.

Several Senators addressed the Chair.

Mr. STENNIS. Will the Senator from Michigan yield to me just a moment further?

Mr. GRIFFIN. I yield.

Mr. STENNIS. I know that rollcalls occur frequently, they take up a lot of time, and quorum calls have already been mentioned; but if we stay with it, I think we can dispose of this matter in a very few days, at least.

Mr. GRIFFIN. Mr. President, I certainly want to indicate that it is the strong feeling and wish of the leadership on this side of the aisle that we come in early and stay late, so we can get to a final vote on the bill as soon as possible.

PERSONAL STATEMENT

Mr. PASTORE. Mr. President, I want the RECORD to show that I voted for cloture only because of the Mansfield amendment. If the Mansfield amendment is deleted in conference, I shall never vote for cloture on this bill.

SOCIAL LEGISLATION

Mr. LONG. Mr. President, the House of Representatives has now sent us H.R. 1, which is a huge and complex bill with major provisions affecting social security cash benefits, medicare, medicaid, and welfare. As reported in the House, the bill contains 450 pages of legislative language; the report on the bill contains almost 400 pages. I have no doubt that this bill will be the most far-reaching piece of domestic legislation before the Senate this session.

The bill has passed the House and arrived in the Senate just as the Committee on Finance has completed its hearing process on amendments to the Sugar Act. The committee anticipates completing action on the sugar bill within the next few days. We will then turn our attention to H.R. 1.

Most of the provisions in H.R. 1 relating to social security, medicare, and medicaid are substantially the same as provisions contained in the social security amendments which passed the Senate last year but which did not become law because the House refused to go to conference with us. I expect that the Committee on Finance will wish to spend little time hearing repetitious testimony on these matters.

On the other hand, the welfare provisions of H.R. 1 are substantially different from those contained in the House-passed welfare bill last year. I am pleased that the House has been able to capitalize on the welfare hearings held by the Committee on Finance last year by taking account of the many defects in last year's welfare bill brought out during our hearings. The House has apparently made diligent efforts to deal with the shortcomings in the bill which we identified.

Let me cite a few examples. Last year's welfare bill contemplated determining eligibility for assistance on the basis of a "simplified declaration" method—that is, an applicant would merely fill out a simple form and this would be the basis of his receiving benefits. H.R. 1 precludes the use of this "simple declaration" method. It requires that evidence be given on which determination of eligibility will be based and it requires that this evidence be verified. H.R. 1 requires that every family on welfare report all income or face stiff penalties, and it requires all families to apply anew for welfare every 2 years.

Last year's House bill left many policy areas up to the discretion of the Secretary of Health, Education, and Welfare. This year, the Ways and Means Committee instead made its own policy decisions in most of these areas.

H.R. 1 incorporates provisions in last year's Finance Committee bill designed to give deserting fathers a very strong

incentive to provide financial support to their families.

I mention these as just a few examples of the efforts of the Ways and Means Committee to correct defects and shortcomings in last year's welfare bill. Because of their efforts, there are literally hundreds of features of H.R. 1 that are different from last year's welfare bill. Since there have not been any hearings on the welfare provisions of H.R. 1 in the House, all indications are that many persons will want to testify before the Finance Committee on the welfare provisions of the bill.

Because of the efforts of the Ways and Means Committee also, I expect that members of the Committee on Finance will want to concentrate more on the details of the provisions of the welfare bill this year.

Many members of the Committee on Finance have indicated to me, therefore, their desire that the committee examine and familiarize itself with the many details of the bill before beginning the hearing process. With that thought in mind, I have directed the Finance Committee staff to prepare breifing material for the committee. It would be my hope that we could sit down soon after the Fourth of July recess to begin our examination of the provisions in H.R. 1.

It would then be my thought that the committee would call the Secretary of Health, Education, and Welfare and the Secretary of Labor to appear so that we might continue our examination of the bill in public hearings. These hearings should begin near the middle of July. It will not be possible to conclude hearings before the August recess.

Let me say again that the significance of this bill is enormous. It deserves and will receive the close attention of the Committee on Finance as our No. 1 priority of business.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield briefly?

Mr. STEVENS. I yield.

THE RULE OF GERMANENESS

Mr. BYRD of West Virginia. Mr. President, the Pastore germaneness rule was waived for today. In view of the situation that has developed, I ask unanimous consent that the waiver be lifted, and that the Pastore rule of germaneness now apply for the remainder of the day.

Mr. STEVENS. Mr. President, in light of what I was about to say, I object.

Mr. BYRD of West Virginia. Mr. President, I modify my request to ask that it follow the remarks of the Senator from Alaska.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, I shall not, but I just want to be sure we understand each other. Does the Senator mean that the Pastore rule will be in force for the whole day, or just for the hours it is normally in force?

Mr. BYRD of West Virginia. No, I meant for the remainder of the day.

Mr. JAVITS. Mr. President, how many hours does the Pastore rule cover?

Mr. BYRD of West Virginia. Three hours.

Mr. LONG. Mr. President, I object to that. It seems to me that 1 hour is little enough time for each Senator, and with the 1-hour limitation, it seems to me there will not be a great number of opportunities for conversation.

The PRESIDING OFFICER. Objection is heard.

THE MILITARY SELECTIVE SERVICE ACT

The Senate continued with the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

THE RULE OF GERMANENESS

Mr. BYRD of West Virginia. Mr. President, I shall seek to modify my request, and hope that the distinguished Senator from Louisiana will accede.

I ask unanimous consent that the Pastore rule of germaneness now begin running, under the rule, for 3 hours.

Mr. LONG. Just for 3 hours?

Mr. BYRD of West Virginia. Yes.

Mr. LONG. For the next 3 hours, I shall not object.

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

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

The bill is open to further amendment.

Mr. PASTORE. 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. STENNIS. 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 bill is open to amendment.

Mr. STENNIS. Mr. President, there being no further amendments, I suggest third reading of the bill.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 120 Leg.]

Aiken	Ellender	Montoya
Allen	Gravel	Nelson
Anderson	Griffin	Packwood
Baker	Hansen	Pastore
Beall	Hatfield	Pearson
Bible	Hruska	Pell
Buckley	Jackson	Proxmire
Burdick	Javits	Roth
Byrd, Va.	Jordan, Idaho	Sparkman
Byrd, W. Va.	Long	Stennis
Cook	Mansfield	Talmadge
Dole	Mathias	

The PRESIDING OFFICER (Mr. BEALL). A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Allott	Fong	Mondale
Bayh	Fulbright	Moss
Bellmon	Gambrell	Muskie
Bennett	Goldwater	Percy
Bentsen	Gurney	Prouty
Boggs	Hart	Randolph
Brock	Hartke	Schweiker
Brooke	Hollings	Smith
Cannon	Hughes	Spong
Case	Humphrey	Stevens
Chiles	Inouye	Stevenson
Church	Jordan, N.C.	Symington
Cooper	Kennedy	Taft
Cotton	Magnuson	Thurmond
Cranston	McClellan	Tower
Curtis	McGee	Tunney
Dominick	McGovern	Weicker
Eastland	McIntyre	Williams
Ervin	Metcalf	Young
Fannin	Miller	

The PRESIDING OFFICER (Mr. BEALL). A quorum is present.

Mr. MANSFIELD. Mr. President, I would like to express the hope on behalf of the joint leadership that those Senators who have amendments at the desk, amendments that they are really interested in, call them up as expeditiously as possible.

It is not the intention of the joint leadership to forestall anyone's right or to take away anyone's time. We do not have that authority, we would not want it, and we will not do it. But in the interest of orderly procedure I think it is only fair in view of the judgment rendered by the Senate as a whole that individual Senators who have these amendments call them up, debate them, and have them voted on.

After a reasonable length of time—and the joint leadership will be most reasonable in determining the definition of the word "reasonable"—I think the Senate should be on notice we might be in a position where there might be third reading. I say this in all good humor and good faith, and with all confidence to the Senate so that they will allow us to get on with the business at hand.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Mr. President, I understand the Senator from Florida is ready to present his amendment.

The PRESIDING OFFICER. The Senator from Florida is recognized.

AMENDMENT NO. 212

Mr. CHILES. Mr. President, I call up my amendment No. 212 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

H.R. 6531

TITLE V—SPECIAL ASSISTANCE TO VETERANS

SEC. 501. (a) The Administrator of Veterans' Affairs is authorized to make grants to, or to make contracts with, any institution of higher education for the purpose of assisting such institution to employ a full-time veterans' advisory and assistant officer to counsel and advise veterans on all matters relating to education and career guidance

and to assist and advise veterans on other matters as provided herein.

(b) The office of the veterans' advisory and assistance officer at any institution of higher education shall serve for veterans as a central coordinating office on matters relating to campus orientation, academic and career guidance, counseling, financial assistance, placement planning, registration processing, and tutorial assistance. Such office shall also serve as a central point to counsel and assist eligible veterans who may be interested in pursuing an undergraduate or graduate work on a full-time or part-time basis.

(c) The veterans' advisory and assistance officer at any institution of higher education shall be authorized, in accordance with such regulations as the Administrator may prescribe, to accept and process the claim of any veteran enrolled in such institution for any education and training benefit or for any other veteran's benefit.

SEC. 502. (a) The Secretary of Health, Education, and Welfare is authorized and directed to carry out on a trial basis a special program for veterans who have a high school diploma or the equivalent thereof and who have an academic deficiency which prevent them from qualifying for entrance in any education or training program, under standard entrance criteria, in any institution of higher education. Such program shall be carried out in cooperation with any institution of higher education which agrees to participate in such program (referred to hereinafter as a "participating institution").

(b) Under such regulations as the Secretary of Health, Education, and Welfare may prescribe, after seeking the advice of and consulting with appropriate officials of institutions of higher education, academically deficient veterans who have completed high school or the equivalent thereof shall be permitted to enroll in a participating institution on a one-year probationary basis. No agreement entered into between the Secretary of Health, Education, and Welfare and any participating institution shall require such institution to continue the enrollment in such institution of any veteran who has failed to meet the minimum standards prescribed for all first year students.

(c) In order to encourage institutions of higher education to participate in the trial program provided for under this section the Secretary of Health, Education, and Welfare is authorized to make grants to, or contracts with, institutions of higher education.

SEC. 503. As used in this title, the term "institution of higher education" means any public or private educational institution in any State which admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, is legally authorized within such State to provide a program of education beyond secondary education, and provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree.

SEC. 504. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

Mr. CHILES. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators will please be seated.

The Senator from Florida is recognized.

Mr. CHILES. Mr. President, at the conclusion of World War II and at the conclusion of the Korean war a number of veterans came back to our colleges and universities. Because of the number of veterans who returned to colleges and universities and the problems they had, we granted special assistance to them at the colleges and universities. Many special programs were set up for them, and they were entitled to certain additional benefits in regard to housing, and in many other areas.

However, as a result of the Vietnam conflict virtually no assistance is provided for these people. I find that many times at universities in Florida many of the young men who have returned from Vietnam say they have problems with their veterans' checks, they have to communicate with the office of the Veterans' Administration, and many times it takes up to 90 days before they can even have mistakes corrected on paychecks.

The PRESIDING OFFICER. The Senate is not in order. The Senate will be in order.

The Senator may proceed.

Mr. CHILES. Mr. President, if veterans had someone on the campus who could give a little attention to their problems, these conditions could be worked out. Certain of the universities have tried to take on people in this category themselves, but where these people lack the authority of the Veterans' Administration office, the result is not satisfactory.

With the number of veterans we have returning, it seems to me that they deserve the same attention we gave to veterans returning from World War II and veterans returning from the Korean war.

This amendment would provide that the university, if it so desires, could have on the campus a veterans' adviser and an assistant veterans' adviser. It would be only with permission of the university, and if the university did not want this help, they would not have to have it. However, the amendment would provide the authority for campuses who wanted to proceed in this manner. In addition, this would be available for junior colleges, because many of our returning veterans are at a stage in their education and training where they need help while going to junior colleges. Also, it would allow special assistance to the veteran who returns with a high school education or its equivalent, because he has taken the equivalent while in the service. When a veteran goes to the university, because of their special requirements, that veteran needs help, perhaps in one subject, before getting into the college program, but there is no one there to help him and there is no special program for veterans as there was after World War II and after the Korean war that would give the veteran completing his high school education some special attention. Those programs are not available at all. Again, many of our Vietnam veterans are unable to complete their education even though they have a high school diploma or the equivalent as a result of educational work they have done in the service.

I feel this amendment would be one way to assure that the Vietnam veteran is not a forgotten man and that we are going to give him some of the same benefits and treatment we gave veterans after World War II and the Korean war.

In looking back, everyone realizes that as a result of the GI bill after World War II and the Korean war we allowed more people to receive a college education and we did more to take a giant step forward in overall educational requirements and other benefits than our country had ever realized before.

Now, we have the GI Bill for veterans but he receives no special assistance and, therefore, he does not have the same benefits.

Mr. STENNIS. Mr. President, I ask that the Chair maintain the situation so that the Senator can be heard. Let us have order.

The PRESIDING OFFICER. The Senate will be in order.

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

Mr. DOMINICK. Mr. President, will the Senator yield for a question?

Mr. STENNIS. Mr. President, will the Senator submit the question on his time?

Mr. DOMINICK. Mr. President, I want to say to the Senator from Florida that the amendment does cross jurisdictional lines of two other committees, one committee on which I serve.

The PRESIDING OFFICER. The Senator from Florida cannot yield time. He can yield for a question.

Mr. DOMINICK. I am about to ask a question. This is on my time.

The PRESIDING OFFICER. The Senator may proceed.

Mr. DOMINICK. It does cross the lines of jurisdiction of the Committee on Veterans' Affairs and the Committee on Labor and Public Welfare, particularly the Subcommittee on Education, which, at the present time, is in the process of marking up the higher education bill. Of course, section 502 and section 503 specifically pertain to that.

My question to the Senator, however, is—as kind of a rule of thumb—with respect to the open ended authorization on this matter in section 504, would the Senator from Florida be willing to strike that?

Mr. CHILES. Strike that in lieu of what?

Mr. DOMINICK. Just strike out the open-ended authorization totally, because I gather the Senator does not know the cost of the program, and I am sure the Senator does not approve of having an open-ended authorization of this kind any more than I do.

If this should become a part of the law, having in mind the legislation now before our committee, the cost is not built in, and we could build it in to any authority.

Mr. CHILES. I think the Senator has a good point. I would be willing to strike section 504.

Mr. DOMINICK. I thank the Senator.

Mr. CHILES. Mr. President, I ask unanimous consent that I may conform my amendment to the discussion I had with the Senator from Colorado on section 504.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida to strike section 504? The Chair hears no objection, and it is so ordered; the amendment is so modified.

Mr. STENNIS. Mr. President, on the

Senator's time will he yield to me for a question?

Mr. CHILES. I yield.

Mr. STENNIS. I understand now that the Senator has stricken section 504 from his amendment.

Mr. CHILES. The Senator is correct.

Mr. STENNIS. It is very clear here this is a discretionary matter so far as the educational institution is concerned.

Mr. CHILES. That is exactly right.

Mr. STENNIS. They do not have to accept this?

Mr. CHILES. No, they do not.

Mr. STENNIS. If the Senator will permit me to make this statement, one of these young men who came up here and threw his medal over the fence in the march a few weeks ago told me that he had never heard of his GI benefit rights for education, as I described it. He had not been informed. This illustrates to me that the Senator has worth in his amendment. I do object to the idea that involves the jurisdictional question with the Veterans' Committee, but, with the understanding that we will do the best we can in conference despite that, I am glad to accept the amendment. We can adopt it here on a voice vote and do the best we can in conference.

Mr. CHILES. I certainly agree. I thank the distinguished chairman. A voice vote would be sufficient.

The PRESIDING OFFICER. The question is on adoption of the amendment of the Senator from Florida, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

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.

The bill is open to further amendment.

AMENDMENT NO. 215

Mr. GRIFFIN. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be read.

The assistant legislative clerk read the amendment (No. 215) as follows:

On page 25, between lines 8 and 9, insert the following:

"(12) Section 6(a) is further amended by adding at the end thereof a new paragraph as follows:

"'(3) Medical doctors (including osteopathic physicians) who agree, in accordance with such regulations as the President may prescribe, to engage in the practice of medicine for a period of not less than four years in medical doctor shortage areas of the United States, as defined by the Secretary of Health, Education, and Welfare, shall be relieved from liability for training and service under section 4 of this Act if they comply with the terms of an agreement entered into under this paragraph with the Secretary of Health, Education, and Welfare. No person shall be relieved of liability for training and service by virtue of this paragraph after a declaration of war or national emergency made by the Congress after the date of enactment of this paragraph.'."

Renumber paragraphs (12) through (32) of section 101(a) of the bill as sections (13) through (33), respectively.

Mr. GRIFFIN. Mr. President, I yield myself such time as may be necessary.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. GRIFFIN. Mr. President, this amendment seeks to ease a domestic crisis of grave proportions—a growing shortage of doctors in our rural areas and in our inner cities.

This shortage has been aggravated by the draft, which has been siphoning off more than half our newly qualified doctors each year.

My amendment would exempt medical doctors including osteopaths from the draft if they agree to practice medicine for 4 years in rural and ghetto areas where there is a shortage of doctors.

The Secretary of Health, Education, and Welfare would designate such areas.

I believe it is essential, Mr. President, that we take all steps necessary to prevent a total collapse of medical care in our farm areas and in the inner cities.

Almost 5,000 American communities are without any doctors. About 30 million Americans, in both rural and urban areas, it is estimated, lack adequate health services.

Many one-doctor communities are in danger of becoming no-doctor towns because their general practitioner is getting on in years.

In rural Appalachia, for instance, 65 percent of the physicians are over 50 years old. Replacements are not filling the vacuum as these doctors retire.

This amendment offers not only an opportunity, but an inducement to young men and women who desire to serve in areas where the needs are the greatest.

Two senior medical students at Wayne State University, Sol Edelstein and Douglas Jackson, have been working on an imaginative plan to cope with the spread of doctorless areas in Michigan. They have been bringing communities in need of doctors in touch with medical students who need financial help to finish school.

The community provides financial support for the student to complete his training in return for a commitment from the student to open his practice in the community.

The Wayne State plan has attracted nationwide attention. Mr. Edelstein has received many inquiries from communities interested in imitating his plan.

The problem of the United Mine Workers of America in Pennsylvania dramatizes the desperate need for doctors. UMW's Health and Welfare Board provides family practitioners in a six-county area of mid-Pennsylvania. A hospital administrator in the area wrote Mr. Edelstein that "unless medical relief comes soon, it could mean the loss of several mines now on the planning board that are to be built in this area of Appalachia."

Loss of the prospective mines could in turn "endanger the financial welfare of the many thousands of people who live with and depend upon the mines for their only source of income," Mr. Edelstein was told. This would affect not only individuals, but several rural areas and entire communities.

The problem is simply to persuade young physicians to open their practices in areas where they are most needed.

Last year's Emergency Health Personnel Act was a step in the right direction toward solving the problem, but it was a very small step. Federal financing was provided for 660 Public Health Service doctors to serve in areas needing physicians. Chicago alone has asked for 90 positions. The need nationwide is obviously much greater than 660 Public Health Service doctors can meet.

The President's National Security Council has acknowledged the necessity for deferring certain doctors because of special needs in civilian life.

It endorsed the conclusion of the National Advisory Committee for the Selective Service System that "a civilian need exists to defer certain doctors who are essential to and irreplaceable in their communities."

The draft of doctors already in practice in doctor-shortage areas further aggravates the problem because, after their military service, these doctors frequently locate in other areas.

Dr. Donald Stehr, chairman of the Illinois State Medical Society Student Loan Fund, has said:

> One of my partners who was drafted told me that many of the doctors he knew in service who were drafted from small towns were not going back but were planning to take residencies and then move to a larger city. Being drafted offers a socially acceptable way to cop out. It would be much better if these doctors were exempted and others would be encouraged to join them.

We must start to attract physicians to these doctor-shortage areas, Mr. President, rather than pull them away.

I have been pleased with the support this amendment has received.

The Association of American Medical Colleges, which represents all 102 accredited medical schools in the Nation, 400 major teaching hospitals, and 47 academic societies, has announced, through its president, Dr. John A. D. Cooper, its support.

Military requirements for doctors are being reduced, as the number of men in the Armed Forces is reduced, and as the war in South Vietnam winds down.

Accordingly, I believe that this amendment is both practical and consistent with the requirements of the Defense Department, and would provide a real shot in the arm in terms of encouraging qualified young doctors to go into rural and ghetto areas that are short of doctors.

Experience has indicated that once these doctors do locate in a small community, many times they will stay there during the rest of their lives, if their practice is not otherwise interrupted by the draft. So I hope, Mr. President, that the amendment will be accepted and agreed to by the Senate.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield to me for a question?

Mr. GRIFFIN. I yield.

Mr. BYRD of West Virginia. Is the Senator speaking as to a modification of his original amendment?

Mr. GRIFFIN. The only modification of the original amendment was the addition of the words "including osteopathic physicians," to make sure that the term "medical doctor" would include osteopathic physicians.

Mr. BYRD of West Virginia. Mr. President, am I correct in understanding that under the precedents of the Senate, it is not in order, in considering a measure under cloture, to offer to an amendment which has been previously presented and which would qualify under the rules an amendment in the form of a modification not so presented and read, without having unanimous consent to do so?

The PRESIDING OFFICER. That is the opinion of the Chair.

Mr. BYRD of West Virginia. Then, Mr. President, would the distinguished Senator from Michigan wish to request unanimous consent to make his amendment qualify?

Mr. GRIFFIN. I appreciate the fact that the majority whip, of course, is absolutely correct, and I did overlook the fact that the amendment would have to be in the form as presented before the cloture vote.

Accordingly, I do ask unanimous consent that the amendment may be modified as it was sent to the desk.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment of the Senator from Michigan.

Mr. BROOKE. Mr. President, will the Senator yield for a question?

Mr. GRIFFIN. Mr. President, before doing so, I ask unanimous consent that the name of the Senator from Pennsylvania (Mr. SCOTT) be added as a cosponsor of the amendment.

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

Mr. GRIFFIN. I yield to the Senator from Massachusetts.

Mr. BROOKE. I think that the Senator's proposed amendment is very sound, and has a socially valuable purpose. But I would just like to ask the Senator a question pertaining to the phrase "engaging in the practice of medicine."

For example, in Boston, could a doctor have an office, say, in the Back Bay area of Boston, which is one of the more affluent sections of the city, and then make calls into Roxbury, which is a poor section of the city and classified as a ghetto, and thus qualify under the Senator's amendment?

Mr. GRIFFIN. I would answer the Senator's question in this way: If he will notice, the amendment is related to regulations that will be promulgated by the President, and speaks in terms of doctor shortage areas to be designated by the Secretary of HEW.

Obviously, the President of the United States, in implementing this measure, would have a great deal of discretion. It would be my hope, and I wish to so indicate in terms of legislative history, that this regulation should be tightly drawn, to be sure that the purposes of the bill are actually implemented, to make sure that doctor shortage ghetto areas actually receive the benefit, as well as the small towns and rural communities that either do not have a doctor at the present time or do not have adequate medical service; and since the President is also Commander in Chief of the Armed Forces, I would assume that the regulations would strike a balance between the needs of the Armed Forces and the doctor shortage in ghetto and rural communities.

Mr. BROOKE. I think it is most important that the intent of the Senate be perfectly clear. As I understand the intent of the amendment, doctors would be required to actually practice medicine on a regular basis in a rural area or a ghetto area. It would not be sufficient for a doctor just to have an office and hang out a shingle in a doctor shortage area, or to practice in a hospital that might be located in a ghetto area. This would not qualify him under the law to be exempt from the draft.

I wish we could establish some guidelines, through legislative history, that when the laws says "practice medicine in a ghetto or a rural area," that is exactly what we mean. A doctor would have to open up an office in the ghetto area or the rural area, and be regularly available to patients in that area.

I commend the Senator for offering this amendment. It is essential that we have more doctors in such areas. But if we enact this legislation and do not make it clear that an intent is to provide maximum medical service in those areas, we would risk circumventing the law rather than not achieving the intent of the distinguished Senator from Michigan.

Mr. GRIFFIN. I think the Senator from Massachusetts makes an excellent point. I think his discussion, in terms of legislative history, will be very helpful. I agree with the point he is making, and I am sure that the President, or whoever on his behalf would draft the regulations to implement this measure, would certainly take this into account.

Mr. BROOKE. Under those circumstances, the Senator permitting, I ask unanimous consent that my name be added as a cosponsor of the amendment.

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

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the name of the Senator from Kansas (Mr. PEARSON) also be added as a cosponsor.

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

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

The PRESIDING OFFICER. The Senator from Colorado has 57 minutes remaining.

Mr. DOMINICK. Mr. President, I shall speak on my own time to comment on the amendment, instead of using any more of the time of my distinguished colleague in asking questions.

As the ranking Republican member on the Health Subcommittee, I have been engaged, as has the present Presiding Officer (Mr. BEALL), in health hearings—very extensive hearings—around the country as well as in Washington and there is little or no doubt that we have areas which are in acute need of health services, both in terms of physicians and in terms of patient care.

We have been trying a number of different ways to get physicians to move into such areas, and we have found that in most cases, the efforts have not been successful, particularly in the rural areas.

We will find, for example, that a doctor will move into a rural area with his wife and family, will have a very fine practice, will be making a great deal of money, and all of a sudden he will just say, "I have had it up to my eyebrows, working 24 hours a day, 7 days a week. There must be a better way to conduct a life than this." And then he will move out.

Fortunately for our country, we have no rules or regulations which require anybody to live or practice or engage in a business in any specific locality. We have tremendous mobility.

The loan forgiveness programs which are being proposed under the Health Manpower Act may or may not fill the need which has been aptly described by the Senator from Michigan. We have attempted, in the draft bill before the Senate, not to engage in a series of exemptions from the draft in return for performing some other kind of service.

But there is little or no doubt in my mind that one of the most crucial areas we have is in the medical distribution throughout the country, both in the rural areas and in some of the inner-city areas.

For that reason, even though I have some concern about this, as to, first, whether it will be effective and, second, whether or not we are breaking a pattern which we have tried to establish within the bill, I congratulate the Senator from Michigan for having introduced a new and reasonably innovative idea which should go toward solving this problem. As a result, even though this matter has not had hearings before our subcommittee as to its effect—we have heard from Dr. Cooper, the President of the AAMC—I would think that we have enough background of knowledge from our other hearings to indicate that this would at least be equally as good as our effort at trying to get people in by relieving them of liability for loans which they may encounter in the process of gaining their medical education. As a result, I endorse the concept, and I hope it is successful.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the names of the Senator from New Hampshire (Mr. COTTON), the Senator from Wyoming (Mr. HANSEN), the Senator from Idaho (Mr. JORDAN), the Senator from Iowa (Mr. MILLER), and the Senator from Maryland (Mr. BEALL) be added as cosponsors of the amendment.

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

The question is on agreeing to the amendment as modified.

Mr. STENNIS. Mr. President, will the Senator from Michigan yield me 6 minutes of his time?

Mr. GRIFFIN. I yield 6 minutes to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Michigan, under the rules now in operation, cannot yield time, except by unanimous consent.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that I be permitted to yield 6 minutes of my time to the Senator from Mississippi.

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

Mr. STENNIS. Mr. President, this amendment, of course, has great laudable purposes, but I do not think the Senate should adopt the amendment—an amendment from the floor—without its being considered with other matters and weighed.

We defer these young men who are going into medical school. We defer them for their education, and then they have to serve only 2 years, I believe, and they are drafted as a class. They have to serve only 2 years, and they receive some additional compensation. Some of them, at least, have a very fine experience by virtue of this.

If we say we are going to make a special class of them, we are going into the alternative service field. I believe the Peace Corps has some. We have never really gone into this alternative service, and I think it is not well to start in this way, with this group. There ought to be a broad law, if we are going to have that as a system, rather than just one group.

We are not in peacetime as yet. We are still at war, and there will be some ups and downs and some time before it possibly can be concluded. I am frank to say that I want the time to come when they will take fewer men in the services, taking them away from the civilian sector.

We have a study here—I believe it is in this bill—which indicates that there had to be coordination with HEW with reference to draft calls for members of the medical profession, which I think is a slight beginning to get at the problem.

I know that this is related to the problem in the civilian sector, where they do not have enough doctors in rural areas and other areas, but I do not believe that it is the solution. I live in a rural area where we need more doctors. We have the hospitals and all kinds of equipment, but we do not have enough doctors. So I am not out of sympathy with this problem.

I hope the Senate does not adopt the amendment. It is a matter that should be studied by those who know more about it than we—and perhaps even the authors, unless they are specialists in this field. It will not work out well, and I think it will create a bad situation among the young doctors, themselves. I have no doubt about that.

Anything that is going to change the law and give an alternative service to this group will have to have more study and consideration than it is possible to give here. The Senator has made a good record on his amendment. He has stated his cause and has presented it in the RECORD, and I thought he would withdraw his amendment now. Otherwise, we would have to have a rollcall vote.

Mr. GRIFFIN. Mr. President, I appreciate the arguments of the Senator from Mississippi, the distinguished manager of the bill. I would not like to withdraw the amendment. I would like to have the Senate work its will.

I should like to reiterate a couple of points. First, this exemption would be put into effect under regulations to be promulgated by the President of the United States. The President of the United States is Commander in Chief of the Armed Forces, as well as the President of the United States, and he can strike a balance between the needs of the military and a recognition of the serious domestic problem we have in some areas, particularly rural areas and ghetto areas, where they do not have doctors and cannot attract doctors.

A young man coming out of medical school will have an option, if this amendment should become law, of making a commitment to practice 4 years in a doctor-shortage area or going into the service for 2 years. Without question, some of the graduates of medical college will prefer to go into service for 2 years and get the training and additional experience that a young doctor can get in the military service. But the belief is that this amendment would provide some incentive which does not exist today for some of these young medical graduates to locate in the small areas where there is no doctor or where the only doctor may be up in years, or to practice in the doctor-shortage ghetto areas.

With a commitment of 4 years' practice, it is hoped that doctors, once established in those areas, will continue their practice after that. As we are winding down the war in Vietnam and as the draft requirements recede, it seems to me that this is an amendment that can be accommodated to, particularly as long as the President himself is in control of the regulations under which it would be implemented.

Thus, I hope that the Senate will adopt the amendment.

The PRESIDING OFFICER (Mr. BEALL). The question is on agreeing to the amendment of the Senator from Michigan (Mr. GRIFFIN).

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

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

Mr. GRIFFIN. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan (Mr. GRIFFIN).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. DOMINICK (when his name was called). On this vote I have a pair with the distinguished Senator from Pennsylvania (Mr. SCOTT). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from New Jersey (Mr. WILLIAMS), are necessarily absent.

I further announce that the Senator from Virginia (Mr. BYRD), is absent on official business.

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Pennsylvania (Mr. SCOTT) is absent by leave of the Senate on official business.

The Senator from Vermont (Mr. PROUTY) is detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT), and the Senator from Vermont (Mr. PROUTY), would each vote "yea."

The pair of the Senator from Pennsylvania (Mr. SCOTT) has been previously announced.

The result was announced—yeas 50, nays 38, as follows:

[No. 121 Leg.]

YEAS—50

Aiken	Cranston	Miller
Allott	Curtis	Mondale
Baker	Dole	Montoya
Bayh	Fannin	Packwood
Beall	Fulbright	Pearson
Bellmon	Gambrell	Percy
Bennett	Goldwater	Proxmire
Boggs	Griffin	Randolph
Brock	Gurney	Roth
Brooke	Hansen	Schweiker
Buckley	Hollings	Sparkman
Burdick	Hruska	Stevens
Chiles	Humphrey	Taft
Church	Javits	Tower
Cook	Jordan, Idaho	Weicker
Cooper	Mansfield	Young
Cotton	Mathias	

NAYS—38

Allen	Hartke	Muskie
Anderson	Hatfield	Nelson
Bentsen	Hughes	Pastore
Bible	Inouye	Pell
Byrd, W. Va.	Jackson	Smith
Cannon	Jordan, N.C.	Spong
Case	Kennedy	Stennis
Eastland	Long	Stevenson
Ellender	Magnuson	Symington
Ervin	McClellan	Talmadge
Fong	McGee	Thurmond
Gravel	McIntyre	Tunney
Hart	Moss	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Dominick, against.

NOT VOTING—11

Byrd, Va.	Metcalf	Saxbe
Eagleton	Mundt	Scott
Harris	Prouty	Williams
McGovern	Ribicoff	

So Mr. GRIFFIN's amendment was agreed to.

Mr. GRIFFIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that today he presented to the President of the United States the following enrolled bills:

S. 645. An act to provide relief in patent and trademark cases affected by the emergency situation in the U.S. Postal Service which began on March 18, 1970;

S. 1538. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended; and

S. 1732. An act to amend and extend the provisions of the Juvenile Delinquency Prevention and Control Act of 1968, and for other purposes.

REREFERRAL OF PROSPECTUS FOR PROPOSED CONSTRUCTION UNDER THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966 AS AMENDED

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Prospectus for Proposed Construction Under the National Traffic and Motor Vehicle Safety Act of 1966, as amended—which was referred to the Commerce Committee be rereferred to the Commerce Committee and the Public Works Committee jointly and simultaneously.

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. 228

Mr. TUNNEY. Mr. President, I call up my amendment which is at the desk. I will have to ask what number was given the amendment at the desk.

Mr. BYRD of West Virginia. Mr. President, this is the amendment that was offered during the quorum call today and which was considered to be in order.

The PRESIDING OFFICER (Mr. WEICKER). Will the Senator send a copy of his amendment to the desk?

Mr. TUNNEY. Mr. President, I yield to the Senator from Ohio who is a cosponsor of the amendment.

Mr. TAFT. I am advised the amendment is No. 228.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. TUNNEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of title IV add the following:

(e) "Civilian drug abuse program" means any program operated by any public or private non-profit entity for the purpose of providing treatment and rehabilitation services to drug dependent persons or for the purpose of providing education or other services relating to the prevention of drug abuse.

SEC. 407. (a) The Secretary of Defense shall, as soon as practicable after the date of enactment of this title, formulate and carry out a comprehensive program under which military and civilian personnel will be trained most effectively to (1) provide medical and other counseling, treatment and rehabilitation services to drug dependent persons in the Armed Forces of the United States, and (2) provide education and other services to persons in the Armed Forces for the purpose of avoiding and preventing drug dependency among members of the Armed Forces.

(b) In formulating any program under this section, the Secretary of Defense shall incorporate the advice of the Veterans Administration, National Institute of Mental Health and other Federal, State, and local agencies and private individuals charged with or engaged in the treatment or rehabilitation of civilian drug dependent persons.

(c) Any program formulated and carried out by the Secretary of Defense under this section shall include, but shall not be limited to—

(1) cooperation by the Department of Defense, the Veterans Administration, the National Institute of Mental Health, and other public and private agencies, including those administering any civilian drug abuse program, to provide training in the most effective known methods and means of preventing drug abuse and providing treatment and rehabilitation services to drug dependent persons;

(2) creation of military occupation specialties concerned with the prevention of drug abuse and the treatment and rehabilitation of drug dependent persons;

(3) efforts to seek out and encourage drug dependent persons and persons who were formerly drug dependent to participate in training programs carried out under this section;

(4) utilization of civilian training programs and facilities, to the maximum extent feasible, in order that military training programs (A) will relate to both military and civilian problems of drug dependency, and (B) will contribute to the effort of such civilian training programs in providing similar training for non-military persons;

(5) opportunities, wherever practicable, for any person upon the completion of any training program provided pursuant to this section, to obtain any license, certificate or other legal prerequisite required of persons who engage in the treatment or rehabilitation of drug dependent persons under State or local jurisdictions; and

(6) opportunities for persons not employed by the Department of Defense to enroll in and receive training to the extent that space, facilities, and teaching personnel are otherwise available, in any program provided for under this section if it is determined that such persons intend to work in civilian drug abuse programs or are already working in such programs;

(7) systematic research and development efforts, including clinical research, for the improvement of treatment and rehabilitation services and the development of cost effective strategies for preventing and controlling drug abuse; and

(8) systematic evaluation, including consultation with recognized experts in agencies other than the Department of Defense, of the results of such programs.

(c) The Secretary of Defense shall make every reasonable effort to encourage military personnel who receive training under this section to utilize such training in a civilian drug abuse program after their discharge or release from military service and shall, where practicable, allow early discharge from military service in order to accept appropriate employment in a civilian drug abuse program. The Secretary shall communicate to such personnel the serious need for and the opportunities available to persons trained in the treatment and rehabilitation of drug dependent persons.

(d) The Secretary of Defense shall consult with the Administrator of Veterans' Affairs and such other persons as he deems appropriate for the purpose of maximizing opportunities that may be available to veterans who wish to enroll in and pursue a program of education or training which would prepare such veterans to provide skilled treatment and rehabilitation services to drug dependent persons. The Secretary shall make information relating to such opportunities available to all members of the Armed Forces engaged in the counseling or care and treatment of drug dependent persons and, upon request, to any other member of the Armed Forces.

(e) The Secretary of Defense shall, within 60 days after the date of enactment of this section, and thereafter at the conclusion of each calendar year, submit to the Congress a written report of the actions he has taken to implement this section. He shall include in such report (1) an estimate of the funds needed to fully implement the program provided for under this section, and (2) any recommendations for further legislative action he deems appropriate.

SEC. 408 The Secretary of Defense shall formulate and implement programs of information exchange, cooperation and other assistance relating to the control and prevention of drug abuse to aid local communities which have experienced an increase in the incidence of drug abuse arising from the presence of a military installation or military personnel in or near such communities.

Mr. TUNNEY. Mr. President, the amendment that I am offering today with the Senator from Ohio (Mr. TAFT) is one which we believe is most important. It is designed to give to the armed services authority to develop training programs for military personnel to help them treat drug addicts in the service.

There is only one way this Nation is going to combat her drug problem in the military and that is to prepare an antiaddiction corps within the military, as disciplined and thoroughly trained as any of the specialized units within our Armed Forces.

The amendment which we are offering requires the Secretary of Defense to establish programs under which personnel will be trained to provide medical and other counseling, treatment and rehabilitation services to persons in the Armed Forces who are addicted to or dependent on drugs and to provide education and other services to prevent drug abuse.

Specifically, the amendment provides for:

First, consultation and cooperation with civilian programs and civilian experts in order to provide the best and most effective training.

Second, creation of specific military occupation specialties—MOS—for persons engaged in treating and preventing drug abuse.

Third, efforts to involve former addicts in such training programs.

Fourth, maximum use of civilian programs and facilities wherever possible.

Fifth, opportunities for trainees to meet civilian licensing or other requirements necessary to continue on in this work after discharge from the military.

Sixth, opportunities, where possible, for civilians to be trained in military training programs if space and facilities permit.

Seventh, systematic research and development efforts to improve drug treatment and rehabilitation.

Eighth, independent evaluation of the results of military training programs.

Ninth, programs of assistance—information exchange, cooperation, et cetera—for local communities which have had an increase in drug problems because of presence of military installation or personnel in or near such communities.

Mr. President, our amendment is designed to recognize and emphasize three very basic points.

First, drug abuse among the members of the Armed Forces and among returning veterans presents a tremendous threat to the health and safety of not only the victims themselves but to all of civilian society. The success or failure of the military's attempt to deal with this problem will determine in no small manner the success or failure of the Nation's attempt to combat drug abuse at home.

Second, the military is possibly the only institution in the entire Nation which has such a uniform and pervasive contact with young men 18–30. This very contact provides an unmatched opportunity for concentrated efforts to deal with and prevent drug abuse and to measure the effectiveness of such efforts.

Third, the record of the military in providing technical training and skills which can subsequently be used by the trainee in similar civilian occupations has been most impressive. In much the same way, a thorough and broad based program to train young men in methods of treating and preventing drug abuse could create a vital and much needed resource of personnel for civilian drug abuse programs.

The amendment is designed to focus attention on the development of realistic, effective training programs to deal with the full range of drug problems within the military. Unless such programs are devised, we face the prospect of continuing to treat the victims of drugs as we find them on an emergency, stopgap basis with sadly predictable results.

This amendment adds a useful, necessary, and realistic training component to the very fine amendment sponsored by Senator HUGHES. the Hughes amendment, to its author's great credit, focused the attention of the military upon the identification and treatment of drug dependent persons. It sets forth a series of important guidelines and standards pursuant to which young men would cease to be bounced out of the military and dumped untreated on our streets back home.

This new amendment does not in any sense duplicate the Hughes amendment. The provisions of that amendment set forth what I consider to be a truly brilliant analysis of past failures and present needs for treatment of young men in ways which will both treat their illness and preserve their dignity.

This new amendment on the other hand focuses upon a further need and opportunity to deal with drug abuse at all possible levels. It says to the Defense Department that in carrying out the mission of identification and treatment outlined by Senator HUGHES, the Department must also make certain that the personnel which run such programs receive the best possible training.

The amendment does not attempt to tell the military how to treat addicts. In fact it contemplates that much of the treatment and rehabilitation effort will necessarily and appropriately be conducted by civilian agencies and programs. What it does say is that before any program to combat addiction in the Armed Forces will ever be successful, there must exist within the military a body of skilled personnel who are trained in the full range of education, prevention, and treatment techniques. To think that we can solve the problem of drug abuse in the military by simply cleaning up and treating identified users just before they come home is the most dangerous kind of wishful thinking. We must approach the problem of drug abuse with a realization of the full extent of the problem. beginning with education and prevention efforts and including treatment and rehabilitation long before the last moment when a man is about to be shipped home.

The amendment which I am proposing sets forth a series of standards which must be met by a training program designed to create a body of skilled drug-abuse workers.

It provides first that the training given to such persons must be the result of a careful consultation with the civilian authorities who have the experience and the expertise in dealing with drug problems.

Secondly, it requires the Defense Department of create specific military occupation specialty—MOS—categories for persons engaged in treating and preventing drug abuse.

Third, it states that maximum advantage should be made of the potential help available from former addicts by allowing the opportunity for such persons to fill such positions themselves.

Fourth, the amendment would encourage maximum use of civilian training programs in order to take advantage of their experience and at the same time add to their resources.

Fifth, it would require that every effort be made to maximize the subsequent civilian dividend by, first allowing trainees to fulfill licensing and other requirements which are necessary for continuing in the field after discharge from the military, second, offering training for civilians in military programs to the extent that facilities permit, and third, encouraging, through information and revised GI bill benefits, trained persons to continue in civilian programs as veterans.

And finally, the amendment seeks to bring the enormous capacity of the military for systematic research and development to bear on finding realistic solutions to drug abuse.

It is my belief that this amendment provides a workable and realistic outline for action. I might add that the points I have just described reflect the advice and analysis of a wide range of experts in the field of drug abuse prevention and control including academic and professional personnel, treatment program directors and responsible officials of Federal and local programs dealing with the problem of drugs. I am pleased that both the form and substance of this amendment was enthusiastically endorsed by all of those persons.

In addition, as the result of these consultations, this amendment contains a further provision designed to provide assistance to those communities whose drug problem has been exacerbated by the problem of military drug abuse. It requires the Secretary of Defense to give attention to and develop a program of assistance to local communities which have experienced an increase in the incidence of drug abuse arising from the presence of military installations or personnel in or near such communities. I think that such assistance is absolutely vital if we are to avoid an even further escalation of our drug problem here at home. We must recognize and acknowledge that where a local community's drug abuse problems are increased because of military drug problems, the military has a responsibility to do all it can to assist that community. Thus the amendment requires that the military develop programs of information exchange, cooperation and other assistance to help such communities work together to fight drugs.

Mr. President, I believe very strongly that this amendment is one that is most important in the fight against drug abuse and I hope it will be swiftly enacted.

I yield to the Senator from Ohio.

Mr. TAFT. I thank the Senator for yielding.

Mr. President, as a cosponsor of this proposal, I believe it represents a hopeful approach for doing something about a problem which is certainly one of increasing seriousness not only in the population of our country at large, a problem that has grown widely throughout the Nation, but in the armed services themselves, as has been reported a number of times by those who have made studies of the situation.

Unfortunately, it appears that in our Armed Forces, in the Southeast Asia area at least, where drugs are, unfortunately, too available, despite attempts being made to limit the accessibility of those drugs, drug addiction there may be as high as 10 to 15 percent of those in the services over there.

Hopefully, something can be learned as a result of that situation which will lead to positive action not only to help the armed services provide a remedy for the situation in the Southeast Asia area and elsewhere in the armed services, but also in our civilian population.

The purpose of the amendment, as the Senator from California stated, is to approach the drug problem from the point of view in which those who have studied this problem believe it must be approached if it is to solve the problem, and that is from the point of view of education of the public, from the point of view of the education of a cadre of individuals who will be trained to deal with the problem: First, to train the addict in quitting the addiction; and, second, to

help those who are not victims, but who may be tempted to experiment with the drugs, not to experiment with drugs and recognize the danger.

The amendment directs the Secretary of Defense to carry out a comprehensive program under which military and civilian personnel will be trained to provide medical and other counseling, treatment, and rehabilitation services to drug-dependent persons in the Armed Forces for the purpose of avoiding and preventing drug dependency among members of the Armed Forces

In formulating such a program, the Secretary of Defense is directed to seek the advice of public agencies and private individuals engaged in the treatment or rehabilitation process.

It also provides that any program formulated by the Secretary shall include cooperation by the Department of Defense, the Veterans' Administration, the National Institute of Mental Health, and other public and private agencies involved.

The Senator from California has mentioned military occupational specialties concerned with the prevention and treatment of drug abuse.

Also, such a program would require efforts to seek out and encourage drug-dependent persons and persons who were formerly drug dependent to participate in training programs.

It directs the utilization of civilian training programs and facilities and requires opportunities, wherever practicable, for any person, upon the completion of any training program provided for under this section, to obtain a license, certificate, or other legal prerequisite required of persons who engage in the treatment or rehabilitation of drug-dependent persons.

It also requires that in such a program there be opportunities for persons not employed by the Department of Defense to enroll in and receive training to the extent that space, facilities, and teaching personnel are otherwise available.

The Secretary of Defense is directed to make every reasonable effort to encourage military personnel who receive training under this section to utilize such training in a civilian drug abuse program after their discharge or release from military service.

These are the purposes, and the only purposes, of the amendment that is proposed.

There is a further requirement that the Secretary of Defense, after he has been able to study this matter, shall consult with the Administrator of Veterans' Affairs to find further ways in which they may be able to prepare such veterans to provide skilled treatment and rehabilitation services to drug-dependent persons.

I think the amendment is one which is necessary. I believe the cost is going to be low, considering that individuals already involved in this area in the Defense Establishment will be available, for a program which holds high promise in dealing with a most difficult problem.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, will the Senator from California yield to me for a question?

Mr. TUNNEY. I yield to the Senator from Mississippi.

Mr. STENNIS. As I understand the amendment offered by the Senator from California and the Senator from Ohio, it deals with a training program wherein the military services will have a training program for civilians to be used by them in dealing with those given to the use of drugs. In that way it is an implementation to a degree, is it not, of the amendment which has been added to this bill and which was offered by the Senator from Iowa (Mr. HUGHES)?

Mr. TUNNEY. It is primarily a training program for military personnel and, secondarily, a training program for civilian personnel.

Mr. STENNIS. I am really more interested in the training program for the military man. I wish the Senator would enlarge on that a little more, if he will.

Mr. TUNNEY. The Secretary of Defense is given wide discretion under the amendment to develop a training program for military personnel by working with the assistance and advice of civilian agencies to develop a specialty corps in the service to deal with drug addicts. At the present time the training is totally inadequate, and it seems to the Senator from Ohio and myself that what is needed is a more comprehensive and intensive program of training. We have seen, from the civilian treatment centers where we have ongoing programs, that it takes a wide range of persons with particularly thorough training to deal effectively in the treatment of drug addiction and the prevention of drug abuse. Our amendment requires, among other things, that specific military occupation specialties—MOS—be created for a full range of persons trained in the treatment of drug addiction and the prevention of drug abuse. The amendment also looks to the potential that such trained personnel would offer to civilian drug abuse programs upon discharge from the military. It is our hope that such persons could provide a vital manpower resource for the civilian effort against drugs. Thus our amendment requires that every attempt be made to provide training which will be broad enough to enable such persons to carry on in the field after leaving the military. For example, it requires that, where possible, trainees be given the chance to fulfill licensing or other requirements which may be required for subsequent work in civilian programs such as a drug treatment clinic.

Mr. STENNIS. As I am sure both the authors of this amendment know, the President recently issued a rather comprehensive plan, and had a conference at the White House, and I understand is going to have a bill prepared.

This amendment, though, goes to the immediate situation as I understand it, of taking some of the men who are in the service, supplemented by some civilians who are not in service, and trying to put together, not hastily but as quickly as practicable, teams of people, at least some of which are to be sent to Vietnam to try to cope with the developing situation there?

Mr. TUNNEY. The Senator is correct, and the amendment provides that the Secretary of Defense shall, within 60 days after the date of enactment of this section, and thereafter at the conclusion of each calendar year, submit to Congress a written report of the actions he has taken to implement this section. The reason for this provision is that we have an immediate problem in Vietnam, and that is why we require reporting within 60 days, to determine what is being done by the Secretary of Defense in an immediate way to meet the problem that now exists.

Mr. STENNIS. It would be better, of course, to have had hearings on this matter, but there is the question of time. We have already adopted an amendment offered by the Senator from Iowa. This being a supplemental amendment to that one, to try to meet the immediate situation by starting a training group, I would look with favor on the Senator's added provisions.

There may be something in the bill coming from the executive department, which will have review and hearings, of course, covering the same ground, but that is a matter involving a great deal of money, and this, as I understand, is offered now because of the pressure of time.

Mr. TUNNEY. The Senator is correct. I do not believe that it involves any substantial amount of money.

Mr. STENNIS. Yes; I was going to ask about the money.

This measure, whatever it does cost, will be within the Defense Department, and will be funded by money that is within their appropriated funds?

Mr. TUNNEY. Presently within their appropriated funds, and it gives the Secretary wide discretion in the development of the program.

Mr. STENNIS. Yes. In other words, the amount is small enough to be absorbed by the current appropriation funds?

Mr. TUNNEY. Yes, I certainly feel that it is, and there should be no reason why they would have to ask for any additional appropriation of funds to achieve the purposes of this amendment.

Mr. STENNIS. I told the Senator from California that I would want to confer with the Senator from Iowa, who is a valuable member of our Armed Services Committee, about his amendment, and also with the Senator from Colorado, who is on our committee as well as on another committee with the Senator from Iowa.

Would the Senator from Colorado care to speak on this amendment?

Mr. DOMINICK. No.

Mr. STENNIS. I say to the Senator from California and the Senator from Iowa that I can endorse the amendment as a supplement to the amendment we have already passed, particularly in view of the immediacy of the problem and the possibilities of getting something started. This is intended to be in time to go into action within 60 or 90 days?

Mr. TUNNEY. Yes; that is correct.

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

Mr. TUNNEY. I yield to the Senator from Iowa.

Mr. HUGHES. Mr. President, I can utilize my own time, without taking the

time of the distinguished Senator from California.

By way of supplement to what has been stated by the Senator from California and the chairman of the committee, we have had our staff go over carefully the amendment of the Senator from California (Mr. TUNNEY). I agree with the explanation that it does supplement the amendment already passed by the Senate about 2 weeks ago.

The military witnesses, in testifying before our subcommittee in behalf of the chairman of the Armed Services Committee, have indicated that they intend to work in this area, develop the counselors, and supplement the work they are doing with the research indicated in the bill.

I think the amendment is entirely compatible with everything that has already been structured, and as chairman of the Subcommittee on Alcoholism and Narcotics of the Committee on Labor and Public Welfare, I recommend the acceptance of the amendment by the chairman of the Armed Services Committee also.

Mr. TUNNEY. I thank the chairman of the committee and the Senator from Iowa for accepting the amendment. I also believe that our amendment will be an excellent supplement to the amendment of the Senator from Iowa, which was passed unanimously 2 weeks ago. That amendment, in my opinion, represented a truly brilliant analysis of past failures and present needs in the treatment of young men who have a drug problem. Senator HUGHES has been a tremendous leader in the fight against drug abuse at every level and I appreciate very deeply his support for this amendment. I know how thoroughly he has studied this problem and how tireless his efforts have been in calling to the attention of the Nation, long before it was a matter of national concern, the terrible tragedies of drug abuse. I know that he will continue to lead in the fight against drugs and I want to assure him that I stand ready to be of assistance in every way possible.

The PRESIDING OFFICER (Mr. WEICKER). The question is on agreeing to the amendment of the Senator from California (Mr. TUNNEY).

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Mr. President, I yield myself 1 minute.

The Senator from Massachusetts has an amendment, and the Senator from Indiana has an amendment. I have a very minor amendment, as to which I feel that just the statement of it will be sufficient. It is so minor that it will not require any debate. And that is all, as far as I know.

The Senator from California (Mr. CRANSTON) has an amendment. Will someone try to get him into the Chamber?

The PRESIDING OFFICER. Does the Senator from Mississippi wish to take up his amendment?

Mr. STENNIS. Well, the Senator from West Virginia has a matter. I yield to him.

Mr. BYRD of West Virginia. Mr. President, I have yielded the Senator from Mississippi 7 minutes. I yield him 7 minutes of my time, by unanimous consent.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. BYRD of West Virginia. It is my understanding that the distinguished Senator from California (Mr. CRANSTON) has two amendments, and efforts will be made to contact him promptly, in accordance with the request of the manager of the bill.

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

Mr. BYRD of West Virginia. I yield.

Mr. HUGHES. Senator Cranston is conducting hearings right now in G–208, the New Senate Office Building auditorium.

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

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.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

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 assistant legislative clerk proceeded to call the roll.

Mr. CRANSTON. 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 bill is open to further amendment.

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. 210

Mr. CRANSTON. Mr. President, I call up amendment No. 210 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the proposed amendment as follows:

TITLE V—MILITARY HOUSING STUDY

SEC. 501. (a) The Secretary of Defense is authorized and directed to conduct a comprehensive study and investigation to determine the housing needs of military personnel both on and off military installations and both in and outside the United States, the extent to which such housing needs are being met, and the most effective means of meeting such needs. In carrying out such study and investigation the Secretary shall also determine the extent to which military personnel continue to be discriminated against in housing on account of race or national origin, what actions are being taken by the military departments to eliminate such discrimination, and what further action can be taken to totally eliminate it.

(b) The Secretary shall submit a report to the President and the Congress on the results of the study and investigation carried out under this section not later than six months following the date of enactment of this Act, together with such recommendations for legislation as he deems necessary to adequately meet the housing needs of military personnel and to eliminate discrimination against military personnel in housing on account of race or national origin.

Mr. STENNIS. Mr. President, may we have quiet? I hope the Chair will require attachés to remain quiet. It is very difficult from here to hear the Senator talking.

The PRESIDING OFFICER. The Senate will be in order. Senators will please remain in their seats and refrain from all conversation.

Mr. CRANSTON. Mr. President, the pending amendment deals with matters discussed on the floor at some length when we were discussing the matter of the pay raises for our servicemen—the problem of inadequate and substandard housing for people in the Armed Forces.

Although there was a good deal of discussion on the subject of housing for our servicemen, adequate information did not seem to be available to give us a really clear picture as to the availability of housing for our servicemen, both inside and outside of the country.

The pending amendment suggests that the Department of Defense undertake long years of study to determine the future housing needs of our men. Whether we move toward an all-volunteer military or not, we must provide decent housing both on and off base for our men. The study should encompass reports of discrimination against servicemen overseas.

In a documentary on television, various reports were made of discrimination against black servicemen in Germany when they attempt to find off-base housing. The Secretary should study these and other incidents and recommend ways of ameliorating these conditions where they exist.

A fact sheet which the Department of Defense distributed concerning housing said:

The Department of Defense has long recognized that there is not enough fair housing at reasonable cost for the military men in Germany.

Studies have indicated the same situation exists on the bases.

I remember my own days in World War II on bases in this country. I remember

the great problem that I and others in the armed services found ourselves confronted with—the gouging price of housing, the terribly crowded conditions in homes off base where some of us spent some time instead of on the base.

I think it is shocking that American servicemen should be subjected, two wars later, to living in inadequate housing. We should take steps to alleviate the situation. Therefore, I have proposed an amendment which would present the facts to the President and to Congress.

Mr. STENNIS. Mr. President, I could not fully hear the Senator in the beginning of his remarks. If the Senator would yield, I should like to ask a few questions.

Mr. CRANSTON. I yield.

Mr. STENNIS. Mr. President, the Senator's proposal is merely to require a comprehensive study as to these needs.

Mr. CRANSTON. The Senator is correct.

Mr. STENNIS. Mr. President, the Senator's amendment in its present form does not require any action or anything beyond this survey and report.

Mr. CRANSTON. The Senator is correct. It contemplates that the Secretary would submit a report to the President and the Congress on the results of the study and investigation carried out under this section not later than 6 months following the date of enactment of this act, together with such recommendations as he deems necessary.

Mr. STENNIS. Mr. President, the Senator is familiar with the fact that the services have been making surveys for a great many years and have always had items in the budget that required a great deal of family housing to be installed. We had the old Gebhart program years ago. I have forgotten the name of the report before them. Then we went to appropriating funds. Year after year there have been hundreds and hundreds of millions of dollars in those funds. I know that the Senator is familiar with that background.

Does the Senator think there are not enough requests for this housing at this time, or that we do not have enough information?

Mr. CRANSTON. I feel that we do not have enough information.

We sought housing information at the time the pay raise measure was being considered with regard to the overall problem being confronted by the people in the Armed Forces. We did not have enough information at that time. I think we are entitled to it since there have been all the years of study of the housing situation.

I think this amendment requiring the recommendations of the Secretary should bring the matter to a head.

Mr. STENNIS. Mr. President, I do not have any particular objection to the amendment. I know of a great number of places, or some places at least, where we authorized housing and found later that there were a great many vacancies existing there and that very acceptable and reasonable housing facilities were available.

On other occasions I know we have had before our committee requests for housing and there has been terrific opposition from the local authorities to more housing being built when they already have hundreds of houses vacant.

We have had a great number of surveys. However, I have no objection to accepting the amendment to provide for a more adequate survey. We will see what can be done with it. We will measure the amendment by what has been done. I will do the best I can in conference. We have a subcommittee on the military authorization bill and the military appropriation bill as well. However, I am willing to take the matter to conference and see what the House thinks about it.

Mr. CRANSTON. Mr. President, I thank the distinguished chairman.

Mr. STENNIS. Mr. President, I hope that we can agree to the amendment by a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 210) of the Senator from California (putting the question).

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 208

Mr. CRANSTON. Mr. President, I call up amendment No. 208 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 29, lines 13 and 14, strike out everything after "government", and insert the following new language: *"Provided further,* That no person shall be qualified for appointment as State director who has not demonstrated a proficiency in the laws, rules, and regulations of the Selective Service System by participating in, and achieving a score of not less than 75 per centum correct on, an examination formulated and administered by the Civil Service Commission, which will thereafter certify the results to the President;".

On page 30, line 20, insert after the period the following new sentence: *"Provided, however,* That no person shall be qualified for appointment to a local board or appeal board, nor shall any person be eligible for the position of clerk of a local board, who has not demonstrated a proficiency in the laws, rules, and regulations of the Selective Service System by participating in, and achieving a score of not less than 65 per centum correct on, an examination formulated and administered by the Civil Service Commission, which will thereafter certify the results to the President.".

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. CRANSTON. Mr. President, the intent of this measure is to insure that those who are concerned with the administration of the draft have a full and working knowledge of the draft laws and the regulations from the Selective Service headquarters. The intent further is to make the practices and procedures more uniform across the country, more efficient, and in compliance with the law.

Under present administrative procedures there are a great many variations in classifications and appeal procedures among local boards. The Marshall Commission, which was a blue ribbon Commission established by President Johnson to evaluate the functioning of all aspects of the Selective Service System outlines many of the problems which reflect a total lack of uniformity.

Some boards have 40 percent or more of their men classified 1–A, and some less than 10 percent. One hundred and forty-seven boards have less than 1,000 registrants, three boards over 50,000. There is a vast disparity over guidelines in issuing deferments, specifically hardship, occupation, and student deferments. In many local boards the clerk has great discretion.

Often local boards do not even review the decision of the clerk. Also, the Executive Secretary testified that at a local board meeting, lasting about 6 hours, approximately 800 files were reviewed, or an average of 22 seconds per file.

Another important and significant finding of the Marshall Commission was that Selective Service should "eliminate variance in local board policies by clear, unambiguous, binding regulations concerning classifications, exemptions, deferments to be applied uniformally."

Senate committee hearings have revealed that board members usually are not legally trained, yet most Government appeal agents do nothing to remedy the board's lack of knowledge. Clerks freely admit that their appeal agents have checked no files, seen no registrants, have not made an appeal in years.

Director Tarr has again noted the serious nature of this situation when he testified before the Armed Services Committee of the House that—

We intend to assist our local board members to achieve the greater uniformity and equity they seek as they apply the regulations governing their operations.

It seems to me we should have only people who take this job seriously and know what they are doing by having a test for people taking on the responsibility.

We are dealing with people who have in their hands decisions which affect the lives of young men and determine whether or not young men will live or die, stay at home or go overseas to fight in an undeclared war. The people exercising this responsibility should be able to show they are qualified to do it.

I know this is the volunteer duty. But even so we should insist that they be fully familiar with the matter they are administering and all the regulations pertaining thereto.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. STENNIS. Mr. President, will the Senator yield to me for a question?

Mr. CRANSTON. I yield.

Mr. STENNIS. The Senator's amendment on page 2 provides that—

No person shall be qualified for appointment to a local board or appeal board, nor shall any person be eligible for the position of clerk of a local board, who has not demonstrated a proficiency in the laws, rules, and regulations of the Selective Service System.

The Senator understands, does he not, that these are men from the community, who serve without pay, and they are chosen purely from a civic standpoint, a community standpoint, nominated by the Governor of the State as being responsible people who are willing to undertake this chore and serve without pay?

Does the Senator think it is consistent with that provision to require them to actually submit to an examination of some kind?

Mr. CRANSTON. I most certainly do, because they are exercising a life and death responsibility over young Americans.

People often volunteer for very important duties and they are totally unqualified for the work for which they volunteer. People who have dealt with volunteer groups in politics or in social groups are aware of that. I have known people who have rejected volunteers in connection with their campaigns because they wanted professionals who would take orders and do the job professionally. I do not agree with that in politics, but I think when a matter involves life and death, these young men are entitled to the highest professional treatment and qualifications that we can provide for those persons who make life and death decisions over that.

Mr. STENNIS. If that is true should we not abandon this system of no compensation, but more or less have conscription to serve a community function and go over to the pay system or employment for compensation system? Would we not have to make a decision between one or the other?

Mr. CRANSTON. The Senator from California would not like to propose an amendment that would increase the budget any more than it is increased already.

Mr. President, I believe we can get qualified people who are volunteers for this work. I think we should make certain we have people who know what they are doing. We have had cases referred to us where a board member was asked about regulation so-and-so by number and he would say, "I never heard of that regulation. What is it?"

The people who administer the regulations should know the regulations.

Mr. STENNIS. This matter has been considered a great deal over the years and it was decided each time it was better to have men who are more or less conscripted, serving without pay, passing judgment on their neighbors, and that is what they are doing, to a degree—they are men of judgment—rather than to have a paid group of men serving for compensation and thereby losing some of that community atmosphere and acceptance by the draft board. The way it is now, their judgment being accepted is better if they are serving under the present system.

I think it is that choice we have to make between the two systems. I have never heard of anyone in my area of the country volunteering to serve on the draft board. It could happen, but I think it is not that kind of a position. No one seeks it. No one receives anything except the gratitude of some people and they do not get the gratitude of all the people. There is always some conflict in the community. Sometimes they resign as a group, but I do not think the type men we are looking for to serve will want to take an examination.

We are seeking men of judgment rather than men of information.

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

Mr. CRANSTON. May I yield on the Senator's time? I have several other amendments.

Mr. ALLOTT. Mr. President, I will speak on my time.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I would like to suggest to the Senator that all these matters about draft boards have been considered and talked about in various committees for a long time. Although there has never been a hearing in the Committee on Appropriations on which I serve on this particular matter, the Selective Service System does come under one of our main committees.

I would say we are depending here on people who are good citizens and usually have to be asked to serve.

If we put it on the basis of whether a man passes a competitive civil service examination, it seems to me what we do is change the system from the type of man who is willing to do this as a public service—and goodness knows, nobody wants to serve on the draft board; it is no fun—to a system in which the man is looking for a job on the board, and that would be most unsatisfactory.

I would suggest another point. There is a different situation, of course, in the bigger cities, but, by and large, looking at my State and that area of the country in which I live, I think I would be happiest to have my sons go before a draft board—although they are past that age now and have served—made up of citizens of a type we have in my community and the communities around us than to have people selected to serve on those draft boards under a civil service examination. This involves a complete change in the Selective Service System, and I think it should be the subject of a separate bill and we should have specific hearings on it.

I would hope the Senator would not press his amendment. I do not think it is really an appropriate time for a matter of such far-reaching consequences, whereas a bill which embraced this subject would be heard by the appropriate committee.

Mr. CRANSTON. Mr. President, I thank the Senator from Colorado for his comments. As he knows, I have been seeking to abolish the Selective Service System, but in the absence of being able to do that, I would like to see some changes in it.

On the matter of cost, as suggested by the Senator from Mississippi, let me point out the great cost that comes from the present system. U.S. Attorney David Nisson, chief of the Criminal Division of Southern California, estimated that only one out of every four delinquent draft cases referred to his office is actually prosecuted due to local board errors in the remainder; and after all the investigations and getting ready to press charges, they have to drop them.

Nationally, in 1968 and 1969, more than 48,000 cases were referred to the Justice Department by the Selective Service System, but less than 6,000 of those were prosecuted. Although charges were not pressed for other reasons than board errors, William Sessions testified that such mistakes were perhaps the greatest factor in decisions to terminate those cases.

Mr. Sessions, who represented the Justice Department, told the House committee that not infrequently board errors include such flagrant violations of the law as the failure to act upon requests for student and hardship deferments; failure to act upon conscientious objectors' claims; failure to grant appeal rights; and a general failure to have any reason for their decisions. That such procedures should occur even infrequently is outrageous. Since they occur frequently, some remedies should be adopted. I believe this is the way to get at it. The reason we have such dissension over the country is that these young people are not getting a fair shake, or possibly even a hearing under the law, under present procedures.

Mr. STENNIS. Mr. President, I yield myself 4 minutes.

I have already emphasized that the amendment has a requirement that members of local draft boards take an examination which must demonstrate a proficiency in the law and rules and regulations of the Selective Service System by participating in and achieving a score of no less than 75 percent correct on an examination formulated and administered by the Civil Service Commission, which will hereafter certify the results to the President.

Mr. President, I do not think I could pass an examination like that.

I am not out of sympathy with the problems in California, but nationwide I do not believe the problem prevails to this extent.

We have a system that has been used in World War I and in World War II and again since that time. We selected a system of trying to get into it men of judgment and standing—I do not mean of social standing necessarily, but standing in character and judgment and qualifications of that kind, serving without pay, known to everyone in the community, and, by and large, making a lot of hard judgments, some of which are not always popular at all, by any means, and having to face the consequences themselves, having to go down the street every day, meeting a relative or someone else who thinks they have made a mistake.

So if we want to abandon that system

and cast it aside, that is one thing. I think it is the best possible system we could get. But if we are going to abandon it and we want to set up a system and pay these men and let them be learned in the rules and regulations and the law and everything else they want to, in which we pay them for the time and pay them for the work they do, I think we will find their work will score about 10 percent on acceptance in the community as compared with somebody else who is a neighbor, perhaps a little unlettered, but who knows what life is and what positions are and what family hardships are, and items of that kind.

So I hope the amendment will not be adopted.

Mr. CRANSTON. Mr. President, I ask for the yeas and nays on my amendment. I want to make it clear that I will not do this on all amendments that are going to come up, but I shall do it only for one or two on which I wish to have a vote by the entire body.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRANSTON. Mr. President, I request the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California. 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 New Mexico (Mr ANDERSON), the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Maine (Mr. MUSKIE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY), and the Senator from South Dakota (Mr. MCGOVERN) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Pennsylvania (Mr. SCOTT) is absent by leave of the Senate on official business.

The Senator from Vermont (Mr. PROUTY), is detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT), and the Senator from Pennsylvania (Mr. SCOTT) would each vote "nay."

The result was announced—yeas 9, nays 79, as follows:

[No. 122 Leg.]

YEAS—9

Cranston	Hartke	Kennedy
Gravel	Hatfield	Schweiker
Hart	Hughes	Tunney

NAYS—79

Aiken	Eastland	Mondale
Allen	Ellender	Montoya
Allott	Ervin	Moss
Baker	Fannin	Nelson
Bayh	Fong	Packwood
Beall	Fulbright	Pastore
Bellmon	Gambrell	Pearson
Bennett	Goldwater	Pell
Bentsen	Griffin	Percy
Bible	Gurney	Proxmire
Boggs	Hansen	Randolph
Brock	Hollings	Roth
Brooke	Hruska	Smith
Buckley	Inouye	Sparkman
Burdick	Jackson	Spong
Byrd, Va.	Javits	Stennis
Byrd, W. Va.	Jordan, N.C.	Stevens
Cannon	Jordan, Idaho	Stevenson
Case	Long	Symington
Chiles	Magnuson	Taft
Church	Mansfield	Talmadge
Cook	Mathias	Thurmond
Cooper	McClellan	Tower
Cotton	McGee	Weicker
Curtis	McIntyre	Young
Dole	Metcalf	
Dominick	Miller	

NOT VOTING—12

Anderson	McGovern	Ribicoff
Eagleton	Mundt	Saxbe
Harris	Muskie	Scott
Humphrey	Prouty	Williams

So Mr. CRANSTON's amendment (No. 208) was rejected.

Mr. STENNIS. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. GRIFFIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 209

Mr. CRANSTON. Mr. President, I call up my amendment No. 209 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 30, line 20, insert after the period the following new sentence: "In making such appointments the President shall appoint the membership of each local board so that to the maximum extent practicable it is proportionately representative of the race and national origin of those registrants within its jurisdiction.".

Mr. CRANSTON. Mr. President, I have an amendment to the amendment. I want to state that I received the language from the chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS) but he has not necessarily committed himself to supporting the amendment to this amendment.

I ask unanimous consent that the following language be added to my amendment No. 209: ", but no action by any local board shall be declared invalid on the ground that any board failed to conform to any particular quota as to race or national origin."

The PRESIDING OFFICER. Is there objection to the modification of the Senator from California? The Chair hears none, and the amendment is so modified.

Mr. CRANSTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CRANSTON. Mr. President, I will very, very briefly state the case for the amendment. I do not want to detain Senators, but this is an important matter which restores language which was in the House Armed Services Committee bill but was dropped by the Senate committee. The purpose is to insure that members of so-called minority groups, whether of racial or national origin, have maximum opportunity to go before boards where their own groups will be referred. There have been too many cases reported of browns or blacks or Indians or Puerto Ricans going before boards where they find only white faces represented, none representing their own groups.

It seems to me, and it seemed to the House and the House committee, that it would be much fairer to take a nonbinding step such as this amendment would provide, to bring about the fairest possible representation on draft boards to achieve this result.

The House committee recognized the problem and had the following language in its report:

> The committee believes it is important that young men who are drafted have confidence that the people who are considering their draft status are of such background that they can appreciate and understand the individual being considered.

That language in the law was drafted by the Senate committee. My amendment basically would reinstitute the general intent of the House on this issue.

Director Curtis Tarr reinforced the view expressed by the House committee when he appeared before that committee late last year, when he said:

> I do think it is important, however, for people upon whom the decision falls to have the feeling that the decision was honestly and openly arrived at. And this is the main justification for us to have membership on local boards representative of the populations of young people with whom they work.

Plainly, we cannot know that this will be done in all cases. People cannot always be found in the community who are willing and able to fulfill this function. Therefore, I added that last clause that would not make it possible to overturn the decision of the draft board because this requirement of seeking a broad representation and proportional representation was not complied with.

I rest my case.

Mr. MONTOYA. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from California. I do not think there is any question about the propriety of the amendment. I think that every young man who comes before a draft board would feel that he comes before a draft board comprised of equals, regardless of their color or national origin.

I believe that the amendment is very well in order. We have this same requirement with respect to the selection of jurors. That is because of the constitutional mandate and interpretation by the Supreme Court of the Constitution. Certainly, when a young man is called to

serve his country, he should feel that he comes before a board which will accord him justice and due consideration.

When he goes out on the battlefield with a feeling that there was injustice at the point of induction when he was called before the draft board, he will not make as good a soldier as if he went to the battlefield feeling that persons from his own ethnic group passed upon his induction, or passed upon any affidavits he might have filed for deferment.

Therefore, certainly, I want to commend the Senator from California for bringing in this amendment. I feel that it is something that should be included in this kind of bill.

Therefore, Mr. President, once more I associate myself with the author of the amendment, not only as a sponsor, but also in the remarks which he has made in support of it.

Mr. DOMINICK. Mr. President, I should like to ask how much time I have remaining.

The PRESIDING OFFICER (Mr. BUCKLEY). The Senator has 53 minutes remaining.

Mr. DOMINICK. I thank the Chair.

Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. DOMINICK. Mr. President, I rise in opposition to the amendment. From the start, I have been a strong supporter of civil rights bills, as I think everyone in this Chamber who serves with me knows.

I think the pending amendment is the totally wrong area to get into in trying to find out whom we will select as members of a local Selective Service Board. The very reasons we rejected the previous amendment of the Senator from California are equally applicable here. In fact, more so.

Members of the board are, after all, recommended by the Governor of each State to the President, so that the Governor has the original choice in figuring out whom he will send up to the President in order for the President to select from that group. The President does not go around to every one of the local communities to find out what group should be selected. The Governor gets the word and he passes it on to the President and the President makes the appointment. It is a Presidential appointment, which carries real, substantial prestige in the area.

No one is paid a nickel for his service on a local draft board. They do it voluntarily.

If we are going to come in and say not only that they must have this examination, which was just defeated overwhelmingly, but now that they have to be picked in accordance with the ratio of the population, we will be taking away from the whole idea of trying to get members of the board to be men of judgment, compassion, humanity, and respect in their communities.

We may get many people who will be fine, be they Spanish-Americans, be they Spanish-speaking, be they black, be they white, be they Chinese or Japanese. Fine—if they are recommended. But to say that this is the course of events on which they should determine who will be on a voluntary draft board to exercise humanity and courage at the same time, seems to me to be the totally wrong direction in which we should proceed.

Accordingly, I am strongly in opposition to the pending amendment.

Mr. HART. Mr. President, I hope that we shall adopt the pending amendment, which does not bring a draft board down if it is not feasible to obtain a balanced representation from the community. It does not invalidate the action of the board if there is such a failure. But it does reflect a sensitivity. It is a problem that I think we do not have to be of draft age to understand exists.

I may have long hair. I may be an Indian. I may have a beard or be black.

I would like to have some confidence that they are not going to put me down because, for some reason or other, they have a hangup about me. Affirmatively, I would like the Senate to say, "Yes, we understand the desirability, since we are reaching into the most sensitive of all elements of privacy—namely, compelling one against one's will to say that the judgment against me will be a rare reflection of my services in my community."

I have heard some expression of opposition to the amendment. However, in my book, the thing cries out for adoption. I hope it is agreed to.

Mr. ERVIN. Mr. President, I yield myself such time as I may use. I think it is very unfortunate that we are always trying to fragmentize American people. We try to fragmentize them and say that white men cannot be fair to black men; that black men cannot be fair to white men; and that Anglo-Americans cannot be fair to people who have some other ancestry.

We ought to select draft board members who are Americans. We should leave out such extraneous things as race or national origin.

Let us quit fragmentizing the American people. That is what this amendment would do.

Let us treat everyone as an American and select members for the draft boards who are willing to perform this patriotic duty and not be troubled by the pigmentation of a man's skin or his ancestry.

Let us select Americans and quit fragmentizing the American people.

Mr. COOPER. Mr. President, will the Senator from California yield me 2 minutes?

The PRESIDING OFFICER. No Senator can yield time under the cloture motion except by unanimous consent. Each Senator has 1 hour.

Mr. COOPER. Mr. President, I will take my own time then.

I have just read the amendment of the Senator from California (Mr. CRANSTON) and I have listened to the explanation in its support by the Senator from New Mexico (Mr. MONTOYA) and also the statement in opposition made by the Senator from North Carolina (Mr. ERVIN).

I would hope that some day it will be possible in this country for all people, citizens of our country, without regard to anything else—race, origin, color, or religion, to speak of themselves and consider themselves only as Americans equal with each other.

Unfortunately, this is not the case today. I would like to say that as other Members of the Senate I have received letters from families and from young men who were brought before draft boards and who have felt, whether objectively correct or not, that somehow they had not received the equal treatment they deserved.

I have read the amendment. If it were to be voted upon as first printed, I would not vote for it. However, I note that an amendment has been offered which provides—and if I incorrect, I would like the Senator from California to correct me—that we suggest to the President that he appoint draft board members so that they may represent as fairly as possible the racial population of the community. I note also that this requirement will not invalidate the decisions of the local draft board.

Mr. CRANSTON. The Senator is absolutely correct.

Mr. COOPER. Mr. President, I see nothing wrong with this principle. I think it good. I think that it would alleviate to some degree the feeling of some in this country that they might have been unfairly treated, whether they are correct or not. It is not only necessary to do justice under our system of government. It is necessary also to have conditions so that all may believe that they have received justice.

I voice my support for the amendment.

Mr. HOLLINGS. Mr. President, I yield myself 2 or 3 minutes or so much time as necessary on behalf of the amendment of the Senator from California.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, I explained a minute ago that I voted against the previous amendment that provided for a 75 percent grade for civil service applicants in order to qualify. I emphasize the fact that in trying to bring about proportional representation on the draft boards in my backyard the establishment of such an arbitrary requirement would stultify the appointment of black members.

From 1958 to 1962, as Governor, I appointed black members to draft boards. I was one of the few southern Governors to do so. I wish that I could have appointed more. But in my area of the country, such appointment usually comes only after long years of service.

Those who serve on draft boards and have been serving on them for 20 or 30 years have quite a burden to carry. A man who has been there for 20, 25, or 30 years is often trying to bring about a more even balance, a more proportional balance within the makeup of the board itself. Of course, that is what is desired.

This amendment will help restore credibility in the draft system—credibility which the Nation sorely lacks today as it responds to its many problems. What has been emphasized as one of the fallouts of this terrible war in Vietnam is that, in the whole thing about secrecy, many of our leaders not only told different stories but they also tried out their

policy of limited warfare on the one hand and determining who went to the war on the other hand, and kept it from the people. Specifically, if a man did not keep up in the National Guard or did not like the Reserves, he went. But he would stay for only a year. The people would not be aware of the war—or so the leaders thought.

That worked pretty well for about 2 or 3 years. However, after 10 years of casualties, it no longer works. The results show that the war was being fought by the black, the poor, and the disadvantaged.

If one had the money and the sense, he went to college. If he lacked both the money and the sense to get into college, he went into the National Guard or the Reserves. If anyone does not believe it, I will show him my files. If one could not go along otherwise, he got into the war.

We have had recommendations by both President Johnson and President Nixon for a volunteer army, which I oppose, because we will end up with the black, the poor, and the disadvantaged on a permanent basis.

I have been from campus to campus. I have worked up over the last 2 or 3 years a volunteer army of about 13.5 recruits. One fellow kept raising his hand halfway when I asked them whether or not they would serve.

Now we are back at the same thing the Senator from California is pointing out.

Questions have been asked over the years. My friend, the distinguished Senator from North Carolina (Mr. ERVIN), whom I usually agree with, says that it is fragmentizing the American people. They are already fragmentized. We are trying to get them together, all of us, on a proportional, nondiscriminatory basis. We are trying to give credibility to the draft system. Without a broader representation, the recruits from various groups lose faith in the whole system.

A man should have the experience of sitting as a southern Governor and trying to satisfy the white members of the draft board and put a black man on the board. It is not easy.

But, if we pass the amendment, we will help bring about better relations and more equal representation on the draft system of the country.

Therefore, I support the amendment.

Mr. STENNIS. Mr. President, Senators have before them the bill passed by the House. On page 8, line 7 there will be found the language:

To the extent practicable, the members of a local draft board shall accurately represent the economic and sociological background of the population which they serve, but no induction shall be declared invalid on the ground that any board failed to conform to any particular quota as to race, economics, religion, sex, or age.

At our writeup of this bill—and I wish to put the entire matter before the Senate—it was very clearly developed that that language presented some very practical problems. The Senator from South Carolina mentioned one of them: The "unseating" of many members of the board who served for years and had gotten to be part of the community acceptance was considered. They had gotten to be part of the community acceptance and things were going along. It must be remembered this is the same board that serves without any compensation whatever.

I think one of the last things we want to do here is to bring up matters that would upset that condition and get into a community contest about it. Some things must be done with some slowness. I think it would be a mistake to write this into hard law.

We struck this out with the idea that the matter would be in conference anyway. We are going to have this House language before us. The requirement was developed here about some proportional representation on the board that could be made the main basis of litigation unless something was done about that and, therefore, inductions voided.

We tried to get some language to meet the situation. The House has some language, but it was decided in its present form it is not adequate.

Then, a few minutes ago, when the Senator from California was discussing the matter we did bring up language that I think should be broadened even more about the validity of the board even though it did not have the composition desired. This is national legislation and it is very important. It is hard to get just the right wording and the right meaning.

However, I am entirely willing to try to meet this matter. When we go to conference we can work on the House language and start from there to try to bring about something that will fill in and let gradualism come into this matter. That would keep the draft boards in their present stage of acceptance. I understand they are not acceptable in some areas of the country. There is some evidence to that effect.

I think by and large one of the great things I have known in my public life has been the service these draft boards have rendered over the years, always without compensation, but always with much criticism from time to time.

I would like to see the Senate leave this delicate matter rest on the basis of what is already in the bill and let the conferees see what they will try to work out. I believe that is the best way.

Mr. GRIFFIN. Mr. President, I can understand the difficulty of arriving at appropriate language, as the Senator from Mississippi has indicated, but at the same time I cannot bring myself to vote against this amendment offered by the Senator from California.

I believe that it should be the policy of the Senate and the Government to move in the direction of representation of the various groups on draft boards.

I have been particularly outspoken about the failure in this regard in the past in my own State and I am happy to say that in the State of Michigan we have seen a change in direction and momentum toward the objective indicated by this amendment.

I am troubled by the wording here because I believe, as the manager of the bill has argued, that it is possible this language could be construed as disrupting the present membership of the draft boards.

Mr. President, I am sending to the desk an amendment to this amendment, to make the language read as follows:

In making such appointments in the future—

In other words, I would insert the words "in the future."

Continuing—

the President is requested—

I would like to suggest that instead of using the word "shall" we "request" the President to appoint the membership of each local board—

so that to the maximum extent practicable it is proportionately representative of the race and national origin of those registrants within its jurisdiction.

I believe the policy then would be clearly stated but there would be no legal question that could arise. I am aware, of course, that language has been added by the Senator from California himself, so I think that, in effect, his language almost would do the same thing as changing the "shall" to "requested" anyway.

Mr. STENNIS. Mr. President, will the Senator yield to me for a question?

Mr. GRIFFIN. I yield.

Mr. STENNIS. The Senator understands nominations are made by Governors of the States; it is really considered their responsibility. That is why it works as well as it does, in my humble opinion. The President makes the actual appointment, for obvious reasons, but it is the nomination of the Governor. I do not believe there ever has been one set aside.

I have no objection to the Senator's language, of course.

Mr. GRIFFIN. I appreciate that.

Mr. President, I send my modification of the amendment offered by the Senator from California to the desk.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that his amendment be in order?

Mr. GRIFFIN. I ask unanimous consent that it be in order.

Mr. CRANSTON. Mr. President, I join in that unanimous-consent request.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

Mr. GRIFFIN. Mr. President, may I ask that the amendment as modified now be read?

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

On page 30, line 3, insert after the period the following new sentence: "In making such appointments in the future the President shall appoint the membership of each local board so that to the maximum extent practicable it is proportionately representative of the race and national origin of those registrants within its jurisdiction, but no action by any local board shall be declared invalid on the ground that any board failed to conform to any particular quota as to race or national origin."

In line 2, after "appointment" insert "in the future".

In line 3 of the amendment strike the word "shall" and insert "is requested to."

The PRESIDING OFFICER (Mr. CHILES). Now the clerk will read the amendment as modified with that change.

Mr. GRIFFIN. Mr. President, I particularly appreciate that the Senator from

California (Mr. CRANSTON) who sponsored the amendment has seen the wisdom of this modification. It will certainly accomplish the objective of stating a policy and yet it will not put the legality of any existing draft board in jeopardy nor will it bring into question any future draft board inductions; yet I think without question it will provide guidance to the President of the United States and it should be useful in terms of action by the local boards.

The PRESIDING OFFICER. The clerk will read the amendment as modified.

The legislative clerk read the amendment, as modified, as follows:

On page 30, line 20, insert after the period the following new sentence: "In making such appointments in the future the President is requested to appoint the membership of each local board so that to the maximum extent practicable it is proportionately representative of the race and national origin of these registrants within its jurisdiction, but no action by any local board shall be declared invalid on the ground that any board failed to conform to any particular quota as to race or national origin."

Mr. CRANSTON. Mr. President, during the interlude, I conferred with the distinguished chairman of the committee and, pursuant to that conversation, I ask unanimous consent that I may withdraw my request for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there objection? Without objection, the request for the yeas and nays is withdrawn.

The question is on agreeing to the amendment of the Senator from California, as modified.

The amendment, as modified, was agreed to.

Mr. BYRD of Virginia. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BYRD of Virginia. Is the rule of germaneness in effect?

The PRESIDING OFFICER. The rule of germaneness has expired today.

Mr. BYRD of Virginia. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

PRESIDENT NIXON COMMENDED FOR SUBMITTING HISTORY OF EARLY YEARS OF VIETNAM WAR

Mr. BYRD of Virginia. Mr. President, I commend President Nixon for submitting to the Senate a report purporting to be the history of the early years of the Vietnam war. It seems to me most appropriate that this document should be submitted to the appropriate committee of the Senate.

Last week I expressed the view that the Defense Department was unwarranted in refusing to make available to the Senate Armed Services Committee and the Senate Foreign Relations Committee a copy of this document. It has been partially published in various newspapers. It is a document of importance. It is one that the Senate is entitled to. It is one that the appropriate committees of the Senate are entitled to.

Frankly, I was very aggravated that the Department of Defense refused to submit to the appropriate committee or committees this document when it was requested.

So I commend the President for making it available. I understand that it either has been sent to the Senate or will be sent to the Senate.

In that connection, I address a parliamentary inquiry to the Chair to ascertain whether this report has been sent to the Senate.

The PRESIDING OFFICER. The report has not been received at the desk.

Mr. BYRD of Virginia. The report has not been received at the desk?

The PRESIDING OFFICER. That is correct.

Mr. BYRD of Virginia. The news accounts have said that the report will be sent to the Senate, and I am making these remarks on the assumption that the report has actually been submitted, and while the report has not as yet been received by the Senate, my understanding is that the President will send it to the Senate.

I commend him for it because I think this is a document that should be available to the Armed Services Committee and the Foreign Relations Committee and, for that matter, to every Member of the Senate who might be interested.

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. STEVENS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. STEVENS. Is it proper for a Senator who has no amendments to offer to this bill to yield back his time to indicate that he has no intention of using the hour allocated to him under rule XXII?

The PRESIDING OFFICER. A Senator could assert that he is yielding back the time if he so desired.

Mr. STEVENS. I would like to assert that I shall not use the time allotted to me under rule XXII.

Mr. BYRD of West Virginia. Mr. President, may I inquire, on my own time, of the distinguished manager of the bill whether or not he knows of any Senator—and I propound the same question to Senators present—who intends to call up an amendment today?

Mr. STENNIS. Well, I know of one. I have a very small amendment that I do not believe is controversial, on which I will ask a voice vote.

Mr. BYRD of West Virginia. There will be no further rollcall votes tonight, therefore.

Is there any other Senator who intends now to call up an amendment? I see no indication of such.

Mr. STENNIS. Mr. President, if the Senator will yield, we have two relatively small amendments—all amendments are important, but the Senator from California has two amendments—and there is an amendment by the Senator from Massachusetts regarding procedures before the draft boards and appearance of attorneys, and there is an amendment by the Senator from Indiana that I think we will be able to work out here on the floor.

I hope every other Senator will be standing in line in the morning contesting as to who is going to get his amendment up for consideration. If we finish this bill tomorrow, I will be very thankful.

Mr. BYRD of West Virginia. Mr. President, as far as I can ascertain, there will be no more rollcall votes today.

I think I am authorized on behalf of the majority leader to say that if this bill can be completed tomorrow—and there is a good possibility that it can be—the Senate will then go over until Monday in order to give committees an opportunity to work on Friday in preparing bills and resolutions for the Senate Calendar. So there is a good possibility that we could complete work on this bill tomorrow.

May I say that there are two amendments that the Senator from California (Mr. CRANSTON) is going to call up in the morning, one amendment by the Senator from Indiana (Mr. BAYH), an amendment by the Senator from Massachusetts (Mr. KENNEDY), an amendment by the Senator from Minnesota (Mr. HUMPHREY), and some amendments by the Senator from Alaska (Mr. GRAVEL).

Although there are many other amendments at the desk, it is my understanding that Senators, in the main, do not intend to call them up.

So there is a good likelihood—perhaps I should say possibility—that action can be completed on the bill tomorrow, in which event the Senate would go over until Monday.

Mr. COOK. Mr. President, pursuant to rule XXII and the time I am allotted thereunder, I, too, would like to take this opportunity to yield back whatever time I might have under that rule.

Mr. HANSEN. Mr. President, with full appreciation of what the distinguished majority whip has just said, I, too, would like to yield back my time and suggest to the distinguished Senator from West Virginia that, with the indication he has given us that we might come to a final vote on this bill tomorrow, I think other Senators could be encouraged to do as has been done by the distinguished Senator from Alaska (Mr. STEVENS), the distinguished Senator from Kentucky (Mr. COOK), and myself, and yield back their time. I yield back the remainder of my time.

Mr. WEICKER. Mr. President, I concur in the comments made by my distinguished colleague from Wyoming, and I yield back the balance of my 1 hour which I would be allotted under rule XXII.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Mr. President, I have an amendment which I would like to call up at this time.

The PRESIDING OFFICER. The amendment offered by the Senator from Mississippi will be read.

The legislative clerk read the amendment, as follows:

At the end of the bill add a new title as follows:

TITLE VI—APPOINTMENT OF CERTAIN RESERVE OFFICERS TO BE MADE SUBJECT TO ADVICE AND CONSENT OF THE SENATE

SEC. 601. Section 593(a) of title 10, United States Code, is amended to read as follows:

"(a) Appointments or Reserves in commissioned grades below pay grade 0–4, except commissioned warrant officer, shall be made by the President alone. Appointments of Reserves in commissioned grades above pay grade 0–3 shall be made by the President, by and with the advice and consent of the Senate, except as provided in section 3352 of this title."

SEC. 602. Section 3447(b) of title 10, United States Code, is amended to read as follows:

"(b) Temporary appointments of commissioned officers in the Regular Army shall be made by the President alone in grades below brigadier general and by the President, by and with the advice and consent of the Senate, in general officer grades. Temporary appointments of commissioned officers in the reserve components of the Army shall be made by the President alone in grades below major and by the President, by and with the advice and consent of the Senate, in grades above captain."

SEC. 603. Section 5787(e) of title 10, United States Code, is amended by inserting the following sentence after the second sentence: "Each such appointment of an officer in the Naval Reserve or the Marine Corps Reserve in a grade above pay grade 0–3 shall be made by the President, by and with the advice and consent of the Senate."

SEC. 604. Section 8447(b) of title 10, United States Code, is amended to read as follows:

"(b) Temporary appointments of commissioned officers in the Regular Air Force shall be made by the President alone in grades below brigadier general and by the President, by and with the advice and consent of the Senate, in general officer grades. Temporary appointments of commissioned officers in the reserve components of the Air Force shall be made by the President alone in grades below major and by the President, by and with the advice and consent of the Senate, in grades above captain."

SEC. 605. Section 275(f) of title 14, United States Code, is amended by inserting the following sentence after the second sentence: "An appointment under this section to a grade above lieutenant of an officer in the Coast Guard Reserve shall be made by the President by and with the advice and consent of the Senate."

Mr. STENNIS. Mr. President, this amendment is a very simple one. It applies only to officers with the rank of major and above, or the equivalent in the Navy, and merely provides that reserve officers' promotion lists shall be submitted to the Senate Armed Services Committee, as are those for regular officers. It is just a matter of regulating and overseeing the civilian side of looking over these appointments.

It was something to bring this group more in line with the others, and I think it is somewhat of a tribute to the reserves to be put on the same basis with the regulars for those grades. Some of the very finest officers we have are those who are in the reserves.

That is my full statement. I shall not ask for a rollcall vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Mr. President, it seems that Senators are somewhat surprised that I have said I thought we could finish this bill tomorrow. The amendments we know about, that are considered active amendments, have already been enumerated. I do not know of anyone who is planning to bring up any appreciable number of others. The Senator from Alaska has said that he was ready for the third reading of the bill. The Senator from Oregon (Mr. HATFIELD) has said to me that he did not have any amendments to offer, or that he was ready for third reading, or words to that effect.

Here is the Senator coming in now. Senator, we are just making a little survey here of what active remaining amendments we might have, and I was referring to your remarks of this morning that at that time you did not have any further amendments.

Mr. HATFIELD. That is correct.

Mr. STENNIS. So I just do not know. There are a number of amendments here, but I have not heard a word from anyone indicating any interest except as I have indicated. If anyone else knows of any, except for doing some nightwork on those we already have, I wish he would let us know.

The PRESIDING OFFICER. The bill is open to further amendment.

EXTENSION OF THE FEDERAL WATER POLLUTION CONTROL ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed immediately to the consideration of S. 2133, reported today from the Committee on Public Works. The bill is at the desk, and as I understand, it is a matter that has been cleared by the minority.

I ask unanimous consent that the time consumed in acting on this measure not be charged under rule XXII.

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

Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2133) was considered, ordered to be engrossed for a third reading, read the third time, and passed.

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

SECTION 1. The funds authorized to be appropriated in sections 5(n) and 6(e) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), for the fiscal year ending June 30, 1971, shall remain available until September 30, 1971.

SEC. 2. Section 7(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 446 et seq.), is amended by inserting after "$10,000,000" the following: ", and for the three-month period ending September 30, 1971, $2,500,000".

SEC. 3. The second sentence of section 8(d) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), is amended by striking "and $1,250,000,000 for the fiscal year ending June 30, 1971." and inserting in lieu thereof "$1,250,000,000 for the fiscal year ending June 30, 1971; and $500,000,000 for the three-month period ending September 30, 1971."

LAND CONVEYANCE TO CENTRAL DAKOTA NURSING HOME

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time consumed on the next measure not be charged against any Senator under rule XXII.

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

Mr. BYRD of West Virginia. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 222, S. 414, which I understand has been cleared with the minority.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 414) to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 414) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, subject to the conditions hereinafter set forth in this Act, by quitclaim deed, to the Central Dakota Nursing Home, Jamestown, North Dakota, all right, title, and interest of the United States in and to the following described lands near Jamestown, North Dakota, together with all buildings and other improvements thereon:

A tract of land situated in the southwest quarter northeast quarter and the southeast quarter northwest quarter, section 24, township 140 north, range 64 west, 5th principal meridian more particularly described as follows:

Beginning at the center of section 24, township 140 north, range 64 west, 5th principal meridian;

thence south 89 degrees 50 minutes east 771.5 feet;

thence north 00 degrees 21 minutes west 800.0 feet;

thence north 89 degrees 50 minutes west 1,065.8 feet;

thence south 23 degrees 52 minutes 30 seconds west 456.7 feet;

thence south 00 degrees 40 minutes 30 seconds east 385.6 feet;

thence north 89 degrees 44 minutes east 479.7 feet to the point of beginning and containing 22.1 acres, more or less.

SEC. 2. The conveyance authorized by this Act shall be made subject to the conditions that:

(1) The Central Dakota Nursing Home pay to the United States as consideration for the land authorized to be conveyed the amount of $5,500;

(2) All minerals, including oil and gas, in such lands authorized to be conveyed shall be reserved to the United States;

(3) The lands, including buildings and other improvements thereon, authorized to be conveyed shall be used by the Central Dakota Nursing Home solely for health care facilities, and in the event that such lands, including such buildings and improvements, cease to be used for that purpose, title thereto shall immediately revert, without payment of consideration, to the United States;

(4) The Central Dakota Nursing Home (including its assignees and successors) agrees to waive any and all claims, arising on or before the date of any conveyance

pursuant to this Act, which such home might have against the United States as a result of blown silt or other causes resulting from or in connection with the construction, operation, or maintenance of the Jamestown Dam and Reservoir; and

(5) All expenses for surveys and the preparation and execution of legal documents necessary to carry out the provisions of this Act shall be paid by the Central Dakota Nursing Home.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–228), explaining the purposes of the measure.

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

PURPOSE

S. 414, would authorize and direct the Secretary of the Interior to convey, for fair market value, a 22.1-acre tract of land in Jamestown, N. Dak., to the Central Dakota Nursing Home, a nonprofit corporation. The corporation is presently operating under a 50-year lease which Interior signed in 1960, but needs to expand its facilities, and title to the property would enhance the possibility of loans and gifts.

RESERVATIONS

Reservations provide that the property reverts to the United States if it is used for any other purpose than for health-care facilities, that the United States would retain the mineral rights, and that the home could make no claims against the Federal Government for damages resulting from silt blowing or other activities in connection with the Jamestown Dam and Reservoir.

DESCRIPTION

The nursing home is of brick and tile construction, and contains space for 100 beds, including a central heating plant, kitchen, dining area, chapel, office spaces, therapy areas, beauty parlor, barbershop, and other rooms. The resident wings form the shape of the spokes of a wheel with a central nursing station at the hub, so that all corridors can be observed. The home has been operating at maximum capacity for the last 3 years or more.

MINERAL VALUES

The land covered by the bill has slight prospective value for oil and gas. The nearest petroleum production is 50 miles distant. The tract is reported to be without value for other minerals, or for geothermal resource development.

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. 232

Mr. BYRD of West Virginia. Mr. President, I call up amendment No. 232, by the Senator from Indiana (Mr. BAYH), so that it may become the pending question.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 41, immediately following line 4, add the following:

Sec. 302. (a) Section 509(d)(2) of Public Law 91–441 is amended by (1) striking out "the President" and substituting in lieu thereof "the Department of Defense", (2) striking out "January 31" and substituting in lieu thereof "March 1", and (3) adding at the end thereof the following: "Such justification and explanation shall specify in detail the posture of all forces, including, for each land force division, carrier and other major combatant vessel, air wing, and other comparable unit: (i) the unit mission and capability, (ii) the strategy the unit supports, (iii) the country or area of deployment and potential deployment, and (iv) what commitments or threats each such unit is intended to meet."

(b) By March 1, 1972, the Department of Defense shall complete and make available to Members of Congress a comprehensive study and investigation specifying in detail the necessary adjustments, if any, in general strategy and defense posture if the year-end active duty personnel strength level of the Armed Forces for the fiscal year ending on June 30, 1973, were reduced to:

(1) 2,250,000;
(2) 2,100,000;
(3) 2,200,000.

Such study and investigation shall specify in detail the posture of all forces under such circumstances, including, for each land force division, carrier and other major combatant vessel, air wing, and other comparable unit: (i) the unit mission and capability, (ii) the strategy the unit supports, (iii) the country or area of deployment and potential deployment, and (iv) what commitments or threats each such unit is intended to meet."

Mr. BYRD of West Virginia. Mr. President, there will be no action on this amendment this evening.

Senators are reminded that when the Senate completes its business today, it will stand in recess—not adjournment—until 10 o'clock tomorrow morning.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest what I hope will be 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.

OPERATION OF THE RULE OF GERMANENESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, in view of the stated possibility that the Senate may be able to complete its business on——

The PRESIDING OFFICER. On whose time is the Senator speaking?

Mr. BYRD of West Virginia. Mr. President, the time should be charged to me and I thank the Chair; I should have made that clear at the beginning.

Mr. President, in view of the stated possibility that the Senate may be able to complete its business on H.R. 6531 tomorrow, I ask unanimous consent that the Pastore rule of germaneness operate for 5 hours tomorrow.

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

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows: There is not much that can be said that has not already been said.

The Senate will convene at 10 a.m., following a recess. No period for the transaction of routine morning business has been set aside. Consequently, the Senate, immediately following the prayer and the recognition of the two leaders under the standing order, will proceed to the consideration of amendment No. 232 by the Senator from Indiana (Mr. BAYH).

Following that, it is hoped that other Senators who have amendments and who intend to call up those amendments will be ready and will be on the floor, so that as little time as possible will be consumed in awaiting the appearance of Senators for the purpose of calling up their amendments.

It is hoped that the Senate will complete its business on this bill tomorrow; and if this can be achieved, it is the intention of the leadership—I am authorized to say this by the majority leader—that the Senate will adjourn until Monday next, thus giving the committees time in which to consider bills and resolutions for reporting to the Senate, for action on the floor.

Does the distinguished assistant Republican leader have any statement or question at this time?

Mr. GRIFFIN. I would only reiterate what the distinguished majority whip has said about the hope and the intention of finishing the bill tomorrow and getting to a vote.

I believe it might be well to recall the words of the majority leader earlier today, when he indicated that if, after a reasonable period of time expires, no Senators on the floor offer amendments, Senators are on notice that third reading will be called for. I think that all Senators now have ample notice that that will be the situation.

Mr. BYRD of West Virginia. Mr. President, I am glad that the distinguished minority whip has reminded us of the statement by the majority leader, and I want to repeat it for emphasis.

I want to express the desire that the word go out to Senators, especially through the cloakrooms this evening, to the effect that Senators who have amendments must be ready to call them up at any time or the bill will be advanced to third reading.

The majority leader intends—and I am sure the manager of the bill intends likewise—to proceed in a reasonable way Senators are not going to be foreclosed summarily; but Senators are on notice that if they are not here to call up their amendments, the Chair, under the rule, will advance the bill to third reading and put the question. Senators who have amendments to call up should be on the floor to protect themselves.

Mr. STENNIS. Mr. President, anent the remarks the Senator has made, from time to time I have had certain understandings with various Senators regarding amendments, that they could work on them further and that they wanted some time in which to complete them. But all my promises in that field have now been redeemed. The Senator from Indiana will be here in the morning with the final version of his amendment, as will others. I have no promises outstanding. So I am free to ask for third reading and hope that everyone has had his day in court.

Mr. BYRD of West Virginia. Mr. President—continuing on my time—I thank the Senator for the exemplary job he has done as manager of this bill. The bill has been before the Senate now for 7 weeks, more or less, and Senators have had ample opportunity to call up amendments and to speak at length thereon.

I also express appreciation to all Senators for the splendid cooperation they have given with respect to the working out of time agreements on amendments. But we have now reached the time when the majority of the Senate has spoken its will, and it is the sentiment of the majority of the Senate—as expressed by the vote on cloture—that the Senate expedite final action on this bill.

This is why the majority leader and the minority whip have spoken as they have today, urging Senators to call their amendments up, and proceed to final action on this bill.

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

Mr. BYRD of West Virginia. I yield the floor.

Mr. McINTYRE. Mr. President, I ask unanimous consent that I may be permitted to yield 30 minutes of my time, under the cloture rule, to the distinguished chairman of the Armed Services Committee, the Senator from Mississippi.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. I thank the Senator. He is very thoughtful.

RECESS TO 10 A.M. TOMORROW

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 recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate recessed until tomorrow, Thursday, June 24, 1971, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate June 23, 1971:

NATIONAL COMMISSION ON MATERIALS POLICY

The following-named persons to be members of the National Commission on Materials Policy (new positions):

Lynton Keith Caldwell, of Indiana.
Jerome L. Klaff, of Maryland.
J. Hugh Liedtke, of Texas.
Lee W. Minton, of Pennsylvania.
Rogers C. B. Morton, of Maryland.
Frederick Seitz, of New York.
Maurice H. Stans, of New York.

HOUSE OF REPRESENTATIVES—*Wednesday, June 23, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

It is required of stewards that they be found faithful.—I Corinthians 4: 2.

Our Father, we lift our hearts in gratitude to Thee for life and health and strength and for the opportunity of serving Thee as the representatives of our people on Capitol Hill. By Thy grace may we prove ourselves worthy of Thy gifts and use them for Thy glory and for the good of our country.

Illumine our minds, quicken our hearts, and guide our steps this day that we may add a bit to the sum of human justice and human happiness which will make life more worth living for us and for our people.

In the spirit of Christ we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2036. An act for the relief of Miss Linda Ortega.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7736. An act to amend the Public Health Service Act to extend for 1 year the student loan and scholarship provisions of titles VII and VIII of such act.

The message also announced that the Senate has passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 26. An act to revise the boundaries of the Canyonlands National Park in the State of Utah;

S. 27. An act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah;

S. 30. An act to establish the Arches National Park in the State of Utah;

S. 108. An act for the relief of Kyung Jo Min and Kyung Sook Min;

S. 119. An act for the relief of Manuela C. Bonito;

S. 248. An act for the relief of William D. Pender;

S. 361. An act for the relief of Maria de Lourdes Moitoso Mota;

S. 504. An act for the relief of John Borbridge, Jr.;

S. 624. An act for the relief of Fung Yut Ma, also known as Ma Yut Fung;

S. 654. An act for the relief of Frederick E. Keehn;

S. 751. An act to authorize the disposal of industrial diamond crushing bort from the national stockpile and the supplemental stockpile;

S. 752. An act to authorize the disposal of vegetable tannin extracts from the national stockpile;

S. 753. An act to authorize the disposal of thorium from the supplemental stockpile;

S. 754. An act to authorize the disposal of silicon carbide from the national stockpile and the supplemental stockpile;

S. 755. An act to authorize the disposal of shellac from the national stockpile;

S. 756. An act to authorize the disposal of quartz crystals from the national stockpile and the supplemental stockpile;

S. 757. An act to authorize the disposal of iridium from the national stockpile;

S. 758. An act to authorize the disposal of mica from the national stockpile and the supplemental stockpile;

S. 759. An act to authorize the disposal of metallurgical grade manganese from the national stockpile and the supplemental stockpile;

S. 760. An act to authorize the disposal of manganese, battery grade, synthetic dioxide from the national stockpile;

S. 761. An act to authorize the disposal of diamond tools from the national stockpile;

S. 762. An act to authorize the disposal of chromium metal from the national stockpile and the supplemental stockpile;

S. 763. An act to authorize the disposal of amosite asbestos from the national stockpile and the supplemental stockpile;

S. 765. An act to authorize the disposal of antimony from the national stockpile and the supplemental stockpile;

S. 766. An act to authorize the disposal of zinc from the national stockpile and the supplemental stockpile;

S. 767. An act to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile;

S. 768. An act to authorize the disposal of chemical grade chromite from the national stockpile and the supplemental stockpile;

S. 769. An act to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile;

S. 770. An act to authorize the disposal of columbium from the national stockpile and the supplemental stockpile;

S. 771. An act to authorize the disposal of selenium from the national stockpile and the supplemental stockpile;

S. 772. An act to authorize the disposal of celestite from the national stockpile and the supplemental stockpile;

S. 774. An act to authorize the disposal of vanadium from the national stockpile;

S. 775. An act to authorize the disposal of magnesium from the national stockpile;

S. 776. An act to authorize the disposal of abaca from the national stockpile;

S. 777. An act to authorize the disposal of sisal from the national stockpile;

S. 778. An act to authorize the disposal of kyanite-mullite from the national stockpile;

S. 1489. An act for the relief of Park Jung Ok;

S. 1545. An act to amend section 378(a) of the Agricultural Adjustment Act of 1938, as amended, to remove certain limitations on the establishment of acreage allotments for other farms owned by persons whose farms have been acquired by any Federal, State, or other agency having the right of eminent domain;

S. 1670. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 1759. An act for the relief of Leonarda Buenaventura Ocariza and her daughter, Lucila B. Ocariza, and

S.J. Res. 101. Joint resolution to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day."