SENATE—*Thursday, July 15, 1971*

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

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

Eternal Father, as the new day lies before us we pause to consecrate our work to Thee. Give us clean hands and pure hearts fit for high service to our fellow citizens. Cleanse us of petty sins. Rid us of devotion to trivial concerns. Deliver us from the little evils which obstruct Thy guidance and blight the character. Sweep away all cowardice and all unworthy compromises. Ever keep us reconciled to Thee and to our fellow workers. Spare us from wanting Thy kingdom everywhere but in our own lives where it ought to begin. Keep us from wanting our own way when it is Thy way we need to know and to follow.

Give us grace to welcome the new and better age though it may come through the efforts of others and not as the result of our own striving.

O Lord, guide by Thy spirit all who bear the burdens of high office, that their service may please Thee and benefit all mankind. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 14, 1971, be dispensed with.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the executive calendar, beginning with new reports.

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

The PRESIDENT pro tempore. The nominations on the executive calendar, beginning with new reports, will be stated.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The second assistant legislative clerk proceeded to read sundry nominations in the National Commission on Libraries and Information Science.

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

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW

The second assistant legislative clerk proceeded to read sundry nominations in the Federal Metal and Nonmetallic Mine Safety Board of Review.

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

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

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

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER OF BUSINESS

Mr. SCOTT. Mr. President, I yield back my time.

VACATING OF ORDER FOR SENATOR BROCK TO SPEAK THIS MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order granted to the distinguished Senator from Tennessee (Mr. BROCK) to speak this morning be vacated.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, any time I have I yield back. We are now in the period for transaction of morning business, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. Under the previous order the Senate will now proceed to the transaction of routine morning business, the period not to exceed 30 minutes, with statements therein limited to 3 minutes.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the role.

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

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Ohio is recognized for 3 minutes.

PRESIDENT NIXON'S ECONOMIC POLICIES

Mr. TAFT. Mr. President, in recent days, several prophets of economic doom have charged the administration with a do-nothing policy which will neither reduce unemployment nor dampen the fires of inflation. They are wrong. In the next few days, up-to-date figures on the gross national product, industrial production, housing starts, and personal income will be released. I am confident they will show, as, by and large, they have shown consistently over the last 6 months, that the economy is expanding and inflation is being reduced.

It is easy to sit on the sidelines and call signals on an economy for which one is not responsible. It is quite another matter to have to solve the economic crisis left by the previous administration without reigniting either renewed inflation or massive unemployment. President Nixon is faced with the latter problem. And he has handled it so well that the current economic recovery appears likely to be remembered as the most rapid in history.

President Nixon's program is providing stimulus to the economy to reduce unemployment. The budget deficit for the last 2 years has been very substantial. Secretary Connally has indicated that this year's will run significantly in excess of the $18 billion that had been anticipated. As a part of this activity, special efforts have been made to target aid to the unemployed. Only the other day, the President signed legislation to create 150,000 public service jobs.

President Nixon's efforts to reduce unemployment have started to be successful. The June figures showed the largest drop in unemployment in 20 years—from 6.2 percent to 5.6 percent. Many signs point to continued drops in the months ahead. How much more rapid a reaction can we expect?

When President Nixon assumed office, he was faced with the twin challenge of cooling the fires of inflation and managing the switch from a wartime economy to a peacetime economy. By itself, each of these tasks is overwhelming. In the past, each has led to unemployment far in excess of present levels. The plain fact is that President Nixon, in only two and a half years, has dramatically turned the corner on both fronts without causing a serious dislocation of the economy.

Housing starts are now running at an impressive 1.9 million rate per year, and this figure does not include 400,000 mobile homes which are expected to be sold this year. Retail sales are very high, around $32 billion. Industrial production has turned upward. At the same time, as the recent wholesale price index figures showed, the increase in the rate of inflation has slowed consistently.

Why is it that President Nixon's critics never concede that fully one-half of those who have become unemployed since 1969—1.2 million people—became unemployed directly because of the decrease in defense spending—either by being dismissed from the service or

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through layoffs at defense production plants?

Why is it that President Nixon's critics cannot concede that this country was faced, in January 1969, with what was probably the most serious, prolonged period of inflation in its history? Foreign governments were doubting the stability of the dollar. Many at home were finding their incomes seriously reduced by the never-ending round of price increases.

It has not been easy to meet the rightful demands of both the unemployed for jobs and the employed for stable prices. President Nixon, the economic indicators show, is meeting both demands. Unemployment is declining. Inflation is slowing.

There may be legitimate differences one can take with President Nixon's economic policies. But it is time those who take them acknowledge the progress that has been made and the price that would be paid—either through inflation or unemployment—for the policies they advocate.

QUORUM CALL

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

The PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 101) to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day."

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letter, which was referred as indicated:

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Potential For Improved Effectiveness of Scientific and Technical Information Dissemination Activities, Atomic Energy Commission, dated July 15, 1971 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 9272. An act making appropriations for the Department of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92–265).

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

H.R. 9382. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92–264).

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

H.R. 9417. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92–263).

By Mr. MANSFIELD, for Mr. ALLOTT, from the Committee on Interior and Insular Affairs, with amendments:

S. 635. A bill to amend the Mining and Minerals Policy Act of 1970 (Rept. No. 92–266).

EXECUTIVE REPORTS OF COMMITTEES

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

By Mr. MAGNUSON, from the Committee on Commerce:

Douglas W. Toms, of Washington, to be Administrator of the National Highway Traffic Safety Administration.

Mrs. SMITH. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the following nominations:

Charles L. Ill, of Maryland, to be an Assistant Secretary of the Navy,

Richard S. Wilbur, of Illinois, to be an Assistant Secretary of Defense, and the appointment of 19 officers to the grade of major general and brigadier general in the Air Force Reserve.

I ask that these names be printed on the Executive Calendar.

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

Mr. BYRD of Virginia. Mr. President, as in executive session, from the Committee on Armed Services I report favorably the nomination of Maj. Gen. Francis S. Greenlief for appointment as Chief, National Guard Bureau; the nominations of 14 officers for promotion to the grade of brigadier general and major general as Reserve commissioned officers of the Army; and the nomination of Vice Adm. Lloyd M. Mustin for appointment to the grade of vice admiral when retired.

I ask that these names be printed on the Executive Calendar.

In addition, I report favorably the nominations of 101 officers for appointment to the grade of first and second lieutenant in the Army. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

(The nominations ordered to lie on the Secretary's desk were printed at the end of the Senate proceedings on June 24, 1971.)

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. GRIFFIN (for himself and Mr. HART):

S. 2285. A bill to repeal the Federal excise tax on passenger automobiles. Referred to the Committee on Finance.

By Mr. GRIFFIN:

S. 2286. A bill to amend title 5, United States Code, to authorize the payment of increased annuities to secretaries of justices and judges of the United States. Referred to the Committee on Post Office and Civil Service.

By Mr. BELLMON (for himself and Mr. HARRIS):

S. 2287. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Tribe of Oklahoma and the Miami Indians of Indiana in Indian Claims Commission docket Nos. 131 and 253, and of funds appropriated to pay a judgment in favor of the Miami Tribe of Oklahoma in the Commission's docket No. 251–A, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. HARTKE (for himself, Mr. THURMOND, and Mr. CRANSTON):

S. 2288. A bill to amend section 5055 of title 38, United States Code, in order to extend the authority of the Administrator of Veterans' Affairs to establish and carry out a program of exchange of medical information. Referred to the Committee on Veterans' Affairs.

By Mr. HARTKE:

S. 2289. A bill to amend certain provisions of title IV of the Federal Coal Mine Health and Safety Act of 1969 relating to the total disability of certain miners suffering from pneumoconiosis. Referred to the Committee on Labor and Public Welfare.

By Mr. HUMPHREY:

S. 2290. A bill to establish a Joint Committee on National Security. Referred to the Committee on Armed Services.

By Mr. McCLELLAN:

S. 2291. A bill to facilitate representation of persons having claims against the United States by legal counsel of their own choosing Referred to the Committee on the Judiciary.

By Mr. BURDICK (for himself and Mr. COOK):

S. 2292. A bill relating to minimum and maximum limits of age within which original appointments may be made to positions as correctional officers in the Bureau of Prisons, and for other purposes. Referred to the Committee on the Judiciary.

By Mr. BURDICK (for himself, Mr. COOK, and Mr. BAYH):

S. 2293. A bill to amend title 18, United States Code, relating to assaults on U.S. probation officers. Referred to the Committee on the Judiciary.

By Mr. EASTLAND (for himself and Mr. HRUSKA):

S. 2294. A bill to amend the Subversive Activities Control Act of 1950, as amended. Referred to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 2295. A bill to amend the Foreign Assistance Act of 1961, and for other purposes. Referred to the Committee on Foreign Relations.

By Mr. McCLELLAN:

S.J. Res. 132. A joint resolution extending the duration of copyright protection in cer-

tain cases. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRIFFIN (for himself and Mr. HART):

S. 2285. A bill to repeal the Federal excise tax on passenger automobiles. Referred to the Committee on Finance.

REPEAL OF THE FEDERAL EXCISE TAX ON AUTOMOBILES

Mr. GRIFFIN. Mr. President, for myself and my senior colleague from Michigan (Mr. HART), I send to the desk for appropriate reference a bill to repeal the Federal excise tax on passenger automobiles.

Mr. President, this bill would repeal, once and for all, the unjust and discriminatory excise tax on automobiles.

The present excise tax on passenger automobiles is 7 percent of the manufacturers' sales price. Under present law, the rate would be reduced over a period of time until gradually it would be eliminated in 1982.

But, Mr. President, this so-called temporary tax has been with us too long as far as the automobile industry is concerned. It first went on the statute books in 1917. At that time the rate of the excise tax was 3 percent. Since then, that so-called temporary tax has been restored or extended more than 20 times.

In 1965, with the enactment of the Excise Tax Reduction Act, it appeared that Congress finally had decided to do away with this discriminatory tax, along with other similar taxes, which placed an unfair burden on the consumer. This is what the House report had to say about this selective excise tax:

> Consumers of the taxed products where the tax is passed forward must pay a premium, over and above the market price, for the taxed items, which consumers of untaxed items do not pay. These selective excise taxes tend to reduce sales and therefore reduce incomes and jobs in the industries which produce the taxed goods. In these ways selective excise taxation results in arbitrary and undesirable distortions in the allocation of resources and in this manner interferes with the free play of our competitive market.

The only reason given for the repeated extension of the automobile excise tax has been that the Government cannot afford the revenue loss. But no one has ever explained, at least to this Senator, why the automobile industry alone has been singled out as the only nonregulated industry in the United States to bear the burden of this Federal sales tax.

Mr. President, this arbitrary and discriminatory tax against the automobile industry has restrained unjustly an industry which is a very important segment of the whole economy. There are 800,000 independent businesses in the United States dealing with the manufacture, distribution, sales, and servicing of automobiles. Of all retail sales in the United States 24 percent are related to the automobile industry; 13 million people in this country are engaged in automotive-related employment; and 18 States have automobile assembly plants.

So, Mr. President, at a time when the economy is in some trouble, it seems to me that it is timely, it is legitimate, and it is justified finally to remove the excise tax which has been levied for so long against automobiles.

If the administration and Congress would see fit to act favorably on this measure, there is no question but that it would be a major step in restoring to the economy a confidence that is needed today. It would, of course, stimulate automobile sales but, in turn, it would be a very important stimulus to the entire economy.

We still have an excise tax on telephones, of course, but that is a tax against services. There is an excise tax on tires, and that tax, as I understand it, goes into the Highway Trust Fund. But, as far as I know, the only excise tax that still remains against a manufactured product, the revenues from which go into the general treasury, is the tax against automobiles.

When one considers the problem of competing today with foreign-made automobiles, the additional burden which the Government has imposed because of costly regulations relating to antipollution devices, and, as well, safety regulations that are imposed on automobiles and the automobile industry, it should be apparent that it is time to end this discriminatory tax. It is not only unfair to the consumer but also to the workers in the automobile industry as well as the automobile companies.

So I hope that the introduction of this bill today by the senior Senator from Michigan and myself, in which we are joined by all of the members of the House delegation from Michigan, will not be an idle gesture. We know that it has been introduced and argued before, but at this particular time it seems to me that action is called for—and justified. I hope that our voices will be heard at the other end of Pennsylvania Avenue as well as throughout both Houses of Congress.

Mr. President, I ask that the text of the bill be printed at this point in the RECORD.

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

S. 2285

A bill to repeal the Federal excise tax on passenger automobiles

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4061(a)(2)(A) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles, etc.) is amended to read as follows:

"(A) Articles enumerated in subparagraph (B) are taxable at 7 percent if sold before July 15, 1971. The tax imposed by this subsection shall not apply with respect to articles enumerated in subparagraph (B) which are sold by the manufacturer, producer, or importer after July 14, 1971."

SEC. 2. Section 6412(a)(1) of the Internal Revenue Code of 1954 (relating to the floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1 of 1973, 1974, 1978, 1979, 1980, 1981, or 1982" and inserting in lieu thereof "or July 15, 1971".

SEC. 3. Refunds with Respect to Passenger Car Purchases.—

(a) IN GENERAL.—Where, after July 14, 1971, and before the date after the date of enactment of this Act, a new automotive item subject to the tax imposed by section 4061(a)(2) of the Internal Revenue Code of 1954 has been sold to an ultimate purchaser, there shall be credited or refunded (without interest) to the manufacturer, producer, or importer of such item an amount equal to the difference between the tax paid by such manufacturer, producer, or importer on his sale of the item, and the tax made applicable to the item on such day, if—

(1) claim for such credit or refund is filed with the Secretary of the Treasury or his delegate on or before March 10, 1972, based on information submitted to the manufacturer, producer, or importer before February 1, 1972, by the person who sold the item (in respect to which the credit or refund is claimed) to the ultimate purchaser; and

(2) on or before March 10, 1972, reimbursement has been made to the ultimate purchaser for the tax reduction on the item.

(b) LIMITATION ON ELIGIBILITY FOR CREDIT OR REFUND.—No manufacturer, producer, or importer shall be entitled to a credit or refund under subsection (a) with respect to a new automobile item unless he has in his possession such evidence of the sale of the item to the ultimate purchaser, and of the reimbursement of the tax to such purchaser, as may be required by regulations prescribed by the Secretary of the Treasury or his delegate under this subsection.

(c) OTHER LAWS APPLICABLE.—All provisions of law including penalties, applicable with respect to the taxes imposed by section 4061(a)(2) of the Internal Revenue Code of 1954 which, insofar as is applicable and not inconsistent with subsections (a) and (b) of this section apply in respect of the credits and refunds provided for in subsection (a) to the same extent as if the credits or refunds constituted overpayments of the tax.

Mr. GRIFFIN. Mr. President, in connection with my remarks I also ask unanimous consent that an excellent statement made several years ago by Representative MARTHA GRIFFITHS, a Democrat, and Representative CHARLES CHAMBERLAIN, a Republican—both from Michigan—be printed in the RECORD.

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

VIEWS OF CONGRESSWOMAN GRIFFITHS AND CONGRESSMAN CHAMBERLAIN ON THE POSTPONEMENT OF THE SCHEDULED EXCISE REDUCTIONS UNDER H.R. 19868

The action taken by this bill in postponing for 2 years scheduled reductions in the manufacturers excise tax on automobiles is most unwise. It unjustly singles out one particular group of consumers—car purchasers—and one particular industry—the automotive industry—to bear through a heavy and regressive tax more than their fair share of the tax burden. It also reflects adversely on the credibility of the Congress by adding to a long list of failures to fulfill repeated pledges, incorporated in successive Acts, to reduce the auto tax on specified dates. In legislation as recent as the Tax Reform Act of 1969, the Congress pledged that the 7-percent tax rate on automobiles would drop to 5 percent in 1971, 3 percent in 1972, 1 percent in 1973, and be repealed completely in 1974. As a matter of simple justice, this congressional pledge should be redeemed now by permitting the first step of these reductions to take place on schedule.

The auto tax is an anachronism. It stems from the time when people erroneously had the idea that an auto is generally a luxury.

This is obviously not true at the present time of the vast majority of cars which serve as an essential means of transportation for people at all income levels. In addition, the auto tax was originally moved up to high levels only as a temporary emergency measure to restrain the demand for cars in a period of wartime shortages. The time when such tax could be justified on this basis has long since passed.

The Congress on many occasions has shown clearly that it recognizes that the auto tax is not a good tax by adopting legislation for the phased reduction and repeal of this tax. However, as a matter of expediency, these scheduled reductions in the tax have generally not been put into effect but have been postponed repeatedly from year to year. As a result, the legislative history of the auto tax over the past two decades or so is a sorry one indeed. In large measure, it is a history of broken promises on the part of the Congress to reduce the tax. For example, when the Revenue Act of 1951 raised the tax from 7 to 10 percent, it provided that the tax was to go back to 7 percent on April 1, 1954. Actually, the 10-percent rate was extended by 11 successive acts and it was not until June 22, 1965, that the 7-percent rate was restored.

In May of 1965, President Johnson recommended a phased reduction of the automobile tax from 10 percent to 5 percent by January 1, 1967. However, in its report on the Excise Reduction Act of 1965, the Ways and Means Committee specifically indicated that it could not justify leaving a 5-percent tax on passenger autos as a permanent part of the tax structure. Accordingly, in the 1965 act, the Congress again showed its good intentions by providing for a 7-percent manufacturers sales tax on autos effective June 22, 1965, with scheduled reductions to bring the tax down to 1 percent by 1969. The tax was in fact reduced to 6 percent on January 1, 1966; but this reduction lasted only a few months—Public Law 89–368 restored the tax to 7 percent on and after March 16, 1966, through March 31, 1968.

The Revenue and Expenditure Control Act of 1968 provided a new schedule for reducing the 7-percent tax on autos in stages, with complete repeal in 1973. However, the sad fact is that to this day, none of these scheduled reductions have been permitted to take effect. The most recent extension of the 7-percent rate was provided under the Tax Reform Act of 1969 which postponed the rate reduction schedule for an additional year.

As if this record were not sufficient, H.R. 19868 calls on the Congress to fail still another time to honor its commitment to permit the auto tax reductions to take place on schedule. The Treasury argues that the postponement is necessary in order to raise revenue and to combat inflation. These arguments, however, do not stand the test of analysis. If additional revenue is needed for budgetary reasons, it should be secured in a fair way and not through a discriminatory and regressive tax which falls most heavily on those who can least afford to pay it. The current 7-percent tax places an additional burden of $190, on the average, on each new car purchaser. This burden falls to a substantial extent on individuals in the low and medium income brackets as is shown by the fact that in 1968, 10 percent of all new cars were purchased by families with incomes under $5,000 and 43 percent by families with incomes under $10,000. In addition, the burden of the tax is considerably higher in relation to income at the low income levels than at higher income levels. For example, the $190 average tax amounts to over 6 percent of income for a car purchaser at the $3,000 level and 4 percent at the $5,000 level; however, it amounts to 1.9 percent at the $10,000 income level and declines to 1.3 percent at the $15,000 income level.

Moreover, the auto tax is more regressive than even these figures suggest. This is because a substantial portion of new car purchases is made for business purposes with the result that the auto excise tax is incorporated in business costs and generally passed on to consumers in the form of higher prices without regard to ability to pay.

Finally, although the auto excise tax is levied only on new car purchases, it has the disadvantage of raising used car prices as well as new car prices. This is because in view of the intimate relationship between the prices of new and used cars, used car prices reflect tax burdens placed on new cars. How widespread the resulting burdens are can be seen from the fact that in 1968 close to 80 percent of all families owned at least one car, including two-thirds of all families with incomes of $3,000 and $4,000 a year, and 80 percent of families with incomes between $5,000 and $6,000 a year.

The major reason why the extension of the present auto tax rate is being advocated now despite the glaring defects of the auto tax is that, as a practical matter, it is easy to secure the revenue from this tax. In large measure, this is because the tax is hidden. The car purchaser may know in a general way that there is a Federal tax on the car, but he does not know the precise amount of the extra burden that he is called upon to pay. Consequently, his resistance to the tax is greatly muted. This is why the auto tax is such easy prey whenever there is need for additional Government revenue. Needless to say, it is not a good reason for keeping the tax.

To be sure that the purchaser of a car is specifically aware of the burden of the excise tax which he pays, an amendment was added to H.R. 19868 to require that the new car labels, presently required by the Automobile Information Disclosure Act, also show on the label, the fact that a Federal manufacturers excise tax is imposed on the car and the applicable rate of such a tax. We believe that this is a desirable change and will aid in making purchasers of automobiles aware of the unfair tax burden which they now bear.

The Treasury Department has supported its recommendation of postponing the scheduled excise tax reductions by estimating that these reductions would cost $360 million in fiscal 1971 and $630 million in fiscal 1972. Actually, however, these figures far overstate the actual revenue effect of the scheduled tax reductions because they do not take into account the offsetting revenue that would be secured from the greater economic activity that would result if the rates were permitted to decline on schedule. In the present setting, it is reasonable to assume that a reduction in the auto tax would stimulate car sales so that for each dollar of excise tax reduction, the gross national product would increase by $3. Furthermore, the Government would recapture in Federal income taxes of all kinds about 20 cents on each additional dollar of GNP so generated. On these assumptions, the Federal Government would recoup 60 cents on each dollar of reduction in the automobile excise. In other words, the revenue loss involved in permitting the reductions in the auto tax to take effect as scheduled would be only 40 percent as large as the figures cited by the Treasury or $144 million in fiscal 1971 and $252 million in fiscal 1972.

Accordingly, the case for postponing the scheduled reductions in the auto tax on the ground that there is a pressing need for revenue in the immediate future is a poor one indeed. In the circumstances in which we find ourselves, it is highly likely that there will always be a need for revenue and if we wait for a time when we do not need revenue in all probability we will never be able to fulfill our commitment to phase out the auto tax. The 10-percent surcharge on individual and corporate income taxes was phased out and permitted to expire completely on June 30 of this year despite the fact that it produced $12.7 billion annually or over seven times the yield of the present auto tax. This surcharge was permitted to expire because it was not a desirable tax for the long run. The scheduled reduction in the auto tax should have been allowed to take place for the same reasons.

Because of our awareness of the continuing need for revenues, we believe that as a pragmatic matter the scheduling of the reduction in very small steps of one percentage point a year is desirable. Reductions of this size should be of such minimal amounts that the administration will permit them to take place depsite their overall need for revenues. We believe it is unforunate, however, that the rate reduction for autos was held at the 5-percent level for a period of 4 years merely to permit the scheduled reduction of the communications tax to catch up.

It should be made clear that the administration's claim that retention of the present auto excise tax rate is necessary to combat inflation is not borne out by the facts. On the contrary, the scheduled reductions in the auto tax would help to keep auto prices down and, therefore, would be counterinflationary. Since the auto tax, on the average, amounts to $27 a percentage point, a reduction in the tax from its present level of 7 to 5 percent would, taken by itself, permit prices to be about $54 below the levels that would otherwise prevail. This would help offset any increase in auto prices made necessary by emission and safety improvements required by Government standards. Since there is a close correspondence between the prices of new and used cars, this beneficial effect of new car prices would be apt to be reflected in the prices of used cars as well, thus making a significant contribution to reducing the cost of living.

Finally, reduction and repeal of the auto tax would provide needed stimulus to the auto manufacturing industry and to the entire economy which is now operating at depressed levels. According to the most recent available data, our economy is now operating at an annual rate of about $40 billion below its potential; manufacturing plants are operating at less than 80 percent of their capacity; and the unemployment rate is now 5.6 percent. Allowing the reductions in the auto tax to take effect as scheduled would prove of inestimable value in sustaining the economy in producing dynamic growth, more jobs, and higher corporate profits. This in turn would add to government tax revenues over the long run.

The weight of evidence therefore is strongly against the postponement of the scheduled reductions in the auto tax. These reductions should be permitted to take place on schedule. The modest immediate loss of revenue involved would be far outbalanced by the equity advantages to consumers, the economic gains of getting the economy to move ahead and the overt sign that the Congress intends to honor its tax pledges.

Mr. TAFT. Mr. President, I have listened with great interest to the remarks of the distinguished minority whip, the Senator from Michigan. I wish to second and endorse the comments which he has made.

The automobile industry is a tremendously important part of our economy. At this particular time in our history, with the present state of our economy, I think the measure that he has intro-

duced today should receive the most serious consideration, particularly in the light of statistics which I have reviewed recently, which indicate that on the West Coast of the United States as much as 20 percent of the automobile market is presently being taken up by imports from Japan.

I think for too long, in the United States, we have failed to see the necessity, insofar as our position in international trade is concerned, of integrating our approach toward revenue measures and the overall plan for our economy. There can be no question but that in Japan, and indeed with our other major industrial competitors, the governments do, in setting their tax policies and their overall economic policies, take into account the position of the nation with regard to international trade. As I say, this has definitely happened in Japan. There is a correlation between the tariff laws, the tax laws, and the overall financing of guarantees and encouraging subsidies by the Federal Government with respect to the overall situation of Japan in international trade.

I recently put into the RECORD a statement made by a distinguished representative of our State Department, in which he reported a study of the comparative position of Japan in this regard, and showed how there had been an intentional and very effective upgrading of Japanese industry in areas involving great skill such as auto production. I think that we, in our tax policies at this point, should take note of this. I have long advocated and continue to advocate that we take another look at restoring the tax credit, or putting back into our revenue system some recognition of the necessity of getting America's plant up to date. We permit the writeoff of new equipment at a rate far slower than that of any of our industrial competitors. We are far less forward looking in our thinking on revenue matters than in our overall thinking on international trade. I think we had better wake up before it is too late. This proposal is a step in that direction, and I think it is timely.

Mr. GRIFFIN. I thank the Senator.

By Mr. HARTKE (for himself, Mr. THURMOND, and Mr. CRANSTON):

S. 2288. A bill to amend section 5055 of title 38, United States Code, in order to extend the authority of the Administrator of Veterans' Affairs to establish and carry out a program of exchange of medical information. Referred to the Committee on Veterans' Affairs.

Mr. HARTKE. Mr. President, today I introduce legislation to extend the authority of the Administrator of the Veterans' Administration to establish and carry out a program of exchange of medical information. I am pleased to be joined in this bipartisan effort by the distinguished Senator from South Carolina (Mr. THURMOND), and by the distinguished chairman of the Subcommittee of Health and Hospitals of the Veterans' Affairs Committee, the Senator from California (Mr. CRANSTON). This program, which was put into effect in 1966, provides a valuable educational tool both to the medical community at large and to the personel of the Veterans' Administration. Under this bill, the Administrator may enter into agreements with medical schools, hospitals, medical centers and individual members of the medical profession for the free exchange of medical information and techniques. Utilizing closed circuit television and other advanced methods of teaching instruction this program has resulted in increased medical knowledge throughout the United States. Although its cost is small, something under $2 million a year, the information that we gain from this program helps the Veterans' Administration supply the finest medical care to our deserving veterans. Since authority for this bill expired the beginning of this fiscal year, I hope that we can have prompt action in the next week so that this program may be continued.

By Mr. HARTKE:

S. 2289. A bill to amend certain provisions of title IV of the Federal Coal Mine Health and Safety Act of 1969 relating to the total disability of certain miners suffering from pneumoconiosis. Referred to the Committee on Labor and Public Welfare.

BLACK LUNG DISABILITY BENEFITS

Mr. HARTKE. Mr. President, almost 2 years ago Congress passed the Federal Coal Mine Health and Safety Act, thereby establishing disability compensation for our Nation's miners suffering from pneumoconiosis, a crippling respiratory ailment commonly known as black lung disease. That law authorizes the Secretary of Health, Education, and Welfare to prescribe standards for determining total disability. While those standards may not be more restrictive than those under the general disability program of the Social Security Act, Congress assumed that the standards would be devised so that they would relate to the dilemma of disabled miners.

Unfortunately, the brief history of this worthy program has proved otherwise. For many of the applicants for disability compensation under the Federal Coal Mine Health and Safety Act, the application process has been fraught with frustration and disappointment. One of the causes of this frustration is the definition which is used to determine total disability. Under the present interpretation, no compensation will be granted if—theoretically—the miner is able to hold some job, some place.

The records of the Social Security Administration show that 32.2 percent of the 286,100 claims for black lung benefits which were filed through April 30, 1971, were denied because pneumoconiosis was not disabling. All too many of these miners find that the denial of their claim amounts to a sentence of poverty. Unable to get black lung benefits, they return to the mines only to discover that their nondisabling disease disqualifies them from further work. These are men who have worked 20, 30, and even 40 years in underground mines. They know no other skills. They are unable to qualify for any other employment.

Obviously, there is injustice in the present definition of total disability under title 4 of the Federal Coal Mine Health and Safety Act. It is too strict, and it is subverting the intent of Congress. Men who have worked in the mines for decades and have contracted pneumoconiosis are not receiving the compensation we intended them to have.

The legislation I am offering today would require the Department of Health, Education, and Welfare to adopt more realistic criteria for determining the eligibility of a miner for black lung disability benefits. Specifically, my proposal defines "total disability" to mean inability by reason of pneumoconiosis to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the miner has previously engaged with some regularity and over a substantial period of time.

The clear intent of this legislation is to treat as totally disabled any miner who, by virtue of pneumoconiosis, is medically unfit to return to the mines for work. At the present time, miners who are experiencing the early stages of pneumoconiosis are literally forced to work in the mines until their health has completely deteriorated. Others whose disease cannot be termed "complicated" pneumoconiosis find that their former employers consider their disease to be more disabling than the Department of Health, Education, and Welfare. Because they know no other skills, or because no other work is available to them, they must remain unemployed and in poverty.

Mr. President, not many weeks ago, more than a dozen underground coal miners paid a visit to my office. The sight of these men—all of whom had worked for at least 25 years in the mines—made a highly vivid impression. These men asked only simple justice. Their concern was not only for themselves, but for their wives and children. While their complaints were many and varied, all of them indicated a total lack of trust in those who administer the black lung disability benefit program. We owe it to these men, and to the thousands of miners they represent, to assure that they receive the benefits Congress intended.

The 120,000 claims that have been approved since enactment of the 1969 law represent only about one-half of the total number of claims which have been filed. In my own State of Indiana, of the 5,317 claims filed as of May 7, 1971; 3,979 have been processed. Of those processed, only 1,368 have been allowed. On a national basis, only 39 percent of the claims actually have been paid to date. While it is true that over 200,000 disabled miners, widows and dependents are now receiving monthly black lung benefits, I believe that this number should be increased significantly.

There is much that we do not yet know about the experience under title 4 of the Federal Coal Mine Health and Safety Act, and I am pleased to learn that the General Accounting Office is conducting an investigation which may shed light on this program. For the moment, however, it is clear that we can take action to assure that the purpose of Congress in establishing title 4 will not be subverted.

Miners work hard to supply our Nation with the coal which is used to generate power. Theirs is a dangerous profession, and many of those fortunate enough to survive die slowly of pneumoconiosis—the occupational disease that slowly incapacitates and finally kills. The proposal I introduce today is intended to insure that these men receive the disability payments they deserve.

By Mr. HUMPHREY:

S. 2290. A bill to establish a Joint Committee on National Security. Referred to the Committee on Armed Services.

JOINT COMMITTEE ON NATIONAL SECURITY

Mr. HUMPHREY. Mr. President, I am introducing a bill today which would establish a permanent Joint Congressional Committee on National Security.

I believe this committee will enable Congress to address itself in a more comprehensive way than ever before to a thorough and ongoing analysis and evaluation of our national security policies and goals.

I propose that the committee have these main functions:

First, to study and make recommendations on all issues concerning national security. This would include review of the President's report on the state of the world, the defense budget and foreign assistance programs as they relate to national security goals, and U.S. disarmament policies as a part of our defense considerations.

Second, to review, study and evaluate the "Vietnam papers," and other documents, whether published heretofore or not, covering U.S. involvement in Vietnam.

Third, to study and make recommendations on Government practices of classification and declassification of documents.

Fourth, to conduct a continuing review of the operations of the Central Intelligence Agency, the Departments of Defense and State, and other agencies intimately involved with our foreign policy.

For too many years, the Congress has had inadequate information on matters concerning national security. We in the Congress have had to accept partial information, often in limited context, and as a result have been unable to weigh the total picture.

It is often difficult for Congress to obtain adequate disclosure of Government documents. On several important occasions heads of the Defense and State Departments and members of the National Security Council have claimed executive privilege and have refused to answer congressional inquiries on matters concerning our national security.

While the President and key Government officials meet occasionally with the leaders of the Senate and the House of Representatives on an informal basis, there is no forum for a regular and frank exchange between the Congress and the executive branches on the vital issues affecting our national security. I am particularly sensitive to this missing link, having had the special experience of serving as a U.S. Senator for 16 years and as Vice President for 4 years.

The Joint Committee on National Security would provide that link.

It would function in the national security field in a manner comparable to the Joint Economic Committee, which conducts a systematic review and analysis of the President's annual economic report.

Its unique feature would be the composition of its membership. It would have representation from those individual and committee jurisdictions that have primary responsibility in military, foreign relations and congressional leadership.

It would include the President pro tempore of the Senate; the Speaker of the House; the majority and minority leaders of both Houses, and the chairmen and ranking minority members of the Committees on Appropriations, Foreign Relations, and Armed Services, and the Joint Committee on Atomic Energy.

It would not usurp the legislative or investigative functions of any present committees, but supplement and coordinate their efforts in a more comprehensive framework.

Nor is it designed to usurp the President's historic role as Commander in Chief, or to put the Congress in an adversary relationship with the executive branch.

It is, rather, a new body, to be composed of members of both parties and both Houses of Congress, that will make possible closer consultation and cooperation between the President and the Congress.

In recent years, we have seen a gradual isolation and insulation of power within the executive branch. The Constitution, I suggest, intended something quite different when it called for a separation of powers.

I believe the divisiveness and the search for scapegoats generated by publication of the "Vietnam papers," is at least in part a result of this isolation.

We have not had the mechanism in our national security apparatus for adequate consultation between the two branches in the formulation of national security policy.

This point is illustrated very convincingly in Mr. Stephen Rosenfeld's article which appeared July 9 in the Washington Post.

Mr. President, I would like to quote from that article as it relates to the point I have been discussing and ask unanimous consent that the entire article be printed in the RECORD.

In discussing our Vietnam experience, Mr. Rosenfeld suggests that "national security is too important to be left to the national security apparatus."

The remedy he offers is in line with my own thinking. We must have an amount of institutional change "by public demand and if necessary by legislation, the executive branch must be required to share some part of the special information and to surrender some part of the initiative which it now commands in the conduct of foreign affairs."

There are reasons for the concentration of power which has developed within the executive branch which are quite understandable considering our experience in World War II and afterward. But times change, and so must our institutions and responses.

In an article in Foreign Affairs, July 1959, I expressed my concern over this development. I noted that the Congress "with its power of the purse, and through the right to investigate, to criticize, and to advocate—does exert a significant influence on the quality and direction of U.S. foreign policy."

I found that the Congress must have its own vehicle for educating itself and expressing ideas on this question and the more general issue of national security.

Such independent expertise is absolutely necessary if the House and Senate are to fulfill their Constitutional responsibility of surveillance and initiative. Without competent independent sources of fact and wisdom they cannot make discriminating judgments between alternative programs and proposals.

I, therefore, suggested that "the Congress prompt the executive to put its house in order by itself creating a Joint Committee on National Strategy, to include the chairmen and ranking minority members of the major committees of the House and the Senate."

Such a committee's purpose would be to look at our total national strategy—military, political, economic and ideological. This committee would not usurp the functions of any of the present committees, but supplement them by endowing their work with a larger frame of reference.

The Chairmen of the Committees represented would come away from the meeting of the new Joint Committee with a greater appreciation, for instance, of the relationship between fiscal policy and national productivity and how both factors relate to our defense posture and our negotiating position. Responsible statesmanship consists precisely in the capacity to see complex relationships in a perspective as broad as the national purpose itself.

Mr. President, I made that proposal in 1959. Had it been adopted, perhaps the history of the past 12 years might have been different. I cannot help but believe that if we had shared more fully in momentous decisions, like those in Vietnam, we would be less divided as a nation by the bitterness and hatreds that confront us today.

But I submit, Mr. President, that now is not the time for regrets. It is a time for careful and responsible decision; it it a time to adapt our institutions to change; above all, it is a time to act.

It is not enough for the Congress to insist upon its prerogatives if it is not prepared to cope with its responsibilities.

The executive branch, recognizing the deep interrelationships between issues of foreign affairs, military policy, and some crucial domestic issues prepared itself to fulfill its responsibilities to the Constitution by forming a National Security Council.

It is fitting, therefore, that the Congress adopt a similar, parallel and counterpart mechanism: a Joint Congressional Committee on National Security, which could draw on the experience and expertise of legislative leaders in various national security areas.

Our existing congressional committees lack coordination. The joint committee

would not, under my proposal, usurp any of the functions of these committees of the two Houses, but would address itself to the broad-gaged issues that overlap their jurisdictions and thereby assist the congressional and executive decisionmaking process.

Issues of defense, arms control, foreign development and security assistance, national priorities, foreign policies, the development of a global concept for our national interests, and a simultaneous evaluation of our security interests, classification and declassification procedures—all these and many more issues require coordination and a broad focus.

The joint committee I am proposing would concentrate on these and other topics. Let me summarize why I believe such a committee is desirable:

First, it would provide for a total analysis and evaluation of national security jointly by both Houses of Congress.

Second, it would permit closer consultation and cooperation in national security planning with the executive branch than is now possible. This, I believe, would help restore the intended balance of power between the two branches and strengthen the decisionmaking process.

Third, it would permit a comprehensive review and analysis of our Vietnam involvement and help heal the divisiveness in our country that has resulted from secrecy and fragmented decisionmaking.

Fourth, the committee will have the power to review and simplify classification procedures and to declassify documents whose contents should not be withheld from the public. Thus, we can achieve greater understanding, support, and public participation in the establishment of our objectives and policies.

The composition of the joint committee can be summarized as the following:

The Joint Committee—

First. There will be 25 members with fully bipartisan representation. The majority party will have three members more than the minority party.

Second. The experienced authority of the Congress would be fully represented on the joint committee.

Third. Each House also would have the opportunity to be represented by outstanding members who are not chairmen or elected leaders through the provision for membership of two majority and one minority Member from each House.

For a more complete description of the functions and composition of this committee, I ask, Mr. President, unanimous consent that the bill to establish a Joint Committee on National Security be printed at this point in the RECORD.

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

S. 2290

A bill to establish a Joint Committee on National Security

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

(1) it has been vested with responsibility under the Constitution to assist in the formulation of the foreign, domestic, and military policies of the United States;

(2) such policies are directly related to the security of the United States;

(3) the integration of such policies promotes our national security; and

(4) the National Security Council was established by the National Security Act of 1947 as a means of integrating such policies and furthering the national security.

SEC. 2. (a) In order to enable the Congress to more effectively carry out its constitutional responsibility in the formulation of foreign, domestic, and military policies of the United States and in order to provide the Congress with an improved means for formulating legislation and providing for the integration of such policies which will further promote the security of the United States, there is established a joint committee of the Congress which shall be known as the Joint Committee on National Security (hereafter referred to as the "joint committee"). The joint committee shall be composed of 25 Members of Congress as follows:

(1) the Speaker of the House of Representatives;

(2) the majority and minority leaders of the Senate and the House of Representatives;

(3) the chairmen and ranking minority members of the Senate Committee on Appropriations, the Senate Committee on Armed Services, the Senate Committee on Foreign Relations, and the Joint Committee on Atomic Energy;

(4) the chairmen and ranking minority members of the House Appropriations Committee, the House Armed Services Committee, and the House Foreign Affairs Committee;

(5) three Members of the Senate appointed by the President of the Senate, two of whom shall be members of the majority party and one of whom shall be a member of the minority party;

(6) three Members of the House of Representatives appointed by the Speaker, two of whom shall be members of the majority party and one of whom shall be a member of the minority party.

(b) The joint committee shall select a chairman and a vice chairman from among its members.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as in the case of the original appointment.

SEC. 3. (a) The joint committee shall have the following functions:

(1) to make a continuing study of the foreign, domestic, and military policies of the United States with a view to determining whether and the extent to which such policies are being appropriately integrated in furtherance of the national security; and

(2) to make a continuing study of the recommendations and activities of the National Security Council relating to such policies, with particular emphasis upon reviewing the goals, strategies, and alternatives of such foreign policy considered by the Council; and

(3) to make a continuing study of government practices and recommendations with respect to the classification and declassification of documents, and to recommend certain procedures to be implemented for the classification and declassification of such material.

(b) The joint committee shall make reports from time to time (but not less than once each year) to the Senate and the House of Representatives with respect to its studies. The reports shall contain such findings, statements, and recommendations as the joint committee considers appropriate.

SEC. 4. (a) The joint committee, or any subcommittee thereof, is authorized, in its discretion (1) to make expenditures, (2) to employ personnel, (3) to adopt rules respecting its organization and procedures, (4) to hold hearings, (5) to sit and act at any time or place, (6) to subpena witnesses and documents, (7) with the prior consent of the agency concerned, to use on a reimbursable basis the services of personnel, information, and facilities of any such agency, (8) to procure printing and binding, (9) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, and to provide assistance for the training of its professional staff, in the same manner and under the same conditions as a standing committee of the Senate may procure such services and provide such assistance under subsections (i) and (j), respectively, of section 202 of the Legislative Reorganization Act of 1946, and (10) to take depositions and other testimony. No rule shall be adopted by the joint committee under clause (3) providing that a finding, statement, recommendation, or report may be made by other than a majority of the members of the joint committee then holding office.

(b) Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or the joint committee, and may be served by such person as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of sections 102–104 of the Revised Statutes (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this section.

(c) With the consent of any standing, select, or special committee of the Senate or House, or any subcommittee, the joint committee may utilize the services of any staff member of such House or Senate committee or subcommittee whenever the chairman of the joint committee determines that such services are necessary and appropriate.

(d) The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee authorized by the chairman.

(e) Members of the joint committee, and its personnel, experts, and consultants, while traveling on official business for the joint committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of the Congress or its employees, or their actual and necessary expenses if an itemized statement of such expenses is attached to the voucher.

Mr. HUMPHREY. With the establishment of the committee, Mr. President, we will be bringing this Republic closer to Mr. Lincoln's ideal of government "of the people, by the people, (and) for the people."

We will be establishing a framework for the formulation of national security policy that can bring us closer to the ideal we all share for lasting peace.

Mr. President, I would like to bring to the attention of my colleagues two excellent articles which appeared in the New York Times and the Washington Post. I ask unanimous consent that they be printed in the RECORD. These articles underline the need to have the kind of institutional reform I am proposing today.

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

[From the New York Times, July 13, 1971]

FREE PRESS, FREE PEOPLE

(By OGDEN R. REID)

Our democracy does not work well in secret. The Pentagon Papers illuminate the arrogance of those in high places and the serious erosion, if not breakdown, of our constitutional system of checks and balances.

At least two Administrations, if not three, believed that they were not accountable to the Congress and the American people for watershed decisions taken about Indochina.

The present Administration has gone even further and launched the most serious attack on the press in our history: subpoenaing reporters' notes, threatening reprisals against television and radio stations under the power to license, and, for the first time nationally, invoking prior restraint against the right to publish.

This precensorship was claimed to be justified because of an "immediate grave threat to national security." Critical national security touching our very survival is not in fact at issue here—nor is cryptographic intelligence.

While the Kennedy and particularly the Johnson Administrations' failure to inform Congress is a shocking example of unilateral executive decision-making, the attempted effort by the Nixon Administration to prevent what is essentially past history reaching Congress or being published is hardly more reassuring.

After six days of hearings before the Government Information Subcommittee of the House of Representatives, certain remedies are clearly called for if the Congress is to reassert its constitutional role.

First, the Congress must enact a new statute governing classified documents. This law must sharply limit that which should be labeled secret and it must provide for automatic declassification and Congressional oversight. If a matter should remain secret after a stated period, there should be an affirmative, positive finding as to why continued secrecy is necessary.

The Congress should explicitly reserve the right to make public material improperly classified by the executive contrary to statute when its classification is not a matter of national security and is simply a device to avoid governmental embarrassment. Equally, no Executive order on classification should be issued that subverts the intent of the Congress. Above all, there must be a vast reduction in the corps of 8,000 Defense Department officers who now have authority to originate top secret and secret designations.

Second, the Freedom of Information Act should be tightened in two respects. The types of information now permitted to be withheld must be sharply limited, and time permitted for Government response to a court suit must be reduced from the present 60 days.

Third, the Congress must come to grips with executive privilege. Here we are dealing with a collision between the executive and the Congress that has been going on since George Washington assumed office. It should be subject to accommodation, but that will never happen if the Congress does not assert the powers and responsibilities given to it by the Constitution.

Fourth, legislation may well be required to protect the Fourth Estate. The press often serves as a coordinate branch of our democracy, especially when a breakdown occurs between the other three. Specifically, we need a national Newsmen's Privilege Act—now law in six states—protecting the confidentiality of sources, absent a threat to human life, espionage, or foreign aggression. Legislation should be enacted to prohibit the issuance by the courts of injunctions against publication, thereby removing prior restraint from the reach of the executive.

Congressional legislation and assertion of appropriate initiatives can help redress the current situation. If need be, the power of the purse can be more resolutely used vis-a-vis an unresponsive executive. But more fundamentally, what we need is government with faith in the American people and in their right to participate in the great decisions. If we do not see this now, after the Bay of Pigs, the Dominican Republic intervention and the whole tragic history of Indochina, then as a nation we do not really understand democracy.

A DEADLINE FOR DECLASSIFICATION?

(By Henry Owen)

The current furor over secret Vietnam documents fits into a familiar pattern. The public's view of the origins of each major conflict (save Hitler's war) in the last century has been marked by three successive phases: Phase I, when the wartime official view was readily accepted; Phase II, when a spate of memoirs and other secret documents persuaded people that it was largely the fault of their own wartime leaders; and Phase III, in which professional historians showed the truth to be a lot more complicated than any of these "devil" theories would suggest. We are now in Phase II on Vietnam; the need for moving as soon as possible to Phase III can be better understood if we look to past experience.

CASE ONE: In 1914–18, the view that the Kaiser had single handedly brought on the war was universal outside Germany. Then came postwar memoirs and the publication of Austrian, German and Russian secret documents; this led such revisionists as the late Harry Elmer Barnes to suggest that the war was largely the fault of Poincare and the Russian military. Finally, serious historians got to work. While they differed among themselves in distributing the blame, a succession of professional studies—culminating in Albertini's definitive three-volume history published in the 1940s—suggested that both the wartime and revisionist theories were at fault. None of the statesmen involved had wanted a general war; there were divided counsels in each government; and there was a large amount of miscalculation and at least as much incompetence as criminal intent all around.

CASE TWO: On December 8, 1941, most Americans were fairly clear that Hirohito had attacked a peaceful America out of the blue. After the war smoldering hostility toward President Roosevelt exploded in a burst of revisionist commentary, which suggested that he had tempted and provoked Japan into firing the first shot. The U.S. Government, in a burst of candor, gave two eminent scholars—William Langer and Everett Gleason—the run of its archives and invited them to form and write their own view. Phase III, which began with their two-volume work in the early 1950s, has been reflected in a succession of scholarly studies ever since. These studies have reached varying conclusions, but no one who reads all of them is likely to return to the simplistic theories of the 1940s: The failures of last-minute U.S. and Japanese efforts to avert war are, as John Toland points out in his recent work, too tragic and complicated a business to be explained by seeking out heroes and villains.

On Vietnam, we are now in Phase II. Secret documents have been revealed; wartime leaders are being discredited. But the revealed documents are inevitably a partial record: They do not include White House files; and they do not indicate either the context in which, or the tactical purposes for which, the memoranda they cite were written. They cannot fully reflect the doubts and torments of officials reaching for decision—which are, by the very nature of the government's operations, rarely committed to paper. The authors who analyzed these papers were not able to conduct interviews with the participants; as indicated in these volumes' preface, they sometimes lacked the research experience required to assess evidence which was necessarily, as a Washington Post editorial has pointed out, neither complete nor balanced. These are some of the reasons why such men as George Ball and Averell Harriman have warned against trying to draw sweeping conclusions from these documents.

One remedy was suggested by three noted historians before the current storm broke. In 1969 Professor Ernest May of Harvard proposed that all classified government records, except for those few whose disclosures would directly, surely, and powerfully prejudice national security, be opened after a fixed period to qualified professional historians. Professor James McGregor Burns of Williams followed with a similar, if more general, proposal and suggested that the waiting period be fixed at eight years. In light of recent events, this period might well be shortened. The proposal was promptly endorsed by Professor Langer, who pointed out that "systematic declassification is patently impossible: the records are so voluminous that it would take large teams of highly qualified personnel years to complete the assignment."

Professor May had in mind that a group of these historians, based in universities, would then launch a major effort to produce scholarly histories of U.S. postwar foreign policy—perhaps under a foundation grant, which might be managed by an appropriate professional association or by a group of these associations. Outlining the advantages of such a historical program in persuasive terms, Professor May concluded: "Policymakers and their staffs would possess more reliable knowledge about events which they use as trend gauges and action indicators . . . Legislators, journalists, and others commenting on current actions would have less excuse for basing comparisons on legend rather than reality . . . and students would leave the classroom with somewhat more awareness than now seems common that the world is a complicated place and that the color of truth is often gray."

At the time these professors' proposals were made, they attracted scant atention. In light of current events, they warrant serious exploration. The President might appoint a mixed commission of eminent American historians and government officials to study the matter and report back to him with specific recommendations. This would be a different operation from the inter-agency study on declassification which is already underway in the U.S. Government.

In the meantime, private studies can make a modest contribution in pointing the way. Leslie Gelb, who coordinated the compilation of Pentagon documents, is embarked on a three-year analytical history for the Brookings Institution of how five successive U.S. administrations perceived and acted on U.S. interests in Indochina from 1940 to 1965. His object is not to figure out who struck whom and why, but to show the inter-relation between official decisions and the international and domestic environment in which they were taken. His research is based on public sources: the first published results, published recently in Foreign Policy and the "Outlook" section of The Washington Post, suggest that his conclusions will be both more balanced and perceptive than those now being widely drawn from the Pentagon documents often by people who haven't even read them, but have heard of them at second or third hand.

Whatever may be the verdict of history in Vietnam, one thing is sure: It will differ from many of the verdicts now being pronounced with such speed and enthusiasm on the basis of scattered and incomplete returns.

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By Mr. McCLELLAN:

S. 2291. A bill to facilitate representation of persons having claims against the United States by legal counsel of their own choosing. Referred to the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to facilitate representation of persons having claims against the United States by legal counsel of their own choosing.

In both the 89th and 90th Congresses the Senate unanimously passed bills—S. 1522 of the 89th Congress and S. 1073 of the 90th Congress—introduced by me for the removal of arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the United States. No final action on either of these bills was taken by the House of Representatives. The bill which I am introducing today is substantially the measure reported by the House Judiciary Committee in the 90th Congress and identical to S. 2387 of the 91st Congress.

Section 1 of the bill provides for the repeal of section 2678 of title 28 of the United States Code, which is the section of the Code which presently limits attorneys' fees in Federal tort claims cases. This section would remove the fixed limits now in the law so that the attorneys' fees will be fixed in the same manner as it is in tort litigation between private parties.

Section 2 of the bill provides a standard procedure for supervising and approving attorneys' fees for services rendered in connection with claims before specified agencies and departments of the Federal Government. These new procedures for determining attorneys' fees would apply to: first, the Secretary of Health, Education, and Welfare under title II or title XVIII of the Social Security Act; second, the Administrator of Veterans' Affairs under title 38 of the United States Code; third, the Foreign Claims Settlement Commission under any provision of law administered by that Commission; fourth, the Secretary of Labor with respect to the Federal employees compensation provisions of title 5 of the United States Code; fifth, the Railroad Retirement Board under the Railroad Unemployment Insurance Act; and sixth, the President or his delegate under the Trading With the Enemy Act.

The procedures in this bill for agency review of reported fees provides that a fee may be questioned if an agency "finds cause to inquire as to whether a fee is excessive" or improperly reported. After the attorney has had an opportunity to supply additional data and confer with agency representatives, the agency may determine a "maximum" fee.

Section 3 of the bill contains provisions relating to the review and enforcement of limitations on attorney's fees. These include provisions concerning jurisdiction in the Federal district courts, venue, actions for determination of reasonable attorneys' fees, the form of evidence to be considered by the court, and judgment by the court in such actions.

Sections 4 through 11 of the bill amend existing law so as to incorporate the new procedures specified in this legislation.

Section 6 preserves the existing $10 limitation on "original claims" for Veterans' Administration benefits. Attorneys could be retained at fees subject to Veterans' Administration review, as provided in Section 2 of the bill, only after a claim had been disallowed by that agency. In normal circumstances, there is no necessity for an attorney at the first stage of a claim for Veterans' Administration benefits. However, once a claim has been disallowed an attorney may be desired by the claimant in appealing the denial of a claim for benefits. It should be stressed that this bill does not seek to affect in any way the present system of representation of veterans by the various veterans organizations. The legislation would merely make it possible to obtain counsel in those cases where it appears to the claimant that legal counsel would be helpful or desirable.

When I originally introduced legislation on this subject in the 89th Congress I stated that I did so "to correct what I consider to be inequities in the allowance of attorneys' fees in proceedings before certain administrative agencies. Many of the existing limitations are a direct outgrowth of the depression years. The maximum amount now allowable reflects the general attitude of that time." I have worked closely with the American Bar Association in the preparation of the successive versions of this legislation. I believe that the bill effects a proper balance of the interests of all parties concerned, namely, the individual claimant under a Federal statute, his private lawyer, and the Government. I hope that final action on this legislation can be taken during this Congress.

By Mr. BURDICK (for himself and Mr. COOK):

S. 2292. A bill relating to minimum and maximum limits of age within which original appointments may be made to positions as correctional officers in the Bureau of Prisons, and for other purposes. Referred to the Committee on the Judiciary.

Mr. BURDICK. Mr. President, I am introducing for myself and Mr. COOK today, the Correctional Officer Act of 1971.

As my colleagues are undoubtedly aware, one of the improvements in our efforts to bring about the rehabilitation of public offenders is the utilization of correctional officers in a paraprofessional role as agents of changing the behavior of those in custody. The U.S. Bureau of Prisons is today providing leadership for the Nation in this field through the unique training program which it has established for new correctional officer employees. The first of what I hope will be a series of staff training centers is located at El Reno, Okla. Although it was only formally dedicated on March 25 of this year, the concepts involved in this staff training program are already being adopted by State and local jurisdictions in the preparation of their correctional employees.

The legislation which I introduce today is intended to be a further step in enhancing the professional role of Federal correctional officers, so that they will continue to represent the high standards necessary to fulfill their role as agents of change.

In the day-in, day-out operation of a correctional institution, it is the line correctional officers who have continual contact with the offenders. Because of this, these correctional officers stand in a unique place from which they can influence the future behavior of those in custody.

First, the legislation which I introduce recognizes the declining average age of the offenders in the population of the Federal institutions, which has gone from approximately 30 years to approximately 28 years of age.

The ability to set maximum age limits for recruitments would insure that the Bureau of Prisons is able to maintain a young and vital complement of correctional officers who can understand offenders and who can work with them.

Second, this legislation further recognizes the professional nature of this work by eliminating the requirement that a correctional officer who has reached age 50 and has completed 20 years of service must be declared to be "no longer capable of carrying on efficiently" in his job in order to gain the annuity benefits which Congress has already provided in recognition of the dangerous nature of the work. I believe that making these annuity benefits available upon application will be a significant factor in improving the morale of the correctional officers who man the institutions of the Bureau of Prisons, and will make these jobs more attractive to those individuals who are best able to perform this role as an agent of change.

I ask unanimous consent that the bill and analysis be printed in full at this point in the RECORD.

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

S. 2292

A bill relating to minimum and maximum limits of age within which original appointments may be made to positions as correctional officers in the Bureau of Prisons, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3307 of title 5, United States Code, is amended by designating the existing text of such section as subsection (a), and by adding at the end thereof the following new subsection:

"(b) Notwithstanding the provisions of subsection (a) of this section, the Attorney General, with the concurrence of such agent as the President may designate, is authorized to determine and fix the minimum and maximum limits of age within which original appointments may be made to positions as correctional officers in the Bureau of Prisons, Department of Justice."

SEC. 2. Subsection (c) of section 8336 of title 5, United States Code, is amended by inserting immediately before the period at the end of the first sentence thereof a comma and the following: "except that in the case of an employee the duties of whose position are primarily the detention of such individuals and who is so separated from the service, such employee shall be entitled to an annuity without such recommendation and approval".

MAJOR PROVISIONS OF THE CORRECTIONAL OFFICER ACT OF 1971

SEC. 1. Provides authority for the setting of maximum and minimum ages for recruitment of correctional officers to be employed by the Bureau of Prisons.

SEC. 2. Eliminates the necessity provided in statute and regulation that the Director of the Bureau of Prisons and the Civil Service Commission be required to make a determination of fact that an individual seeking retirement at age 50 with 20 years of hazardous duty is no longer capable of carrying on efficiently as a correctional officer.

By Mr. BURDICK (for himself, Mr. COOK, and Mr. BAYH):

S. 2293. A bill to amend title 18, United States Code, relating to assaults on United States probation officers. Referred to the Committee on the Judiciary.

Mr. BURDICK. Mr. President, I am introducing for myself, Mr. COOK and Mr. BAYH today, legislation that would extend to U.S. probation officers the provisions of the criminal code which make assault or murder of all other categories of Federal law enforcement officers a Federal crime.

Section 1114 of title 18, United States Code, now provides that whoever kills any of certain designated officers or employees of the United States while engaged in, or on account of, the performance of official duties shall be punished as provided in section 1111 and section 1112 of the code relating to murder and manslaughter. A related provision, section 111 of title 18, United States Code, applies sanctions to anyone who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 while engaged in, or on account of, the performance of official duties. The legislation that is being introduced today would extend these provisions to all probation officers of the United States.

In performing their primary duties of supervising Federal offenders placed on probation or on parole from penal institutions, or preparing presentencing investigation reports for the courts, U.S. probation officers are subject to personal hazards above those faced by ordinary government officers. By the nature of their work, they continually risk the danger of assault, which could result in injury or death at the hands of the parolees, probationers, and persons from whom they seek information.

Congress has in previous years provided such protection to agents of such agencies as the Federal Bureau of Investigation, Bureau of Narcotics and Dangerous Drugs, Customs, Immigration, Bureau of Prisons, and others involved in field activities on various public lands.

I believe that such legislation extending these two sections of this statute to cover U.S. probation officers would be an appropriate recognition of the dangerous nature of their work. Enactment of similar legislation has been recommended by the Committee on Probation of the Judicial Conference.

I ask unanimous consent that the bill be printed in full at this point in the RECORD.

S. 2293

A bill to amend title 18, United States Code, relating to assaults on United States probation officers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1114 of title 18, United States Code, is amended by inserting immediately after the words "judge of the United States," the words "any United States probation officer."

By Mr. EASTLAND (for himself and Mr. HRUSKA):

S. 2294. A bill to amend the Subversive Activities Control Act of 1950, as amended. Referred to the Committee on the Judiciary.

Mr. EASTLAND. Mr. President, on behalf of the Senator from Nebraska (Mr. HRUSKA) and myself, I send to the desk for appropriate reference a bill to amend the Subversive Activities Control Act of 1950, and ask that it may be appropriately referred.

This is a bill which was transmitted to the two Houses of the Congress, in draft form by the Attorney General of the United States. The purpose of the bill is to facilitate the performance by the Subversive Activities Control Board of new responsibilities which it must deal with under the President's amendment of Executive Order 10450, on July 7 of this year.

As I am sure Senators know, the amended Executive order will permit the Board to deal with and make appropriate determinations with regard to violent, action-oriented organizations, whether or not such organizations are Communists in nature.

In performing these new functions, the Board will need to exercise, in proper case the power of subpena, and to hold hearings and to take testimony and keep a stenographic record of its proceedings. These functions are now authorized by statute with respect to the responsibilities imposed upon the Board by the Subversive Activities Control Act; and the bill I have just sent forward will provide authority for the exercise of these necessary functions in connection with the Board's new responsibilities.

The bill will also provide for changing the name of the Board to the "Federal Internal Security Board". I feel this is a desirable step, for the fact is the Board has never been greatly concerned with controls, but rather with the quasi-judicial adjudication of questions with respect to the nature of subversive organizations.

Mr. President, I ask that the text of the letter transmitting this bill to the Vice President, as the presiding officer of the Senate, may be printed in the RECORD at this point as a part of my remarks, together with the full text of the bill.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., July 7, 1971.

THE VICE PRESIDENT,
United States Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: There is attached for your consideration and appropriate reference a draft bill to amend the Subversive Activities Control Act of 1950, as amended.

In order to update the list of organizations which have been designated by the Attorney General, the President in accordance with his constitutional and statutory powers, has amended Sections 8 and 12 of Executive Order 10450, to permit the Attorney General to petition the Subversive Activities Control Board to conduct appropriate hearings to determine *inter alia* whether an organization is one which seeks to overthrow the Government of the United States or any state or sub-division thereof by unlawful means or unlawfully advocates the commission of acts of force or violence to deny others their rights under the Constitution or laws of the United States or of any state. This would permit the Board to make an appropriate determination with respect to violent-action oriented organizations.

The proposed legislation would amend Section 12 of the Subversive Activities Control Act of 1950, by renaming the Subversive Activities Control Board the Federal Internal Security Board. In addition the draft bill provides that subsections (c) and (d) (1), (2) and (3) of Section 13 and Section 14, of the Subversive Activities Control Act of 1950, as amended, shall apply to proceedings conducted pursuant to Section 12 of Executive Order 10450, as amended.

Misbehavior in the Board's presence is a punishable offense under Section 13(d)(3). Section 13(c) provides the Board with the power of subpoena. Section 13(d)(1) assures certain respondent rights by requiring public hearings, an accurate stenographic record, the right to counsel, and the right to cross examination. In addition to these "due process" features, Section 14 specifically provides that an aggrieved party shall have the right to petition the United States Court of Appeals for the District of Columbia to have the Board's findings set aside. The findings of the Board must be supported by the preponderance of the evidence.

The enactment of this legislation will also provide a sounder basis for updating the Attorney General's list of organizations designated pursuant to Executive Order 10450. The last consolidated list of such organizations was issued on November 1, 1955 and many of the organizations listed thereon are currently defunct.

The early enactment of this legislation is recommended as a necessary complement to the recently issued amendment to Executive Order 10450 mentioned above, since the Executive Order cannot confer subpoena or contempt powers on the Board.

The Office of Management and Budget has advised that enactment of this legislation is consistent with the objectives of this Administration.

Sincerely,

JOHN W. MITCHELL,
Attorney General.

S. 2294

A bill to amend the Subversive Activities Control Act of 1950, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Section 3(11) of the Subversive Activities Control Act of 1950 is amended by deleting the words "Subversive Activities Control Board" and inserting in lieu thereof the words "Federal Internal Security Board."

(b) Section 12(a) of the Subversive Activities Control Act is amended by deleting the words "Subversive Activities Control Board" and inserting in lieu thereof the words "Federal Internal Security Board."

(c) The caption to Section 12 of the Subversive Activities Control Act of 1950 is amended to read "Federal Internal Security Board."

SEC. 2. The provisions of subsections (c)

and (d) (1), (2) and (3) of Section 13, and Section 14 of the Subversive Activities Control Act of 1950, as amended, shall apply to proceedings conducted pursuant to Section 12 of Executive Order 10450, as amended.

Mr. HRUSKA. Mr. President, I am very pleased to join with my distinguished colleague from Mississippi, the chairman of the Committee on the Judiciary, in introducing a bill to amend the Subversive Activities Control Act of 1950. This legislation is designed to complement contemporaneous amendments to Executive Order 10450, the Government's personnel security program which was originally enacted in 1947.

The amendments to Executive Order 10450, signed by President Nixon on July 2, provide an effective mechanism for the updating of the Attorney General's list of organizations designated pursuant to the Executive order and will expedite the elimination of those organizations which consists of over 90 percent which are now inactive or for other appropriate reasons should not be on the list.

Prior to the recent amendment to the Executive order, the Attorney General was charged with the sole responsibility for both the factfinding and designating functions in connection with the Government's personnel security program. This placed the Attorney General in the unfortunate posture of prosecutor, judge, and jury in determining whether any organization should be designated as a subversive organization. That is, there was no independent hearing or independent consideration other than that made by the Attorney General or officials within his own department before an organization could be so designated. Prior to amendment, the Executive order did not recognize the revolutionary terrorist organizations which have developed since the order was last amended.

Under the new amendment to the order, the Subversive Activities Control Board will be authorized, upon petition of the Attorney General, to hear cases and make findings involving organizations which are alleged to fall within the following criteria: Totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of unlawfully advocating the commission of acts of force or violence to deny others their rights under the Constitution or laws of the United States, or of any State, or which seeks to overthrow the Government of the United States, or of any State or subdivision thereof, by unlawful means. The above criteria are substantially the same as those prescribed by Executive Order 9835 dated March 21, 1947, and continued in Executive Order 10450, dated April 27, 1953. The amended Executive order provides definitions for each one of the categories of organizations listed in the present Executive order and, as noted, provides for a new class of organization and a definition of that class in recognition of recent history.

The amended Executive order also provides that the Board may determine, after consideration of the evidence, whether those organizations previously designated have ceased to exist, or upon petition of the Attorney General or any cited organization, that such organization does not currently meet the standards for designation. In short, an additional purpose will be to update the list where needed and to eliminate listed organizations which no longer exist or do not meet the criteria established.

The Executive order thus separates the hearing function from the Department of Justice by transferring those functions to the Subversive Activities Control Board. It provides for a due process hearing before an independent body with the Attorney General making his decisions based upon the recommendations and findings of that body.

It must be stressed that the objectives of Executive Order 10450, as amended, relate to the continuing vitality of the Federal employee security program. It should be pointed out that under Executive Order 10450, membership in the designated organizations is but one factor to be considered in implementation of the Federal personnel security program.

The need to provide for the integrity of Government employees is, of course, as old as the Government itself. The present security programs were set out in Executive Order 9835 of March 1947, and confirmed by the present Executive Order 10450 in April 1953. The new amendments are designed to guarantee the continued vitality of the program in light of current circumstances and to provide additional procedural safeguards.

The purpose of the bill we are introducing today is to apply the further constitutional safeguards of the Subversive Activities Control Act of 1950 and to extend presently existing powers of the Board to hearings conducted pursuant to the recent amendment to Executive Order 10450. Specifically, it would include the holding of public hearings with all of the customary due process procedures attendant to administrate hearings under the Federal Administrative Procedures Act.

Other provisions of the Subversive Activities Control Act of 1950 which this legislation would apply to hearings under Executive Order 10450 include those providing that the party proceeded against shall have the right to present its case with the assistance of counsel, to offer oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and fair disclosure of all relevant facts. An accurate stenographic transcript must also be taken of the testimony of each witness, and a transcript filed in the office of the Board.

In addition to these "due process" features, an aggrieved party shall have the right of appeal to the U.S. Court of Appeals for the District of Columbia Circuit.

This legislation will also change the name of the SACB to the Federal Internal Security Board.

I feel that these provisions of the Subversive Activities Control Act of 1950 are necessary to provide all the safeguards of a judicial hearing for organizations proceeded against under Executive Order 10450 while providing the Government with the necessary tools to make certain that these hearings are conducted in a judicious manner.

I thus urge the Senate to enact this legislation at its earliest possible convenience.

Mr. President, at the present time there are 283 organizations maintained on the Attorney General's list. This number has held steady since 1955 when the last review and updating of the list took place. The Justice Department now believes that as many as 263 of these 283 organizations are no longer active or in existence. Under the jurisdiction granted by the amendments to EO–10450 and the procedures contained in this bill now being introduced, the SACB will have the responsibility for making a determination that these 263 organizations should be removed from the Attorney General's list. In addition there are as many as 25 additional organizations which the Justice Department has reason to believe should be put on the list. The SACB would also be given authority to conduct hearings and make determination concerning these additional organizations.

These new responsibilities will mean that the Board will have a great deal of activity with which to remain occupied throughout the coming year. At the end of that time we can reexamine this entire question to see what the role of the SACB should be in future years.

I ask unanimous consent to have printed at the conclusion of my remarks and those of the Senator from Mississippi (Mr. EASTLAND) Executive order signed by President Eisenhower in 1953—(EO–10450)—with later amendments, the text of the amendments to this order signed by President Nixon on July 2, 1971.

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

EXECUTIVE ORDER 10450

SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

Whereas the interests of the national security require that all persons privileged to be employed in the departments and agencies of the Government shall be reliable, trustworthy, of good conduct and character, and of complete and unswerving loyalty to the United States; and

Whereas the American tradition that all persons should receive fair, impartial, and equitable treatment at the hands of the Government requires that all persons seeking the privilege of employment or privileged to be employed in the departments and agencies of the Government be adjudged by mutually consistent and no less than minimum standards and procedures among the departments and agencies governing the employment and retention in employment of persons in the Federal service:

Now, therefore, by virtue of the authority vested in me by the Constitution and statutes of the United States, including section 1753 of the Revised Statutes of the United States (5 U.S.C. 631); the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, *et seq.*); section 9A of the Act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118j); and the Act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22–1, *et seq.*), and as President of the United States, and deeming such action necessary in the best interests of the national security, it is hereby ordered as follows:

Section 1. In addition to the departments and agencies specified in the said act of August 26, 1950, and Executive Order No. 10237 of April 26, 1951, the provisions of that act shall apply to all other departments and agencies of the Government.

Section 2. The head of each department and agency of the Government shall be responsible for establishing and maintaining within his department or agency an effective program to insure that the employment and retention in employment of any civilian officer or employee within the department or agency is clearly consistent with the interests of the national security.

Section 3. (a) The appointment of each civilian officer or employee in any department or agency of the Government shall be made subject to investigation. The scope of the investigation shall be determined in the first instance according to the degree of adverse effect the occupant of the position sought to be filled could bring about, by virtue of the nature of the position, on the national security, but in no event shall the investigation include less than a national agency check (including a check of the fingerprint files of the Federal Bureau of Investigation), and written inquiries to appropriate local law-enforcement agencies, former employers and supervisors, references, and schools attended by the person under investigation: *Provided,* that upon request of the head of the department or agency concerned, the Civil Service Commission may, in its discretion, authorize such less investigation as may meet the requirements of the national security with respect to per-diem, intermittent, temporary, or seasonal employees, or aliens employed outside the United States. Should there develop at any stage of investigation information indicating that the employment of any such person may not be clearly consistent with the interests of the national security, there shall be conducted with respect to such person a full field investigation, or such less investigation as shall be sufficient to enable the head of the department or agency concerned to determine whether retention of such person is clearly consistent with the interests of the national security.

(b) The head of any department or agency shall designate, or cause to be designated, any position within his department or agency the occupant of which could bring about, by virtue of the nature of the position, a material adverse effect on the national security as a sensitive position. Any position so designated shall be filled or occupied only by a person with respect to whom a full field investigation has been conducted: *Provided,* that a person occupying a sensitive position at the time it is designated as such may continue to occupy such position pending the completion of a full field investigation, subject to the other provisions of this order: *And provided further,* that in case of emergency a sensitive position may be filled for a limited period by a person with respect to whom a full field pre-appointment investigation has not been completed if the head of the department or agency concerned finds that such action is necessary in the national interest, which finding shall be made a part of the records of such department or agency.

Section 4. The head of each department and agency shall review, or cause to be reviewed, the cases of all civilian officers and employees with respect to whom there has been conducted a full field investigation under Executive Order No. 9835 of March 21, 1947, and, after such further investigation as may be appropriate, shall re-adjudicate, or cause to be re-adjudicated, in accordance with the said act of August 26, 1950, such of those cases as have not been adjudicated under a security standard commensurate with that established under this order.

Section 5. Whenever there is developed or received by any department or agency information indicating that the retention in employment of any officer or employee of the Government may not be clearly consistent with the interests of the national security, such information shall be forwarded to the head of the employing department or agency or his representative, who, after such investigation as may be appropriate, shall review, or cause to be reviewed, and, where necessary, re-adjudicate, or cause to be re-adjudicated, in accordance with the said act of August 26, 1950, the case of such officer or employee.

Section 6. Should there develop at any stage of investigation information indicating that the employment of any officer or employee of the Government may not be clearly consistent with the interests of the national security, the head of the department or agency concerned or his representative shall immediately suspend the employment of the person involved if he deems such suspension necessary in the interests of the national security and, following such investigation and review as he deems necessary, the head of the department or agency concerned shall terminate the employment of such suspended officer or employee whenever he shall determine such termination necessary or advisable in the interests of the national security, in accordance with the said act of August 26, 1950.

Section 7. Any person whose employment is suspended or terminated under the authority granted to heads of departments and agencies by or in accordance with the said act of August 26, 1950, or pursuant to the said Executive Order No. 9835 or any other security or loyalty program relating to officers or employees of the Government, shall not be reinstated or restored to duty or reemployed in the same department or agency, and shall not be reemployed in any other department or agency, unless the head of the department or agency concerned finds that such reinstatement, restoration, or reemployment is clearly consistent with the interests of the national security, which finding shall be made a part of the records of such department or agency: *Provided,* that no person whose employment has been terminated under such authority thereafter may be employed by any other department or agency except after a determination by the Civil Service Commission that such person is eligible for such employment.

Section 8(a) The investigations conducted pursuant to this order shall be designed to develop information as to whether the employment or retention in employment in the Federal service of the person being investigated is clearly consistent with the interests of the national security. Such information shall relate, but shall not be limited, to the following:

(1) Depending on the relation of the Government employment to the national security:

(i) Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.

(ii) Any deliberate misrepresentations, or omission of material facts.

(iii) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.

(iv) An adjudication of insanity, or treatment for serious mental or neurological disorder without satisfactory evidence of cure.

(v) Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of the national security.

(2) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting, another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.

(3) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the government of the United States or the alteration of the form of government of the United States by unconstitutional means.

(4) Advocacy of use of force or violence to overthrow the government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.

(5) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means.

(6) Intentional, unauthorized disclosure to any person of security information, or of other information disclosure of which is prohibited by law, or willful violation or disregard of security regulations.

(7) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.

(b) The investigation of persons entering or employed in the competitive service shall primarily be the responsibility of the Civil Service Commission, except in cases in which the head of a department or agency assumes that responsibility pursuant to law or by agreement with the Commission. The Commission shall furnish a full investigative report to the department or agency concerned.

(c) The investigation of persons (including consultants, however employed), entering employment of, or employed by, the Government other than in the competitive service shall primarily be the responsibility of the employing department or agency. Departments and agencies without investigative facilities may use the investigative facilities of the Civil Service Commission, and other departments and agencies may use such facilities under agreement with the Commission.

(d) There shall be referred promptly to the Federal Bureau of Investigation all investigations being conducted by any other agencies which develop information indicating that an individual may have been subjected to coercion, influence, or pressure to act contrary to the interests of the national security, or information relating to any of the matters described in subdivisions (2) through (7) of subsection (a) of this section. In cases so referred to it, the Federal Bureau of Investigation shall make a full field investigation.

Section 9. (a) There shall be established and maintained in the Civil Service Commission a security-investigations index covering all persons as to whom security investigations have been conducted by any department or agency of the Government under this order. The central index established and maintained by the Commission under Executive Order No. 9835 of March 21, 1947, shall be made a part of the security investigations index. The security-investigations index shall contain the name of each person investigated, adequate identifying information concerning each such person, and a reference to each department and agency which has conducted an investigation concerning the person involved or has suspended or terminated the employment of such person under the authority granted to heads of departments and agencies by or in accordance with the said act of August 26, 1950.

(b) The heads of all departments and agencies shall furnish promptly to the Civil Service Commission information appropriate for

the establishment and maintenance of the security-investigations index.

(c) The reports and other investigative material and information developed by investigations conducted pursuant to any statute, order, or program described in section 7 of this order shall remain the property of the investigative agencies conducting the investigations, but may, subject to consideration of the national security, be retained by the department or agency concerned. Such reports and other investigative material and information shall be maintained in confidence, and no access shall be given thereto except, with the consent of the investigative agency concerned, to other departments and agencies conducting security programs under the authority granted by or in accordance with the said act of August 26, 1950, as may be required for the efficient conduct of Government business.

Section 10. Nothing in this order shall be construed as eliminating or modifying in any way the requirement for any investigation or any determination as to security which may be required by law.

Section 11. On and after the effective date of this order the Loyalty Review Board established by Executive Order No. 9835 of March 21, 1947, shall not accept agency findings for review, upon appeal or otherwise. Appeals pending before the Loyalty Review Board on such date shall be heard to final determination in accordance with the provisions of the said Executive Order No. 9835, as amended. Agency determinations favorable to the officer or employee concerned pending before the Loyalty Review Board on such date shall be acted upon by such Board, and whenever the Board is not in agreement with such favorable determination the case shall be remanded to the department or agency concerned for determination in accordance with the standards and procedures established pursuant to this order. Cases pending before the regional loyalty boards of the Civil Service Commission on which hearings have not been initiated on such date shall be referred to the department or agency concerned. Cases being heard by regional loyalty boards on such date shall be heard to conclusion, and the determination of the board shall be forwarded to the head of the department or agency concerned: *Provided*, that if no specific department or agency is involved, the case shall be dismissed without prejudice to the applicant. Investigations pending in the Federal Bureau of Investigation or the Civil Service Commission on such date shall be completed, and the reports thereon shall be made to the appropriate department or agency.

Section 12. Executive Order No. 9835 of March 21, 1947, as amended, is hereby revoked. For the purposes described in section 11 hereof the Loyalty Review Board and the regional loyalty boards of the Civil Service Commission shall continue to exist and function for a period of one hundred and twenty days from the effective date of this order, and the Department of Justice shall continue to furnish the information described in paragraph 3 of Part III of the said Executive Order No. 9835, but directly to the head of each department and agency.

Section 13. The Attorney General is requested to render to the heads of departments and agencies such advice as may be requisite to enable them to establish and maintain an appropriate employee-security program.

Section 14. (a) The Civil Service Commission, with the continuing advise and collaboration of representatives of such departments and agencies as the National Security Council may designate, shall make a continuing study of the manner in which this order is being implemented by the departments and agencies of the Government for the purpose of determining:

(1) Deficiencies in the department and agency security programs established under this order which are inconsistent with the interests of, or directly or indirectly weaken, the national security.

(2) Tendencies in such programs to deny to individual employees fair, impartial, and equitable treatment at the hands of the Government, or rights under the Constitution and laws of the United States or this order.

Information affecting any department or agency developed or received during the course of such continuing study shall be furnished immediately to the head of the department or agency concerned. The Civil Service Commission shall report to the National Security Council, at least semiannually, on the results of such study, and shall recommend means to correct any such deficiencies or tendencies.

(b) All departments and agencies of the Government are directed to cooperate with the Civil Service Commission to facilitate the accomplishment of the responsibilities assigned to it by subsection (a) of this section.

Section 15. This order shall become effective thirty days after the date thereof.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 27, 1953.*

EXECUTIVE ORDER 10491

AMENDMENT OF EXECUTIVE ORDER NO. 10450 OF APRIL 27, 1953, RELATING TO SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

By virtue of the authority vested in me by the Constitution and statutes of the United States, including section 1753 of the Revised Statutes of the United States (5 U.S.C. 631); the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, *et seq.*); section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118j); and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22–1, *et seq.*), and as President of the United States, and finding such action necessary in the best interests of the national security, it is hereby ordered as follows:

Subsection (a) of section 8 of Executive Order No. 10450 of April 27, 1953, relating to security requirements for Government employment, is hereby amended by adding thereto at the end thereof paragraph (8) as follows:

"(8) Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a congressional committee regarding charges of his alleged disloyalty or other misconduct."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *October 13, 1953.*

EXECUTIVE ORDER 10531

AMENDMENT OF EXECUTIVE ORDER NO. 10450[1] OF APRIL 27, 1953, AS AMENDED, RELATING TO SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

By virtue of the authority vested in me by the Constitution and statutes of the United States, including section 1753 of the Revised Statutes of the United States (5 U.S.C. 631); the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, *et seq.*); section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118 j); and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22–1, *et seq.*), and as President of the United States, and finding such action necessary in the best interests of the national security, it is hereby ordered as follows:

Subsection (d) of section 8 of Executive Order No. 10450 of April 27, 1953, as amended by Executive Order No. 10491 of October 13, 1953, relating to security requirements for Government employment is hereby amended by striking out after the words "subdivisions (2)" the words "through (7)" and substituting the words "through (8)" so that the last clause of the first sentence of that section will read as follows:

"or information relating to any of the matters described in subdivisions (2) through (8) of subsection (a) of this section."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 27, 1954.*

[F.R. Doc. 54–4202; Filed, May 27, 1954; 11:00 a.m.]

EXECUTIVE ORDER 10550

AMENDMENT OF EXECUTIVE ORDER NO. 10450 OF APRIL 27, 1953, RELATING TO SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

By virtue of the authority vested in me by the Constitution and statutes of the United States, including section 1753 of the Revised Statutes of the United States (5 U.S.C. 631), the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, *et seq.*); section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118 j); and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22–1, *et seq.*), and as President of the United States, and finding such action necessary in the best interests of the national security, it is hereby ordered as follows:

Section 14 of Executive Order No. 10450 of April 27, 1953, relating to security requirements for Government employment is hereby amended as follows:

1. The last sentence of subsection (a) thereof is amended to read:

"The Civil Service Commission shall report to the National Security Council, at least semiannually, on the results of such study, shall recommend means to correct any such deficiencies or tendencies, and shall inform the National Security Council immediately of any deficiency which is deemed to be of major importance."

2. The following subsection is added at the end thereof:

"(c) To assist the Civil Service Commission in discharging its responsibilities under this order, the head of each department and agency shall, as soon as possible and in no event later than ninety days after receipt of the final investigative report on a civilian officer or employee subject to a full field investigation under the provisions of this order, advise the Commission as to the action taken with respect to such officer or employee. The information furnished by the heads of the departments and agencies pursuant to this section shall be included in the reports which the Civil Service Commission is required to submit to the National Security Council in accordance with subsection (a) of this section. Such reports shall set forth any deficiencies on the part of the heads of departments and agencies in taking timely action under this order, and shall mention specifically any instances of noncompliance with this subsection.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 5, 1954.*

EXECUTIVE ORDER 10548

AMENDMENT OF EXECUTIVE ORDER NO. 10450 OF APRIL 27, 1953, RELATING TO SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

By virtue of the authority vested in me by the Constitution and statutes of the United States, including section 1753 of the Revised Statutes of the United States (5 U.S.C. 631); the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, *et seq.*); section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118j); and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22–1, *et seq.*), and as President of the United States, and finding such action necessary in the best interests of the national security, it is ordered as follows:

Subsection (a)(1)(iv) of section 8 of Executive Order No. 10450 of April 27, 1953, relating to security requirements for Government employment, is hereby amended to read as follows:

"(iv) Any illness, including any mental condition, of a nature which in the opinion

of competent medical authority may cause significant defect in the judgment of reliability of the employee, with due regard to the transient or continuing effect of the illness and the medical findings in such case."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 2, 1954.*

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 10450 OF APRIL 27, 1953, RELATING TO SECURITY REQUIREMENTS FOR GOVERNMENT EMPLOYMENT

By virtue of the authority vested in me by the Constitution and statutes of the United States including 5 U.S.C. Sections 1101 *et seq.*, 3301, 3571, 7301, 7313, 7501(c), 7512, 7532 and 7533; and as President of the United States, and finding such action necessary in the best interests of national security, it is hereby ordered that Executive Order No. 10450 of April 27, 1953, as amended, is hereby further amended as follows:

1. Paragraph (5) of Section 8(a) shall read:

"(5) Knowing membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons (hereinafter referred to as organization) which is totalitarian, fascist, communist, subversive, or which has adopted a policy of unlawfully advocating the commission of acts of force or violence to deny others their rights under the Constitution or laws of the United States or of any State, or which seeks to overthrow the government of the United States or any State or subdivision thereof by unlawful means.

2. Section 12 shall read:

"(a) Executive Order No. 9835 of March 21, 1947, as amended is hereby revoked.

"(b) The head of each department and agency shall be furnished by the Attorney General with the name of each organization which shall be or has been heretofore designated under this order. Except as specifically provided hereafter, nothing contained herein shall be construed in any way to affect previous designations made pursuant to Executive Order No. 10450, as amended.

"(c) The Subversive Activities Control Board shall, upon petition of the Attorney General, conduct appropriate hearings to determine whether any organization is totalitarian, fascist, communist, subversive, or whether it has adopted a policy of unlawfully advocating the commission of acts of force or violence to deny others their rights under the Constitution or laws or the United States or of any State, or which seeks to overthrow the government of the United States or any State or subdivision thereof by unlawful means.

"(d) The Board may determine that an organization has adopted a policy of unlawfully advocating the commission of acts of force or violence to deny others their constitutional or statutory rights or that an organization seeks to overthrow the government of the United States or any State or subdivision thereof by unlawful means if it is found that such group engages in, unlawfully advocates, or has among its purposes or objectives, or adopts as a means of obtaining any of its purposes or objectives,

(1) The commission of acts of force or violence or other unlawful acts to deny others their rights or benefits guaranteed by the Constitution or laws of the United States or of the several States or political subdivisions thereof; or

(2) The unlawful damage or destruction of property; or injury to persons; or

(3) The overthrow or destruction of the government of the United States or the government of any State, Territory, district, or possession thereof, or the government of any political subdivision therein, by unlawful means; or

(4) The commission of acts which violate laws pertaining to treason, rebellion or insurrection, riots or civil disorders, seditious conspiracy, sabotage, trading with the enemy, obstruction of the recruiting and enlistment service of the United States, impeding officers of the United States, or related crimes or offenses.

"(e) The Board may determine an organization to be 'totalitarian' if it is found that such organization engages in activities which seek by unlawful means the establishment of a system of government in the United States which is autocratic and in which control is centered in a single individual, group, or political party, allowing no effective representation to opposing individuals, groups, or parties and providing no practical opportunity for dissent.

"(f) The Board may determine an organization to be 'fascist' if it is found that such organization engages in activities which seek by unlawful means the establishment of a system of government in the United States which is characterized by rigid one-party dictatorship, forcible suppression of the opposition, ownership of the means of production under centralized governmental control and which fosters racism.

"(g) The Board may determine an organization to be 'communist' if it is found that such organization engages in activities which seek by unlawful means the establishment of a government in the United States which is based upon the revolutionary principles of Marxism-Leninism, which interprets history as a relentless class war aimed at the destruction of the existing society and the establishment of the dictatorship of the proletariat, the government ownership of the means of production and distribution of property, and the establishment of a single authoritarian party.

"(h) The Board may determine an organization to be 'subversive' if it is found that such organization engages in activities which seek the abolition or destruction by unlawful means of the government of the United States or any State, or subdivision thereof.

"(i) The Board may further determine, after consideration of the evidence, that an organization has ceased to exist. Upon petition of the Attorney General or upon petition of any organization which has been designated pursuant to this section the Board after appropriate hearings may determine that such organization does not currently meet the standards for designation. The Attorney General shall appropriately revise or modify the information furnished to departments and agencies consistent with the determinations of the Board.

"(j) The Board shall issue appropriate regulations for the implementation of this section."

RICHARD NIXON.

THE WHITE HOUSE, July 2, 1971.

By Mr. FULBRIGHT:

S. 2295. A bill to amend the Foreign Assistance Act of 1961, and for other purposes. Referred to the Committee on Foreign Relations.

FOREIGN AID AUTHORIZATION BILL

Mr. FULBRIGHT. Mr. President, I introduce a foreign aid authorization bill identical except for leaving the money items blank, to H.R. 8961, which was introduced by the chairman of the House Foreign Affairs Committee, Congressman THOMAS E. MORGAN, on June 7, 1971.

In an effort to simplify the handling of the authorization legislation for the fiscal year 1972 foreign aid program, the Committee on Foreign Relations had planned to await House action on an authorization bill before beginning its markup sessions. However, in view of the growing uncertainty as to when a foreign aid bill may come over from the House and the short time remaining before the August recess, I am introducing the text of the House bill in order to bring a bill before the committee for consideration.

I wish to make it clear, however, that I am introducing this bill only for the purpose of simplifying the legislative process. I, of course, reserve my right to vote against the bill or any part of it and to offer or support amendments to it.

By Mr. McCLELLAN:

S.J. Res. 132. A joint resolution extending the duration of copyright protection in certain cases. Referred to the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, as chairman of the Subcommittee on Patents, Trademarks and Copyrights of the Committee on the Judiciary, I introduce, for appropriate reference, a joint resolution extending the duration of copyright protection in certain cases.

The purpose of this legislation is to continue until December 31, 1972, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as previously extended by Public Law 87–668, by Public Law 89–142, by Public Law 90–141, by Public Law 90–416, by Public Law 91–147, or by Public Law 91–555. The objective of this resolution, as well as the preceding interim extensions, is to temporarily continue the renewal term of copyright pending the enactment by the Congress of a general revision of the copyright law, including a proposed increase in the term of copyright.

It is apparent that the Congress cannot complete action during this session on the legislation for general revision of the copyright law. The copyright revision bill has been delayed for several years principally because of the cable television controversy. More recently the Congress has been awaiting action by the Federal Communications Commission on the necessarily related communications aspects of CATV. The Congress has now been advised by the Chairman of the Federal Communications Commission that the Commission anticipates completing its current CATV rule-making proceedings before the start of the summer recess of the Congress. Clearly, however, adequate time will not remain for action on the revision bill and, therefore, it is necessary to consider another temporary extension of copyrights.

The Senate on April 29 passed S. 646 to provide for the creation of a limited copyright in sound recordings for the purpose of protecting against the unauthorized duplication and piracy of such records. A subcommittee of the House Judiciary Committee on July 1 reported this legislation with an amendment providing that the grant of copyright protection in recordings shall expire on December 31, 1973. I am not personally acquainted with the reasons for this amendment, but it appears that the purpose of the amendment is to relate the piracy bill to progress on the general copyright bill.

The House subcommittee is best quali-

fied to estimate how much time will be required in that body to process any revision bill that may be passed by the Senate. If it is the opinion of the other body that a revision bill cannot be processed through both Houses prior to 1973, then it would appear appropriate to amend this resolution to provide for a temporary extension until December 31, 1973.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 509

At the request of Mr. MONDALE, the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 509, the International Opium Control Act.

S. 635

At the request of Mr. MANSFIELD, the Senator from Wyoming (Mr. HANSEN) and the Senator from North Dakota (Mr. BURDICK) were added as cosponsors of S. 635, a bill to amend the Mining and Minerals Policy Act of 1970.

S. 659

At the request of Mr. PELL, the Senator from New York (Mr. JAVITS), the Senator from Vermont (Mr. PROUTY), the Senator from Colorado (Mr. DOMINICK), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Oregon (Mr. PACKWOOD), the Senator from Ohio (Mr. TAFT), and the Senator from Maryland (Mr. BEALL) were added as cosponsors of S. 659, a bill to amend the Higher Education Act of 1965 and the Vocational Education Act of 1963, and for other purposes.

S. 1216

At the request of Mr. MCGEE, for Mr. JACKSON, the Senator from Oklahoma (Mr. BELLMON) was added as a cosponsor of S. 1216, a bill to amend the National Environmental Policy Act of 1969 to fund and establish a nonprofit Environmental Policy Institute, and for other purposes.

S. 1305

At the request of Mr. MONDALE, the Senator from Georgia (Mr. GAMBRELL) was added as a cosponsor of S. 1305, a bill to establish a National Legal Services Corporation.

S. 1311

At the request of Mr. PEARSON, the Senator from Arkansas (Mr. FULBRIGHT) was added as a cosponsor of S. 1311, the Newsmen's Privilege Act.

S. 1477

At the request of Mr. MONDALE, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 1477, a bill to designate the Kettle River as part of the Wild and Scenic Rivers System.

S. 1483

At the request of Mr. TALMADGE, the Senator from Oregon (Mr. HATFIELD) was added as a cosponsor of S. 1483, a bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residents, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize the consolidated existing farm credit law to meet current and future rural credit needs, and for other purposes.

S. 1508

At the request of Mr. MONDALE, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 1508, a bill to designate the Big Fork River as part of the Wild and Scenic Rivers System.

S. 1814

At the request of Mr. HARTKE, the Senator from Kansas (Mr. PEARSON) was added as a cosponsor of S. 1814, a bill to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable under prevailing mortgage market conditions direct loans made to veterans under chapter 37, title 38, United States Code.

S. 1844

At the request of Mr. GOLDWATER, the Senator from Wyoming (Mr. HANSEN) was added as a cosponsor of S. 1844, a bill to amend the National Labor Relations Act to further secure and protect the constitutional guarantee of free speech belonging to employers and employees.

S. 2134

At the request of Mr. HARTKE, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 2134, the Office of Constituent Assistance Act.

S. 2212

At the request of Mr. HUMPHREY, the Senator from Oklahoma (Mr. BELLMON), the Senator from North Dakota (Mr. BURDICK), the Senator from Georgia (Mr. GAMBRELL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Washington (Mr. MAGNUSON), the Senator from South DAKOTA (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from Wisconsin (Mr. NELSON), and the Senator from California (Mr. TUNNEY) were added as cosponsors of S. 2212, a bill to provide insurance coverage on the basis of cost of investment in the production of crops.

SENATE JOINT RESOLUTION 79

At the request of Mr. HARTKE, the Senator from Delaware (Mr. BOGGS) and the Senator from Ohio (Mr. TAFT) were added as cosponsors of Senate Joint Resolution 79, the equal rights amendment.

SENATE RESOLUTION 152—SUBMISSION OF A RESOLUTION RELATING TO PRINTING OF HEARINGS ON ORGANIZED CRIME

(Referred to the Committee on Rules and Administration.)

Mr. MCCLELLAN submitted the following resolution:

SENATE RESOLUTION 152

Resolved, That there be printed for the use of the Committee on Government Operations one thousand six hundred additional copies of Part 1 of the hearings before its Permanent Subcommittee on Investigations during the Ninety-second Congress, first session, entitled "Organized Crime."

ADDITIONAL COSPONSOR OF A RESOLUTION

SENATE RESOLUTION 148

At the request of Mr. MONDALE, the Senator from South Dakota (Mr. MCGOVERN) was added as a cosponsor of Senate Resolution 148, relating to peace talks contingent upon elections in South Vietnam.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION 4

At the request of Mr. CHILES, the Senator from Maine (Mr. MUSKIE) was added as a cosponsor of Senate Concurrent Resolution 4, expressing the sense of Congress on the expanded use of the model cities program for developing and demonstrating a nationwide system to recruit, place, and train on the job out-of-work aerospace individuals and homewardbound servicemen and place them in vacant positions in State and local governments.

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. CASE, the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of Senate Concurrent Resolution 21, calling for suspension of military assistance to Pakistan until the present conflict in that country is resolved.

AUTHORIZATION OF APPROPRIATIONS TO ATOMIC ENERGY COMMISSION—AMENDMENTS

AMENDMENTS NOS. 247, 249, 250, 251

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

Mr. GRAVEL submitted four amendments, intended to be proposed by him, to the bill (H.R. 9388) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

AMENDMENT NO. 248

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

Mr. INOUYE. Mr. President, the Senate will shortly be considering the authorization bill for the Atomic Energy Commission. Contained in this measure is $19.7 million for a five-megaton underground nuclear test called Cannikin, to be detonated on Amchitka in the Aleutian Islands sometime this fall. I am offering this amendment to delete the $19.7 million for the Cannikin test, because I do not believe that this test can be conducted with adequate assurances of safety not only for the environment but more importantly for the residents of the Pacific Basin.

In October of 1969, the Atomic Energy Commission detonated a one-megaton nuclear test on Amchitka. Prior to that time, I became increasingly concerned that that test activtity could trigger an earthquake which could cause a disastrous tidal wave or tsunami. In an attempt to evaluate all the available data on the possibility of triggering earthquakes as a result of multi-megaton explosions and the possible resulting destructive tsunamis, I have gathered and

studied the available information on this subject. In the course of my study I learned that a sizeable body of scientific opinion had presented data linking underground nuclear tests with measurable seismic activity. This material was first presented at an April 1969 meeting of the American Geophysical Union held in Washington, D.C. It is granted that some have discounted this theory. However, others have asserted that it is likely that with a high yield test such as the five-megaton Cannikin blast, seismic activity will also increase.

It has long been established that a portion of the Aleutian chain of which Amchitka is part, is an area of great seismic activity. As you know it is considered one of the earth's most seismically active areas. As I have stated, a number of scientists believe that nuclear underground tests can trigger earthquakes. As you are aware, tidal waves or tsunamis are principally caused by underwater earthquakes with vertical ground movement. While tsunamis in the open sea may be only a few feet high, upon approaching a coastline they assume formidable proportions with waves reaching 30, 40, and sometimes 50 feet. My State of Hawaii is particularly aware of the dangers of such tsunamis. A 1946 earthquake in the Aleutians produced a tidal wave which upon reaching Hawaii produced waves measuring 45 and 55 feet. This tsunami took the lives of 159 men, women, and children with property damage estimated at $25 million. Tidal waves also hit Hawaii in 1952 and 1957. Luckily no lives were lost; however, the damage resulting from these two waves was estimated at $800,000 and $3 million respectively. Another tidal wave which hit the shore of Hawaii in 1960, although it was created from an earthquake in Chile, caused the loss of 61 lives with damage estimated at $25 million. It is, therefore, evident that even the remote possibility of a tsunami being triggered by an underground nuclear test is of grave concern to the people of my State.

The Atomic Energy Commission's "Environmental Impact Statement" has done little to allay my original fears concerning the possibility of this nuclear blast triggering an earthquake which could result in a tidal wave. The portion of the statement entitled "Tsunamis" which appears specifically designed to quiet such fears states:

> Although the possibility of Cannikin's causing a premature release of a large quake cannot be absolutely ruled out, it is extremely unlikely.

The environmental impact statement also reports that—

> The risk of a tsunami damage consequent upon the Cannikin test appears to be negligible.

From the AEC's environmental impact statement and other scientific studies it appears to me that earthquake mechanisms are not completely understood and no absolute statement can be made about the possibility of triggering an earthquake of large magnitude from an underground nuclear test. The multi-megaton nature of the Cannikin blast and the fact that underwater earthquakes are a principal natural cause of tsunamis, offers little comfort to the people in the Pacific area.

The location of Amchitka in one of the most seismically active regions of the world, the past history of disastrous tsunamis originating in the Aleutians, which have severely damaged parts of Hawaii, California, and Alaska and the inability of scientists to determine if earthquakes can be triggered by multimegaton tests; all these factors have caused me grave concern. In addition, the Atomic Energy Commission's own environmental impact statement uses words such as "appear to be negligible" and "extremely unlikely" in describing the possibility of Cannikin contributing to the generation of a tidal wave. These statements indicate that the possibility of a tidal wave resulting from Cannikin does exist. As long as this dangerous possibility exists I, as an elected representative of the people of Hawaii, must make every effort to halt this test.

In addition to my obvious concern for the citizens of my State, I believe that other considerations also point to and strongly supplement my effort to delete the $19.7 million in the AEC's authorization bill.

It has come to light that Cannikin was conceived 5 or 6 years ago and it appears that this test is being conducted to test a warhead for the ABM missile system. In any event, it is arguable as to the current value of the ABM system as it is currently conceived. If the system is not already technically obsolete, the hopeful statements coming from the SALT talks concerning a possible agreement on the ABM system, would indicate a strong likelihood that the ABM system will never be used. In light of these factors, it would be most unfortunate if such a large multimegaton blast would be permitted to proceed as planned on Amchitka in light of the possible disastrous results this test could create for the people living on the coastlines of the Pacific, Hawaii, California, Alaska, Japan, and Canada.

Other factors to be weighed concerning the impact of the Cannikin blast is the effect of this test on the surrounding surface and undersea areas of Amchitka where the blast is expected to be conducted. Amchitka is the home of rare and endangered species of wildlife such as the bald eagle and peregrine falcon. It is also the home of sea otters, seals and sea lions. It is clear that these species will suffer ill effects from the blast, despite the Atomic Energy Commission's best efforts to mitigate the effects of the blast. Also the blast could possibly leak some radioactivity into the surrounding ocean. Like the section of the environmental impact statement on the possibility of triggering a tsunami, the AEC states that probability of the venting of "underground radioactivity is extremely unlikely." However, in the event that radioactivity should find its way into the ocean shortly after the blast, there is little question that it would contaminate the marine life of the area and possibly have dire consequences for marine life beyond the immediate area. While the amount of contamination is presumed to be slight, the further pollution of the ocean is not necessary particularly in my view of the questionable need for this particular test to be conducted in the first place.

The environmental effects of the test, the probable obsolescence of the device to be tested, the multimegaton nature of the explosion, the possibility of triggering a tsunami from the blast which could have a disastrous impact on citizens in Hawaii, California, Alaska, Japan, and Canada, in my judgment, all point to the need to cancel this test. The possible doubts as to the safety factor alone should be sufficient to cancel this test in light of the apparent obsolescence of device to be tested. My amendment would delete the funds contained in the AEC authorization bill and would provide that no other moneys contained in the bill could be used for a such a purpose.

I am aware that the President and other officials of the administration are now conducting an additional review as to the need and advisability of proceeding with the Cannikin blast. I have been advised that the Undersecretaries Committee of the National Security Council, which is conducting this review, composed of Presidential Assistant Henry Kissinger and representatives of the Department of State, Joint Chiefs of Staff, and Central Intelligence Agency, has or will in the near future submit to the President its recommendations on whether the United States should proceed with Cannikin. Therefore, the amendment I am introducing today may hopefully be unnecessary and moot at the time when the Atomic Energy Commission's authorization bill is considered. Although I hope for the best, I want to take this opportunity to once again through the RECORD of the U.S. Senate convey to our Chief Executive the concern of the people of Hawaii and others residing in the Pacific area with the Cannikin test. If the recommendation to proceed with the test is made, or the decision has not been made at the time the AEC authorization bill is considered, I will call upon my colleagues for their serious, and hopefully, favorable consideration of my amendment.

ANNOUNCEMENT OF PUBLIC HEARING ON NOMINATION

Mr. BYRD of West Virginia. Mr. President, I announce for the information of the Senate and the public that on Friday, July 23, at 10 a.m., the Committee on Interior and Insular Affairs will hold an open, public hearing on the nomination by President Nixon of John W. Larson to be Assistant Secretary of Interior for Programs.

Any Member of the Senate or of the general public who wishes to testify at this hearing should so advise the committee staff. The hearing will begin at 10 a.m. in room 3110, New Senate Office Building.

Mr. President, I ask unanimous consent that biographical data concerning this nominee be printed in the RECORD.

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

BIOGRAPHY OF JOHN W. LARSON

John W. Larson, 36, San Francisco, has been nominated by the President for the position

of Assistant Secretary of the Interior for Programs. His duties will include a review and analysis of current and proposed projects of the Department and the coordination of the Department's interagency and interdisciplinary programs.

Mr. Larson is currently a partner in the law firm of Brobeck, Phleger & Harrison, the second largest law firm in San Francisco. He is engaged in corporate law. In the course of his practice, he has had broad experience with legal, business and financial planning. Mr. Larson is currently a member of the Board of Directors of several companies which are clients of the firm. He is a member of the American Bar Association, the California Bar Association and the faculty of the Practicing Law Institute.

Mr. Larson was born in Detroit, Michigan and was raised in Phoenix, Arizona. He received a B.A. degree with distinction in economics from Stanford University and an LLB from Stanford Law School. While in law school, Mr. Larson served as an officer of the Stanford Law Review and upon graduation was elected to the Order of the Coif, a scholastic, legal honorary society. Since graduation from law school, he has practiced with his firm in San Francisco and currently resides in Ross, California.

He is married to the former Pamela Wren. They have one daughter, Jennifer, age 7.

NOTICE OF HEARINGS ON EXECUTIVE PRIVILEGE

Mr. ERVIN. Mr. President, the Judiciary Subcommittee on Separation of Powers, of which I am honored to serve as chairman, will conduct hearings on Executive privilege—the power of the President to withhold information from the Congress and the American people—on July 27, 28, and 29, in room 2228 of the New Senate Office Building.

The hearings will concentrate on S. 1125, a bill introduced by Senator FULBRIGHT which would require a statement signed personally by the President in order for any employee of the executive branch of the Government to exert Executive privilege, whether by refusing to testify or produce documents.

The subcommittee has been contemplating holding hearings on Executive privilege for the past 4 years, and such an inquiry has been made extremely timely by the recent controversy surrounding publication of the so-called Pentagon papers.

While our hearings will not be focused exclusively on the case of the "Pentagon papers," this controversy has rekindled several grave questions about the Executive's power to withhold information. Personally, I think that the executive branch has abused this power during the past several years, and S. 1125 offers an excellent vehicle by which to examine the entire concept of Executive privilege and the constitutional basis for it.

The subcommittee will search for answers to the following questions:

First. To what extent does a constitutional power or privilege actually exist?

Second. Who may exercise it and under what circumstances?

Third. To what extent may it properly be invoked by officials in the so-called independent regulatory agencies?

Fourth. How does information become classified and declassified?

The Congress has from time to time during the past 20 years sought answers to these questions, but the recent controversy tends to indicate that answers have not yet been found which are satisfactory to the Congress and to the great traditions that made our people free.

Since the question of whether the President or any employee of the executive branch may withhold information from the Congress has never been adjudicated, I think it is entirely appropriate that the Subcommittee on Separation of Powers undertake a comprehensive study of this most important issue.

A few weeks ago I wrote every Senator and requested that the subcommittee be notified of any examples of the Executive invoking privilege and refusing to supply information to the Congress. I reiterate this request today, for it will be very helpful to our inquiry if the subcommittee is notified of such examples.

ANNOUNCEMENT OF HEARINGS AND EXECUTIVE SESSION

Mr. EAGLETON. Mr. President, I announce that the Subcommittee on Aging of the Committee on Labor and Public Welfare has scheduled an executive session at 2 p.m. on July 28, 1971, in room 4232, New Senate Office Building, to consider S. 1163, a bill to amend the Older American Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes.

I also announce, Mr. President, that the Subcommittee on Aging will hold hearings on July 29 and 30, 1971, on the subject of employment opportunities for middle-aged and older workers. Bills to be considered are S. 555 (Mr. KENNEDY), S. 1307 (Mr. RANDOLPH), and S. 1580 (Mr. PERCY).

The hearings will begin at 9:30 a.m. on each day and will be held in room 4232, New Senate Office Building.

ADDITIONAL STATEMENTS

"THE SELLING OF THE PENTAGON"

Mr. ALLEN. Mr. President, it seems to me that most published commentaries on the CBS documentary, "The Selling of the Pentagon," have disproportionately reflected attitudes of the media. One can understand this, for the media apparently feels that its prerogatives are being challenged. Under the circumstances, a defensive reaction is not surprising.

On the other hand, many concerned citizens view the controversy from a broader perspective. It seems to me that their viewpoints and opinions have received less public attention than they deserve.

From the perspective of an objective television viewer, the production entitled "The Selling of the Pentagon" was but a single episode in a serial of so-called documentaries. Many of these presentations are characterized by the questionable virtue of an "evil eye." Time after time, in dreary sequence, vast, and complex social problems of our Nation are isolated, magnified, doctored, and orchestrated with verbal harping, nitpicking, and other criticisms which demean our Nation. In the aggregate, they reflect attitudes on the part of producers which are disturbing.

Mr. President, Mr. Samuel Brown, a distinguished business and civic leader of Mobile, Ala., has written a persuasive letter to Dr. Frank Stanton, president of CBS, in which he challenges Dr. Stanton with constructive questions and a constructive suggestion which I commend to the attention of Members of the Senate and to the public. Among other things, Mr. Brown makes this observation:

> The greatest nation the world has ever produced being constantly put in the character of the villain has become a serious threat to stability at home and to our image abroad.

Mr. President, I am grateful to Mr. Brown for sending me a copy of his thought-provoking letter to Dr. Stanton, and I ask unanimous consent that it be printed in the RECORD.

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

MOBILE, ALA.,
June 25, 1971.

Dr. FRANK STANTON,
President, Columbia Broadcasting System, New York, N.Y.

DEAR DR. STANTON: Over years past I have corresponded occasionally with you and with Dick Salant, often after our mutual friend, Kenneth Giddens and I have discussed some phase of the then current socio-economic and/or political climate.

Several questions have surfaced in my thinking recently and I would be most appreciative of your views:

(1) Why is it proper for officials of the Columbia Broadcasting System to refuse the Congress of the United States the right to examine documents and papers relating to certain of its activities, while concurrently taking the position that responsible Government officials do not have the right to protect the National interest in the same manner when they feel that disclosure is detrimental to the National welfare and/or safety.

(2) Is it good news reporting to concentrate on one topic for days, weeks or even months, when this selective process hides from the public quantities of "other" news which is censored by omission in the name of time limitation?

(3) Does not the public interest deserve a documentary, the purpose of which would be to compare the USA to its neighbors in the Western Hemisphere, to Western Europe, to Eastern Europe, to Asia and to all of Africa? Such an unbiased documentary done in depth and comparing the political and human freedom available to the average citizen of the USA, the living standards of those at the top and the bottom of the economic ladder, and the protected rights of the minorities within the Society, would be an education to millions. The fact that the documentary would put our Nation in a favorable light, which it certainly would, will be beneficial to the citizenry of the USA, and to all of the World. (The greatest Nation the World has ever produced being constantly put in the character of the villain has become a serious threat to stability at home and to our image abroad).

Yours very truly,

SAMUEL BROWN.

THE PRESERVATION OF OUR INDEPENDENCE

Mr. FANNIN. Mr. President, when politicians talk about the need for reordering national priorities, it generally means that they think top billing should be given to their pet program for curing the problems of our Nation.

Throughout the history of our Nation there has been one national priority that ranks above all else—the preservation of our independence. In other words, national defense necessarily has been the overriding concern of our Government.

Unless our Government is strong and free, it cannot possibly guarantee freedom for our people or for the peoples of other democratic nations that look to the United States for protection.

Mr. President, I ask for unanimous consent to have printed in the RECORD a letter to the editor which was published in the Phoenix Gazette of June 28, 1971. It was written by Burdette A. Johnson, of Phoenix.

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

FREEDOM WELL WORTH BEING MILITARILY STRONG

To the Editor of The Gazette:

To defend and secure our beloved homeland, in the present-day conflicts of resisting the encroachment of our internal and external enemies, is of utmost importance to the well-being of the citizens of the United States.

By the grace of God, our nation, through the efforts of our forefathers and their descendants, was born, grew and prospered beyond the expectations of other countries, and became known as "the land of the free and the home of the brave." Because of these divine blessings, it was the envy of all those who, on the surface, at times, appeared to be friendly, but had ulterior motives regarding the United States.

It becomes apparent that the defense and security of our homeland, spiritually, resourcefully and at peak efficiency militarily, is the responsibility of the sovereign government of the people, by the people, for the people.

Maintenance of a strong military defense system, prepared to meet any element of surprise used by our enemies, is a matter of our own desire, depending on the value we place upon the privilege of being a "free people."

Charles Cotesworth Pinckney in 1797 declared: "Millions for defense, but not one cent for tribute."

Webster defines tribute: Any forced payment.

Our realistic and possible future tribute: Enslavement of our nation, with its corresponding loss of religious freedom and speech, plus absolute control of the press, in exchange for a lack of preparedness, and the desire for "peace at any price."

Before World War II, Neville Chamberlain, the Briton, attempted to appease Hitler, but failed. Unexpectedly, with great speed, the Nazi blitzkrieg was set in motion.

Despite so-called arms-reduction meetings, the present buildup pattern is similar—different identifying names, varied approaches (however, a leopard doesn't change his spots), the same goal, namely conquest and undisputed power.

Are the current, somewhat friendly attitudes of our enemies their "Trojan horse," to lull us to sleep?

Almighty God stresses the value of preparedness thus:

"But know this, that if the goodman of the house had known in what watch the thief would come, he would have watched, and would not have suffered his house to be broken up." Matthew 24: 43.

BURDETTE A. JOHNSON.

STATEMENT ON VOTE TO OVERRIDE PRESIDENT'S VETO OF S. 575

Mr. CHILES. Mr. President, for some time, now, we have been getting a lot of rhetoric from the administration about the problems of pollution, jobs, and the economy. My vote to override the President's veto represents my feeling that what we need right now is less talk and more action regarding these problems.

The purpose of the legislation is twofold: To provide badly needed facilities at the community level and at the same time to boost employment and the economy.

It is not make-work legislation; it would meet the needs of local citizens, providing for work that needs to be done. Right now, there is a backlog of requests from communities for help to build over 6,000 waste treatment plants, water and sewage facilities, hospitals, nursing homes, and public health centers.

My vote recognized that the need for these projects is now, the need to deal with unemployment is now, and the need for help with the economy is now.

"INDOCHINA: DISENGAGING"

Mr. FULBRIGHT. Mr. President, the latest issue of the magazine, Foreign Affairs, contains a most interesting article by Gen. Matthew B. Ridgway entitled "Indochina: Disengaging." As my distinguished colleagues know, General Ridgway was Army Chief of Staff in 1953–55; Supreme Commander for Allied Powers Europe, 1952–3; Commander in Chief Far East Command, 1951–2; and Commanding General Eighth Army, Korea, 1950.

Perhaps a brief summary of this perceptive article will stimulate others to read it in its entirety.

General Ridgway begins by referring to the two kinds of statements now emanating from authoritative governmental sources—those assuring us that we are "winding down the war" and that "our involvement is nearing its end" and those, emanating from equally authoritative sources, stating that "American forces will remain in South Vietnam until all U.S. prisoners are released, and until the present Government of South Vietnam has 'at least a reasonable chance to survive' on its own." General Ridgway observes that "in the light of our announced intention that residual forces, including but not limited to American airpower, will remain" in Vietnam until an agreement to terminate the war is reached and captives released, it is difficult "to reconcile these statements with the promise that the war is nearing its end." General Ridgway, himself, concludes that as long as U.S. Armed Forces remain on the mainland of South Vietnam they will be attacked and will counterattack and that, as a result, "the war will drag on, not end."

General Ridgway then passes on to a review of the steps leading to our involvement in Vietnam, the major policy decisions taken and the numerous definitions of our objectives. He tells the story of the meeting of a group of men, of which he was a member, with President Johnson in March 1968, and reproduces, for the first time, the memorandum he read aloud to the group in which he gave his judgment that "within a maximum of 2 years" we could supply the necessary weapons and training to enable South Vietnam to maintain "its political independence on its own" if the necessary leadership and determination at the top of the South Vietnamese Government was present. He then comments on the points in his memorandum in the light of subsequent developments, in the course of which he states that he believes that it is "at least conceivable" that an offer to the North Vietnamese in which we would agree "to the complete withdrawal from the mainland of all U.S. Armed Forces personnel by a stated date in return for the release unharmed of every captive American now held" would be accepted.

General Ridgway ends his article by trying to point out some lessons which he believes "stand out in the series of faulty judgments by our Federal authorities for which they, as well as we who put them in office, are responsible." He writes:

> For the present, I believe, we should accept the judgment of those civilian authorities possessed of the fullest information, as reflected in the President's current decisions.

But he then goes on to say that by the phrase "for the present" he intends "to mean for a very limited time, say no more than another 6 to 9 months." General Ridgway concludes:

> At the end of that time, regardless of developments . . . we should proceed with our phasedown forthwith and carry it through expeditiously to completion—that is, until *all* U.S. Army, Navy, Marine Corps and Air Force personnel, except Embassy guards, are out of Vietnam, continuing by every reasonable means to bring about the release of captive personnel in hostile hands until that goal has been attained.

Without further comment, I ask unanimous consent that the full text of the article by General Ridgway be printed in the RECORD at this point.

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

INDOCHINA: DISENGAGING

(By Gen. Matthew B. Ridgway)

The war in Vietnam has lasted longer than any armed conflict outside our borders in which we have been engaged in the nearly two centuries of our independent existence, and disengagement and complete withdrawal are still a question mark. The conflict has engendered divided opinions, manifested in bitter and potentially dangerous confrontations among our people, and we still are uncertain what it was we sought and why, where we should now proceed, and what courses of action would best serve our national interests.

Out of the ever-changing verbal explanations of purpose, boasts of successes attained, and justification for our actions which for more than a decade now have

emanated from authoritative governmental sources, we are currently assured that we are "winding down the war," that our involvement is nearing its end, that there is a plan to accomplish this, and that that plan will be carried out. We are even assured that no further explanation of the word "end" is needed.

Concurrently come other quite different statements from equally authoritative sources that American forces will remain in South Vietnam until all U.S. prisoners are released, and until the present government of South Vietnam has "at least a reasonable chance to survive" on its own.

It is difficult to see how a war can be ended unless all participants agree to terminate it. And in the light of our announced intention that residual forces, including but not limited to American airpower, will remain until such agreement is reached and captives are released, it is still more difficult to reconcile these statements with the promise that the war is nearing its end.

For my part I must conclude that so long as U.S. armed forces remain on the mainland of South Vietnam, that so long as we retain a residual force there, if only to provide logistical support for the South Vietnamese Army (ARVN), our men will be mortared, shelled or otherwise attacked; and that so long as they are attacked they will counterattack with fire and movement, and the war will drag on, not end.

If this be true—and I perceive nothing in the record of North Vietnam and Vietcong announced intentions and proven determination to refute it—then we should, I think, review again the whole record of our involvement.

With no thought of faultfinding or of seeking scapegoats, and uninfluenced by partisan political motives or special interests, we should seek answers to such questions as: What were the basic purposes behind our major policy decisions? What did we seek to accomplish? Were these purposes and objectives clearly in our vital interests? What have we actually accomplished to date? What can we expect to accomplish? What courses of action will best serve our interests?

In the course of this reexamination we may perhaps conclude that the decisions were justified, that our vital interests were at stake and were best served under the debatable thesis of the "domino theory," which continues to be of doubtful worth and which many persons have never accepted as a validating justification for our policy decisions. Some day history may throw light on these issues, but it is unlikely that it will ever be able to demonstrate conclusively that our decisions were either right or wrong.

So it serves no useful purpose to label all those decisions as mistakes, however loud the voices of those who do so. Right or wrong, the decisions were made in good faith in accordance with our constitutional procedures by civilian authority. They were long supported by a clear majority of our people, and the responsibility for them is national. Now the cold inescapable fact is that the decisions having been made, we must live with the results and choose such courses of action as will best serve our interests in the years ahead.

Emerson, once criticized for inconsistency, is said to have asked: "Must I always drag the dead body of consistency after me?" Must we? Can we not manfully bury this dead body of Vietnam and decide now that we will not permit it to continue any longer to poison the air, as it is doing; to delay rectification of acknowledged domestic conditions which cry for action, as it is doing; and to adjust to major changes in the world situation, when much graver potential dangers elsewhere loom ominously on the horizons of the free world?

To review the steps leading to our involvement, let us start at the beginning, sometime prior to V–E Day and with World War II still in progress.

II

President Roosevelt had made known his position with respect to the future of Indochina: France must not be permitted to reestablish her former colonial power there. In his view China would eventually extend some degree of control over the area, as it had done for prolonged periods in the past.

Then, following Roosevelt's death, policymakers in Washington either lost sight of that decision, or regarded it as no longer valid. France's support was deemed necessary in other regions of major concern to us, and gradually, beginning with financial assistance, we moved to a role of supporting French efforts to restore their prior position in the Indochina peninsula. It is here necessary only to adumbrate the successive steps taken along the tortuous path we chose. All are matters of historical record, amply publicized.

These successive steps were, in general: the forging of a network of mutual security treaties, including the South-East Asia Treaty Organization (SEATO), aimed primarily at containing communism, including communist Chinese territorial expansion; President Eisenhower's refusal to yield to the powerful urging of others to intervene with U.S. armed force, accompanied by his offer to President Diem after the Geneva Conference of 1954 "to assist the Government of Vietnam in developing and maintaining a strong, viable state;" Eisenhower's refusal to agree to general elections in Vietnam in 1956 as promised by the signatories to the Geneva Convention; our gradual takeover from the French of the military assistance program in training South Vietnamese forces until the number of our military advisers in President Kennedy's Administration exceeded 16,000; the 1964 incident of the two U.S. destroyers *Turner Joy* and *Maddox*, followed by the Congressional blank check, drawn in favor of the Executive, to take whatever measures it saw fit; and, finally, the introduction of U.S. combat ground forces and their subsequent reinforcement, until by 1968–69 their total exceeded half a million.

Parenthetically, it should be here noted by those who fault our military leaders for getting us into Vietnam and for their inability either to achieve a military solution or to extricate us, that each and every one of these policy decisions was made, *not* by the military, but by duly elected or lawfully appointed civilian authorities. In the single case ten years earlier where we might have become embroiled with airpower (including the use of the A–bomb to raise the seige of Dien Bien Phu) and ground combat units, had the personal urging of the influential views of the Chairman of the Joint Chiefs of Staff at that time been approved, it was civilian authority in the person of President Eisenhower which, to his everlasting credit, aborted that proposed intervention.

Those were the major policy decisions. Their authors and the dates when they were made are well known and need no repetition; but we do need, I think, to review the reasoning announced at or shortly after each decision was taken.

Numerous definitions of our objectives issuing from authoritative sources and from individuals both in and out of government included: to contain communism; to halt aggression; to prove to communist leaders that aggression cannot be made to pay; to support "the right of a people to choose their own government;" to help the South Vietnamese realize their desire "to live in the way they prefer," to assist a helpless people "to advance toward economic prosperity and social advancement." I used these phrases as long ago as 1966 in an article in *Look*.

When these wore thin, as they did, we turned to broader generalities: our vital interests were at stake—just what interests and how was not spelled out. We were a Pacific power, which no one in his right senses would deny. We were a world power, an obvious truth even to children. And our national security was threatened, which strained the credulity of the most naïve believer.

These stated objectives were theoretically noble, realistically disingenuous and pragmatically fallacious. Had we really believed in the principles which this rhetoric proclaimed, would we not have taken up arms for the Hungarian people in 1956? And for the Czechoslovaks in 1968? And if our national security was indeed threatened and a vital interest was at stake, would not our people have wholeheartedly supported this war as they did when the designs of Imperial Germany became clear in 1917, and as they did even more resoundingly when Hitler, Mussolini and the Japanese militarists made their bid for world conquest?

III

Now, a decade later, these objectives have been condensed. Our government states that we have but two objectives: to secure the release of our prisoners in hostile hands, and to provide the government of South Vietnam "a reasonable chance to survive" without our continued armed support.

Still we cling, apparently, to the concept that our will can be imposed on our opponents by force, or the threat of the use of force. But we have concluded, it would seem, that Western, and particularly American inborn impatience is no match for Oriental patience; we do not intend "to stay the course," as we so often bragged we would; we are not going "to bring home the coonskin and nail it on the wall;" and we will not continue combat operations in Indochina "however long that may take."

When President Johnson faced up to his crisis of conscience in March 1968, he decided to assemble a group of men, only one of whom was then active in government and whose collective experience covered the whole spectrum of our foreign entanglements of recent years. With the Secretary of State presiding, the group was extensively briefed on the existing situation, based on the best available evaluated intelligence on enemy capabilities and intentions and on the forecasts of our intended operations and their anticipated results. Each individual was invited to express his views. Each did so with utmost frankness.

The substance of most of those views is a matter of record, though I think my own, presented first in writing and then read aloud before the entire group, have not been published. At the final session, with the President present, one of the group, acting as rapporteur, briefed the President orally on the substance of the view of each of the others.

I now present my views, precisely as then stated, not to claim any slightest personal credit or to shrink from criticism. Perhaps, as the history of this unfortunate involvement is finally unfolded, these views will prove to have been faulty, as have the views of so many others. But whether faulty or not, the present course we have followed for the past two years coincides very closely with those views. For that reason the statement of them here may make some little incremental contribution to a better understanding of the present situation as it is slowly evolving.

The following was the memorandum prepared in my hotel room following the briefings we received on the evening of March 25, 1968. I read it aloud toward the conclusion of the rather lengthy meeting of the entire group the forenoon of the following day, March 26.

RANDOM THOUGHTS ON VIETNAM

MARCH 26, 1968.

(1) The prime objective we seek, is, I assume, the development of a viable, friendly government in South Vietnam capable of maintaining its political independence on its own.

(2) The *sine qua non* for that is a defense establishment capable of defending that political independence.

(3) The essentials for creating such a defense establishment are leadership, weapons and training, and in that order of importance, for without leadership from the top down the other two factors will be nullified.

(4) It seems to be the view of our political and military leaders on the ground in Vietnam, and to some extent here in Washington, that Vietnamese leadership can be developed. If so, the supply of weapons and attainment of adequate training levels within a reasonably short time would present no insuperable problems for us.

(5) Given the leadership and determination at top South Vietnamese Government levels, then within a *maximum* of two years we could supply the weapons and insure the training.

(6) The foregoing might require some modest augmentation of U.S. ground forces to man the training establishment which we would have to organize and supervise.

(7) Beyond that, I would be opposed to further U.S. troop increases.

(8) Perhaps the serving of notice on the South Vietnamese Government that we will give it a maximum of two years to accomplish this, at the end of which time we begin a phasedown of our forces, would serve as an adequate stimulus.

M. B. RIDGWAY.

IV

I wish now to comment on the foregoing, in the light of subsequent developments.

First, until some time subsequent to President Johnson's historic announcement of March 31, 1968—and just when the change occurred I do not know—U.S. forces continued to bear an overwhelming share of the burden of combat, and no major effort was undertaken to equip and train ARVN units for eventual takeover of responsibility.

In Korea such an effort was undertaken at the earliest date that the level of combat permitted us to withdraw Korean Army (ROK) divisions from the forward zone and put them through a rigorous training cycle under expert U.S. instructors from the squad to the division level. The training program then set up under General Van Fleet's direct supervision was of the same high caliber as we had long employed with our own troops at home, and the benefits were quickly and strikingly demonstrated in battle. From then on the ROK Army steadily improved and today it is of high professional competence—an army of which its people should be and are proud, as we who trained it are.

A further reason for the success in Korea, when I had both the U.S. Eighth Army and the ROK Army under my command authority, was that I was fortunate in having a strong-willed, courageous and determined foe of communism in the President, Syngman Rhee. Working always with our splendid, forceful and courageous Ambassador, John Muccio, I obtained Rhee's full support in every measure affecting his army leaders and the civilian populace which I found it necessary to request during those dark days of December 1950 and the succeeding three months when the changeover from a dispirited shaken force to a superb, confident, offensive-minded, well-trained combined force of Eighth Army and ROK Army was being made.

Second, the leadership I had in mind when I wrote the above memorandum had to begin with the South Vietnamese President. Only if there was a sufficiently strong and determined man in that office, could there be any hope, in my view, of indoctrinating his top army and air force commanders and holding their support behind the government, and of securing the political support of the various sects and groupings whose activities and ambitions had long militated against strong centralized authority.

Third, what then—March 1968—constituted "a reasonably short time" (the phrase used in paragraph 4 above) within which the ARVN could attain adequate training levels, could be no more than an estimate. In fact, in amplifying my comments before the group at that time, I remarked that there was nothing precise or sacrosanct about the "two years" which I had suggested as probably being sufficient. If three or four years proved necessary, I said, that could be accepted, provided progress appeared adequate and determination remained unshaken, as judged primarily by our thoroughly competent professional military leaders on the ground.

Fourth and finally, whether the wise course at that time was to inform the government of South Vietnam of our plan, if such a plan were adopted, and if adopted to convey this information to the South Vietnam government publicly, or to the Head of State privately, were decisions for our civilian authorities, not for our military leaders.

Now, in May 1971, only three years later, we appear to be far along toward the attainment of just such an objective as that plan contemplated, with one disquieting exception. The disquieting factor to me is the openly expressed threat of the use of force in an attempt to compel release of captive U.S. personnel. The recovery of these men demands and deserves, of course, unceasing effort on the part of our government. We owe them and their families and kin no less, and no less can serve the nation's honor. But whether stepped-up bombing of North Vietnam targets, including population centers, will accomplish that result is open to serious question.

There is further uncertainty in our present course which gravely concerns many of our people. How can we reconcile retention of a "residual force," of which the Secretary of Defense speaks, with "complete withdrawal" to which the President is publicly committed? And does "complete withdrawal" mean exactly that—the removal of all ground, naval and air forces? There are solid reasons, I believe, for not announcing a date by which withdrawal will be complete, if indeed a date has been fixed. There is an immense amount of equipment and supplies in South Vietnam, and we should draw down as much as we can to restore our inventories at home with consequent substantial dollar savings. There is also the possibility that secret diplomatic moves may now as I write, early in May, be in an advanced stage. If so, any publicity at this time might wreck any hopes there may be of a successful outcome.

The prisoner question is a torturing one, which should be examined from every angle, as I have no doubt is being done constantly. It is at least conceivable that an offer to Hanoi, made under the tightest possible cloak of secrecy, that we would agree to the complete withdrawal from the mainland of all U.S. armed forces personnel by a stated date, in return for the release unharmed of every captive American now held, would be accepted. This need not cause any change in the current level and character of our operations while awaiting a response. Even if accepted, it could well be that communist duplicity would seek to blackmail us into other concessions by withholding some or all captives until their demands were met; but we know enough of communist negotiating practices and should be able to enlist sufficient support from other governments to circumvent such tactics.

If this obstacle can be surmounted, then the complete withdrawal promised, the removal of every U.S. uniform from the mainland of Vietnam, except Embassy guards, will indeed be in sight, and our government will have extricated us on acceptable terms, as it is certainly aiming to do.

V

Let me conclude by trying to point out some lessons which to me stand out in the series of faulty judgments by our federal authorities for which they, as well as we who put them in office, are responsible.

In the field of foreign relations, each and every one of our major political objectives should be seen to lie clearly within the zone of our vital national interests.

In each case the military objectives should be in conformity with and subordinate to the political objective.

Vietnam was, in my opinion, a case which violated both these prescriptions. The stated political objectives were numerous, tenuous and by no means clearly within the zone of our vital interests, while the military objectives were not subordinate to the political but at one stage, at least, rather tended to dictate the political objectives.

It should not have taken great vision to perceive that a mountainous, jungled area such as Vietnam, devoid of the territorial and electrical communications essential for the operations of a modern army, and with a population bitterly divided and in large part existing under near-primitive conditions, would be a morass into which we could endlessly and futilely pour our human and material resources; that you cannot kill an idea with bullet and bomb; that no truly vital U.S. interest was present to threaten our national security; and that commitment to a major effort there was a monumental blunder (now hopefully in process of correction), when in other areas of the world challenges to our unquestioned vital interests could quickly develop.

As far as hindsight can reveal I doubt that those in authority in our government who took us into Vietnam perceived where we would end up once we decided to commit armed forces. It should be clear now that neither partisan political influences nor chauvinistic clamor, to which segments of our society not infrequently give voice, should be allowed to sway those responsible for major decisions in the field of foreign policy, above all for those decisions which involve resort to the use of armed force.

For the present, I believe we should accept the judgment of those civilian authorities possessed of the fullest information, as reflected in the President's current decisions. The two prime elements in those decisions are the timing to complete our withdrawal, and insistence on continued efforts to recover our prisoners. Both are questions of judgment.

I use the phrase "for the present." I intend it to mean for a very limited time, say no more than another six to nine months. By that time the ARVN will have had ample time to attain adequate training levels, if it is ever going to do so, and we will have had time to supply all necessary equipment.

At the end of that time, regardless of developments, but sooner if visible progress has been made toward meeting both of the conditions stated by the President, I believe we should proceed with our phasedown forthwith and carry it through expeditiously to completion—that is, until all U.S. Army, Navy, Marine Corps and Air Force personnel, except Embassy guards, are out of Vietnam, continuing by every reasonable means to bring about the release of captive personnel in hostile hands until that goal has been attained.

IMPROVED ECONOMIC OUTLOOK

Mr. BROCK. Mr. President, I marvel at Monday morning quarterbacks who consistently downplay the progress President Nixon has made in bringing about economic stability without inflation. The near-hysterical rantings we have heard in recent days from those who were so intimately involved in creating the economic crisis left in the lap for President Nixon when he took office are ill advised and misleading.

When President Nixon entered the White House, he was faced with two critical economic problems. One, he had to reduce the rate of inflation which was swallowing up the income of families, retirees, cities, and the poor. Two, he had to manage the switch from a wartime to a peacetime economy without causing massive unemployment.

By itself, each of these tasks was monumental. Decreases in military spending and troop levels have caused 1.2 million to become unemployed since January 1969. In other words, the majority of those who have lost work in the past 2 years became unemployed directly because of decreases in defense spending.

At the same time, inflation had to be reduced. Foreign governments were doubting the stability of the dollar. Many at home—particularly older people on pensions—were finding it increasingly difficult to pay their debts. The problem was that history has recorded no inflation which has not required a slowdown of the economy to be reduced.

President Nixon had to both reduce inflation and manage the switch to a peacetime economy without causing massive unemployment. To accomplish this, he has had two very large budget deficits for the last 2 years. This year's, Secretary Connally has informed us, will be in excess of the $18 billion predicted earlier this year. Who can doubt the stimulative effect of such a budget? And who could responsibly advocate spending much in excess of that level?

The statistics show that the spending level President Nixon adopted has been right on target. The June unemployment rate recorded the largest single drop in unemployment in 20 years—a drop from 6.2 percent unemployment to 5.6 percent.

Now the way seems clear to further drops in unemployment over the next year. Housing starts are running at an impressive 1.9 million rate, the highest of the past several years. Retail sales are running at an excellent level. Industrial production is up significantly.

Over the next few days, new figures on the economy will come out—new figures on the gross national product, personal income, housing starts, and industrial production. I am confident they will show, as they have shown consistently over the last half year, that the economy is well on its way to complete recovery.

I hope the news analysts and experts, who have been so vociferous in their criticisms of President Nixon's handling of the economic ball, and who were so strangely silent during the creation of this problem during prior administrations, will examine these figures closely. I hope, instead of carping from the sidelines, they will use their new-found knowledge to help President Nixon improve these figures without causing either large-scale unemployment or heightened inflation.

But if all they have to offer is more of the same impatient rantings, I hope they will decide to remain silent. At the present rate, history will record the economic recovery we are now enjoying as the most rapid in our Nation's history.

The President, I believe, has courageously resisted the politically tempting alternative of giving up the Nation's fight against inflation. I urge him to continue to do so and pledge to him my full support.

DENIAL OF EXIT PERMITS BY SOVIET UNION

Mr. PELL. Mr. President, we in the United States traditionally have guarded and cherished the right of individuals to travel, not only within our country, but to leave the country if they wish. Internationally, the right to leave any country was recognized in the International Declaration of Human Rights adopted 23 years ago by the General Assembly of the United Nations.

It is a right, unfortunately, that is not universally observed. Indeed, we have heard many appeals in recent months here in the Senate on behalf of persons who have not been permitted to leave the Soviet Union.

Today I present another such appeal, and one which I believe carries a special force—an appeal for the release of United States citizens, among them former residents of my own State of Rhode Island, who are unable to obtain Soviet exit permits to return to the United States.

I refer specifically to men and women, born in this country of Armenian parents who, after World War II took them back to their "homeland" in Soviet Armenia. These children were born and spent their formative years in America. For many of them, Armenia was not the "homeland," but an alien land to which, as teenaged Americans, they dutifully went with their parents.

Now, in their mature years, many of these native-born American citizens yearn to return to the United States—the country of their birth. But the Soviet Government, I am informed, does not recognize their United States citizenship.

In fairness, we must recognize that the Soviet Government has in fact permitted a substantial number of these American Armenians to emigrate. But many, who have applied for exit permits, remain in the Soviet Union.

The issuance or denial of exit permits for these people by the Soviet Government appears to be purely capricious and arbitrary—families are divided, and no reason is given for the arbitrary act that can condemn these Americans to live their lives far from their true "homeland" against their will.

The Soviet refusal to recognize the claims of these people to United States citizenship is illegal. But beyond that, the capricious denial of emigration is a denial of the most elementary human rights, and an affront to the spirit of reasonableness on which we must hope to build a more secure world in the future.

I believe the executive branch of our Government should make strong and urgent representations to the Soviet Government on behalf of these people. I have written to the Secretary of State asking for a full report on what the State Department is doing and proposes to do to assist these Americans to return to their native land.

I have asked particularly about the case of Mr. Victor Derderian, a former resident of Rhode Island, and of the wife and daughter of Mr. Apkar Lefian, who was fortunate enough to be granted permission to leave but whose family so far has been unable to join him.

Mr. President, there have been newspaper accounts recently of the plight of these U.S. citizens in Soviet Armenia. I ask unanimous consent that an article from the Providence Evening Bulletin of June 10, 1971, and an article from the Washington Post of June 3, 1971, be printed in the RECORD at the conclusion of my remarks. Both of these articles are excellent examples of the kind of enterprising journalism which can cast light upon human tragedy in the shadow of bureaucratic indifference.

I hope, Mr. President, that this appeal and appropriate action by the executive branch may persuade those with authority in the Soviet Union to remedy this cruel situation. I intend, on my part, to do all I can to see that these citizens of the United States are permitted to leave the Soviet Union and to return to their true homeland.

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

PROVIDENCE LOOKS GOOD FROM ARMENIA

(By George Popkin)

Victor Derderian sits in his two-room apartment on Obyekt Street in Erevan, capital of modern Armenia, and he dreams of America the Beautiful.

He still can hear the sound of childish voices in a Smith Hill classroom. "My country, 'tis of thee, sweet land of liberty, of thee I sing."

He sees himself strolling down Smith Street or Douglas Avenue in Providence again. It is warm and he is in his shirtsleeves. He is having a Coke, that great national drink, and checking the baseball scores with cronies.

But he can't get permission to leave for "home."

Mr. Derderian's dilemma recently was publicized in the national press.

Others may talk of crime and disorder, of discrimination and alienation. To Mr. Derderian and others like him, Rhode Island is a lost paradise.

His best friend, Ara M. Lefian, made it back several years ago and now lives in a yellow ranch house next door to the North Providence High School with his wife and two children.

Although Ara's younger brother, Apkar, was able to return and now lives in Providence, authorities will not permit his wife and daughter to leave Armenia and join him. He is a distraught man who lives on hope.

These are the stories of men and women of Armenian descent who immigrated to the new Armenia and found their roots in this country to be too deep for happiness there.

In the years immediately following World War II, thousands of Armenian families, which had been scattered throughout the world by unspeakable persecution, returned

to what had become the Armenian Soviet Socialist Republic.

A number of Rhode Islanders were among those who went back to the homeland of this ancient people. They often found disappointment and a longing to return to America.

The young people—most of them born here—went because of their parents' wishes. The elders had been captivated by the thought of living in an authentic Armenian culture in a land so often under an oppressor's heel. Others hoped to locate relatives unheard from since the massacres during World War II.

Some were idealists who felt a more just society, one based on a non-profit system and brotherhood, was being built. And they wanted to be part of the rebirth.

The disillusion of some of the latter was tragic.

The father of Mrs. Lefian, for example, was sentenced to 15 years in Siberia (during the Stalin era) because he wanted to return to this country. He eventually managed to reach the United States, a broken man, in time to die.

Mr. Lefian wanted it understood that great physical progress has been made in Armenia since World War II. It is a way of life, however, he said, which anyone who grew up here is not likely to find congenial.

As Mr. and Mrs. Lefian spoke of their experiences (they met in Armenia), some insight was given into what it can be like for an expatriate who has moved into another social and economic world.

Mrs. Lefian, for example, was permitted to go to work at the age of 11 when her father was exiled to Siberia so that she could help support her family. This was considered a humanitarian gesture.

Mr. Lefian, short, husky, with alert brown eyes, his black hair flecked by grey, told how it had been. Now a stonecutter in the jewelry trade, he had played football for Mt. Pleasant High School before his graduation in 1948.

"I was 18 then," he said. "I wouldn't go against my parents' wishes. We weren't brought up that way. We left on Jan. 21, 1949. My brother Apkar, my older brother, Harry, and my parents.

"Victor Derderian was my chum, we grew up together. He was 18 then. His family had decided to go too.

"We had grown up together. He on Bernon Street, and I on Goddard Street. I had wanted to go to college and study engineering—We used to hang around Berman's Variety Store on Douglas Avenue or go down to Kessler's Bakery on Arms Street."

That phrase "those were the days" could almost be heard echoing as Mr. Lefian fell silent in contemplation.

Mr. Lefian glanced out of a window in his pleasant home at 35 Beach St. in North Providence. He searched beyond the green foliage glistening after a shower, as if reaching out for his friend.

"We correspond frequently," he said. "I was godfather for one of his boys. He married a girl who had come there from Watertown, Katherine Asadourian. His mother died before Victor left for Armenia. His father passed away over there."

Right now the inability of his brother's family to join him here disturbs Ara Lefian even more.

The reason given by authorities for the separation: Apkar was single when he first applied for repatriation and the permission granted does not apply to the woman he since married and to their child.

"Can you imagine refusing her outright?" he remarked with emotion. "How can you refuse them being united in this day and age?"

Then he fell into a reverie, reconstructing the first years after his arrival in Armenia. He smiled wistfully. "I used to treasure any of Dick Reynolds' clippings on schoolboy sports when I could get them," Mr. Lefian said.

"I missed everything. Oh, I missed all American sports. I missed pizza and chewing gum. And peanut butter. It was tough. We were just able to survive, we had no luxuries. Five people in a two-room apartment. . . .

"We had no water or toilet facilities then. In 1957 we finally got water and steam heat and a toilet. The pace of life was slow. First I enrolled to train as a physical education instructor but I dropped out and became an apprentice carpenter.

"Later on jewelry plants were started by repatriates and eventually I went to work in a factory where I learned stonecutting. There had been some resentment against newcomers at first and you couldn't get a responsible position. And yet all the young people are crazy about the West, they listen to the Voice of America all the time."

Mr. and Mrs. Lefian returned here in November of 1965. A thaw ensued after the death of Stalin which made migration easier. But, said Mr. Lefian, "there has been a clamp down recently" and Mr. Derderian and his family were frozen.

Said Mr. Lefian of his friend Victor, "He's a very intelligent, stable, devoted family man. He was in electronics research, working with computers, and he left the job, thinking that perhaps the position was keeping him from permission to leave. Now he's a toolmaker. When we left, it was fairly lenient—now it's different."

Mrs. Lefian, a lively outgoing woman, broke in with her story. The former Christine Karibian had emigrated with her parents and a brother from Detroit. Her mother, not of Armenian descent, could not speak the language.

"I was only nine then," she said. "I was working at 11 and my brother from 14. When my father was sent to Siberia—he was pardoned after Stalin died—we kept selling all our appliances and our clothing, in order to live.

"I became an office girl. A nine-year old office girl! I delivered documents and answered the phone. I went to night school. I adapted better because I was younger and I learned to speak Russian and Armenian fluently."

Mrs. Lefian continued: "My father was in a lumber camp for eight years in Siberia. He told us he had to steal to survive. My parents were able to get back in March of 1965—my father didn't live long after that.

Mrs. Lefian, who now works for the American Mathematical Society, for a time taught English privately in Armenia.

Mr. Lefian's father, Nazaret, once a chipper at the Brown & Sharpe Mfg. Co., is a World War I veteran and now 72. He is enjoying retirement, with his wife at his side.

Among their joys are their grandchildren, including Ara's two offspring, Roseanne, 14, and Larry, 13. Both made the transition to teenage life in this country "very easily."

Mr. Lefian considered two things before deciding to talk about his family's experiences. He didn't want to harm his friend Victor Derderian and his brother's wife and child still awaiting exit clearance.

He also said, "I have no resentment against anyone and I've always declined invitations to talk about my experiences. I didn't want to stir up any controversy.

"You have to understand, there may be some people here who don't want to hear anything bad. They've had no personal contact and they don't like to see any eyewitness who says it wasn't peaches and cream.

"They mean well and I have no quarrel with them. An awful lot has been done in the last 20 years in Armenia. There's progress, new apartments and the like. Movies and the opera are cheap. But it's just that no one who has lived here is going to find it very hard. It's a restricted society.

As for any risk to friends and relatives still trying to get out, Mr. Lefian said: "I think the attitudes are a little more reasonable today. But sometimes you feel, 'Go for broke.' Maybe this will help them."

There are no mountains in North Providence. Mr. Lefian glanced at the brick walls of the high school building. He said he didn't mind the exchange of scenery at all, even if the "kids get a little noisy at times."

"It's hard to believe," he said. "I'm back. It's like a dream."

AMERICANS IN ARMENIA YEARN FOR HOME

(By Harry Trimborn)

YEREVAN, SOVIET UNION.—Victor Derderian lies on a daybed in his two-room apartment on Obyekt Street nursing a broken leg and daydreaming of Providence, R.I.

"It's funny," he said in a soft, Down East accent, "but I keep seeing myself as a kid walking along Smith Street in my shirtsleeves during a summer shower.

"Or I think of the handball we used to play . . . the cops chasing us off the streets.

". . . That's home . . . that's really home . . . silly, isn't it?"

Perhaps. But Voskan Manoogian, who lives with his wife and two small children in an apartment above a bakery near Lenin Square in the center of this capital of Soviet Armenia, would understand.

His thoughts, too, often wander across Asia Minor and the Atlantic to the United States. Only he thinks of his hometown of Boston and baseball.

And up on the crest of a hill overlooking the city, Soren Kadekian sits at a table in his apartment in one of the new housing blocks rising everywhere in Yerevan and reminisces about the "old days" in New York City. His accent is straight from Manhattan.

Diminutive and olive-complexioned, the three men seem little different than the rest of the 2.5 million inhabitants of the Soviet Union's smallest republic.

But their English flows easily, and it's spiced with the slang and inflections that wouldn't be learned in a language school.

Small wonder. For they are Americans who had spent their childhood and adolescence in the United States. Derderian left the United States at 18, Manoogian at 19 and Kadekian at 16.

For each of them, their American heritage has not been erased in nearly a quarter of a century of living in Soviet Armenia.

They live in what they feel is an alien land. They yearn to go home again, but they can't. The Soviets won't let them, despite their appeals over the years to be allowed to go. The government considers them Soviet citizens, a designation they had neither wanted nor sought.

The three men are among about 40 Armenian-Americans still in Armenia from a group of 322 that came to the Soviet Union in 1947 and 1949.

They were brought by their parents who, like today's Jews, sought to return to what they consider their homeland. In all, about 100,000 overseas Armenians have returned since World War II.

The parents and their children were survivors of an explosion of barbarity. It occurred during World War I when Turkey sought to solve its "Armenian question."

At the time, Turkey, as one of the central powers fighting Russia and her allies, considered the 1.8 million Armenians living in West (Turkish) Armenia a dangerous foreign element.

Many Armenians in East (Russian) Armenia were in the Czarist forces fighting against the Turks.

In the Armenian massacres, more than 1 million men, women and children were killed and another 600,000 were driven into the deserts to die of starvation and other hard-

ships. The remaining 200,000 scattered throughout the world.

Thousands eventually made their way to the United States. While the vast majority settled into the mainstream of American life, a few yearned to return to their homeland. The Soviets fed this yearning through propaganda lures of opportunities in Soviet Armenia.

The parents succumbed to the lures, but their Americanized children had difficulties from the beginning.

Many didn't know the language; they learned it after they arrived. Their "foreign" accents and manners set them apart from the other inhabitants of this ancient city of 800,000.

Although there is little open discrimination against the American-Armenians, some of the native inhabitants consider them "traitors" for wanting to leave.

"But that's the whole thing," said Derderian's wife, Catherine, who was born and raised in Watertown, Mass. "We don't feel this is our country. We never have. We never wanted to come here."

As dutiful children, they came because their parents wished it. But some were tricked into coming. Like Anna Cholokian Barbarian, whose widowed father had told her and her two sisters that they were going to California.

Mrs. Barbarian, the other three men and Walter Kazerian are among five families here that have formally applied to return to the United States.

In addition, Kadekian's brother, John, and his family who live in Riva, want to return to the United States. Four other American-Armenians from the original group of repatriates are also believed to want to go back.

The rest, generally pensioners, are content to spend their remaining days in Armenia.

Of the original two groups that came, about 150 have died. In the past 13 years, the Soviets have permitted about 100 of the Armenian-Americans and their families to return.

The first to leave was Tom Muradia, who had left his parents in the United States. That was in 1958 when Muradia, according to the repatriates here, caught a Soviet official in a lie.

Muradia reportedly had been told by the official that the U.S. government refuses to accept the return of any of the repatriates.

To find out for himself, Muradia managed to slip past a Soviet guard at the American Embassy in Moscow where he was told what consular officials have told all the American-Armenians: The only thing preventing their return is the Soviet government's refusal to issue an exit visa.

Muradia confronted the Soviets with the American explanation, and embarrased officials ordered him out of the country in 24 hours.

The remaining Armenian-Americans say they are mystified why the government won't let them go. They say there is no common denominator among the remaining families to hint at why they have been refused permission to leave.

Yet it is obvious that the American-Armenians are being used as political pawns. They note that while they are being denied permission to return, many Armenian repatriates from Bulgaria, Greece and elsewhere are being permitted to go to the United States. They are leaving under the sponsorship of relatives who are American citizens.

Despite the fact that all but Kadekian (who was born in Cuba and taken to the United States when he was six months old) are American citizens, they, too, have applied to return under sponsorship of a relative.

They find it deeply ironical that they, as native-born Americans, must secure a sponsor to apply for permission to leave. But they say the U.S. embassy has advised them to take this course, because the Soviets become infuriated at their professions of U.S. citizenship and long residency in the United States. The Soviet government does not recognize dual citizenship.

RETIREMENT OF COL. JOSEPH E. O'LEARY

Mr. FANNIN. Mr. President, I concur in the comments of Senators who have praised Col. Joseph E. O'Leary for his service to our Nation.

He has performed his duties with great devotion and competence as is witnessed by the many citations he has received. In war and in peace he has carried on for 29 years in the best of Army tradition.

Colonel O'Leary will leave his post as Chief of the Senate Liaison Division on July 31, when he retires. I wish him the best in his future endeavors.

FLIGHT FROM CHILDREN

Mr. FULBRIGHT. Mr. President, Mr. William V. Shannon in the New York Times of today has written a sensitive and perceptive analysis of one of the most distressing and difficult problems growing out of our urban industrial society.

I believe it is of interest to my colleagues and ask unanimous consent to have it printed in the RECORD.

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

FLIGHT FROM CHILDREN

(By William V. Shannon)

WASHINGTON, July 14.—It could almost have been predicted that the delegates to the National Women's Political Caucus in Washington last weekend would boo and heckle Dr. Benjamin Spock as a "sexist."

Dr. Spock has taken up radical politics, but the delegates accurately perceived him much more in a cultural than in a political role. As a cultural figure, Dr. Spock is a profoundly conservative force, the implications of his work being deeply hostile to the rationale of the feminist movement.

Dr. Spock has to be the target of their wrath because he has criticized middle-class mothers of preschool children who work when economic necessity does not compel them to do so. He has written that even the best day-care center is no substitute for the one-to-one relationship of a devoted mother to her child. He has pointed out that child care is not inherently boring: "I myself would say it is much more creative to rear and shape the personality of a fine, live child than it is to work in an office or even to carve a statue."

But for mothers and fathers to have this high conception of their role, they have to believe they can shape their children's future lives. Like an artist, they have to have an image of what it is they are trying to create. They need goals and standards. To see a child fulfill those ideals is a parent's most satisfying pleasure.

Middle-class Americans and many in the working class who aspired to a better life once had a clear set of values which they believed in and tried to live by—thrift, self-discipline, hard work, a willingess to deny oneself comforts today for the sake of greater gains tomorrow, a concern with material acquisition and with one's status.

For various reasons, many Americans in recent decades have lost confidence in these values. Thus, inflation has robbed thrift of its meaning. Half-repressed anxieties about nuclear warfare may make sacrificing for the future seem less sensible. Prolonged affluence has taken the edge off the drive for material acquisition. After the freezer and the color television and air-conditioned automobile, what next? Yet no new code emerged to replace the old.

The first evidence of the loss of whistle to call an occasional "foul," parents adopted a live-and-let-live policy.

But there is no intellectual or moral challenge in this laissez- faire approach to parenthood. Any competent substitute, even a day-care center can wash and feed a child and see that he does not come to any physical harm. Having no clear idea what values they wanted to transmit or what goals they wanted their children to reach, intelligent women found motherhood just a boring set of repetitive tasks. They began to flee from their confidence in traditional beliefs was the failure of many middle-class parents to transmit them to their young. While continuing to observe most of the old values themselves, they did not instill them in their children.

They did not impose discipline, demand courtesy and obedience, insist upon an education that impaired specific knowledge, or extol ambition and family pride.

Instead, many parents adopted a referee's attitude, as if their children were players in a game. They saw to it that their children were fed, kept in good physical condition and did not harm one another.

So far, this flight from children is only a minority trend in our culture. But it is the function of advanced groups like the professional feminists to articulate what is only implicit in the behavior of a much larger group. That is the inner logic of their downgrading of women's biological role, their angry deprecation of motherhood, their insistence on every mother's "right" to park her baby in a day-care center, and hurry off to work even when financial circumstances do not require her to do so.

To diminish the importance of motherhood and to deny its unique responsibilities is only to generate more guilt and confusion. Rather than exile the mother from the home, the effort should be to draw the father into it and into a more active family role.

We can refuse to have children. But if we do have them, we cannot abdicate our role in shaping their future. We cannot evade a crisis in adult values by adopting a laissez-faire attitude toward the young. Our flight from children is but a flight from ourselves and our moral confusion. Their unhappiness is the mirror of our own.

SERMON BY DR. FELTHAM S. JAMES, CHAPLAIN, DEPARTMENT OF SOUTH CAROLINA, THE AMERICAN LEGION

Mr. THURMOND. Mr. President, recently Dr. Feltham S. James, chaplain, Department of South Carolina of the American Legion and pastor of St. John's United Methodist Church, Aiken, S.C., delivered a sermon entitled "Source of Greatness."

The importance of God to the United States and in turn to the American Legion is emphasized. Dr. James, in his sermon, briefly traces the importance of God throughout the history of the United States. He further sets out the goal of the American Legion in instilling in our youth the spirit of service to God and to country. The sermon entitled "Source of Greatness" sets out the above principles

thoroughly and establishes the need of the United States to remain strong in order to protect our great heritage.

Mr. President, I ask unanimous consent that the sermon entitled "Source of Greatness" which was delivered by Dr. Feltham S. James, pastor of St. John's United Methodist Church, Aiken, S.C., to the South Carolina Department of the American Legion on June 27, 1971, in Greenville, S.C., be printed in the RECORD.

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

SOURCE OF GREATNESS

(By Dr. Feltham S. James)

"For God and Country we associate ourselves together"—thus begins the Preamble of the Constitution of The American Legion.

As you know, The American Legion is a Lay Organization, dedicated to patriotism and Americanism—but even so, God comes first in its statement of principles. Not for Country and God—but for God and Country. It could not be otherwise, in that all that is uniquely American rests upon the basic premise of the Declaration of Independence—that men are endowed by their Creator with certain unalienable rights, and that government exists only to secure to men rights that are God-given. The founders of The American Legion, realizing this, set forth the recognition of God as the basic principle of the organization.

To deny God is to deny America. American history has no meaning without God. Should America lose its religious faith and its reliance on spiritual guidance, it would lose itself. Faith in God has a special and priceless meaning to Americans. It is at this point that the battlements are being attacked today by the totalitarian states, who can tolerate no higher authority than themselves. They know that if they can make the peoples of America deny God, or be prevented from knowing God, they will have it made—for then there will be an end to a belief in God-given rights.

It is no wonder or mystery that, as a patriotic organization, The American Legion could not, and did not, dedicate itself to America without first dedicating itself to God. It is no wonder or mystery that, although it is a lay organization, The American Legion emphasizes increasingly that Americans, of whatever faith, must know their God; that they must keep Him in their thoughts and know Him to be the Author of their being on earth and the Creator of the rights of the least of them. A free people rule themselves with God's authority, and to be fit to rule themselves they need the guidance which is found only in the teachings of religion.

In our nation's history our people have always acknowledged the authority of God, and our dependence on Him; gratefully we have thanked Him for His Blessings; and invoked His Divine guidance. We have believed that our nation is built on faith in Almighty God and that our rights are given us by the Creator Himself.

Where we have succeeded as a Nation we have honored the sacred trust in God; Where we have faltered we have failed it. We ought to know, if we don't, that faith in God is the only sure basis for faith in country and faith in our fellowmen. Respect for the rights of others is the key to self-respect. Ours is not a blind allegiance to our country because of fear of reprisal such as we find in Communist dominated countries today. Ours is an allegiance that results from our faith in the source of all rights.

In recent years there has been a concentrated effort in the part of those who would destroy our way of life to lead us away from our belief in the Creator. To wit: the "God is dead" philosophy. They seek to sap our spiritual and moral strength, and to substitute for it a spirit of materialism and indifference. Can you think of a better way to destroy America? Lift even the mighty oak from the source of its strength in the good earth and it will die. Lift America from the source of its strength in God and it will surely die.

America is not immortal and weakness begats weakness. We have but to look about us to see signs in American life of deterioration in things of the spirit. When we see evidences of how home life has disintegrated, how parental responsibility is being shamefully shirked, how shockingly juvenile delinquency has incredibly increased, we can look into our own hearts and ask ourselves if the fruit of hard American planting is not beginning to decay. Each of us must also ask ourselves what part am I playing in this deterioration of things of the spirit. What part am I playing in the destruction of America?

The walls of China stood for five thousand years without ever being breached from the outside. But today's history reveals that they have not only been breached but they have been crumbled into dust by subversive and evil forces on the inside. American defenses may be strong enough to resist outside forces but they can be destroyed by subversive and evil forces on the inside.

I offer that the first defense of America must be spiritual. America came to her mighty greatness through a conscious dedication of our fathers to religious principles—for they knew that unless the Lord built the city—they labor in vain who built it.

We believe, as American Legionnaires, that we must intensify our religious life as a people. We must restore to our home life some measure of that love *for* and trust *in* God which our forefathers bequeathed to us. We must give the children of today that sense of responsibility that will give strength to their characters and direction to their lives.

We must intensify our youth program, our Americanism program, our "Service to God and Country" program—all of which emphasize religious and moral values. All of which seek to give our Nation's youth a vital interest in the things which brought our Country to greatness.

I would hope that The American Legion will have some part in leading America back to that faith in God proclaimed by our Founding Fathers. I would hope that it will set an example for the youth of the Nation, will in the sanctuary of our homes honor and bless our God, will provide, in conjunction with the church and synagogue, religious instruction of our children. I would emphasize right here that the Legion Posts in South Carolina devote more effort this year to the spiritual needs of their communities and to work for the youth of their communities. Certainly there is no finer community service.

The training of youth and the preparation of our young Americans to take up tomorrow's responsibilities *is* the concern of The American Legion. Of course, the Legion cannot do it alone but it can be an essential part of the community's effort. We must remember that this is not just providing refreshments for a social. It is becoming involved *with* youth in the planning. We are giving our 18 year olds the right to vote. This means that our youth must be trained to accept the responsibilities as well as the rights of citizenship.

In vain we have sacrificed our American blood in the maelstrom of war unless we instill in our youth the spirit of building and preserving their American heritage. Not only must we get subversion out of our schools, but we must generate in our youth a spirit of positive Americanism. Frankly, I do not know how it is to be done but I do know, if our American heritage is to be preserved, it must be done. Self-discipline and self-reliance, the ideals of loyalty, honesty and personal responsibility to God and fellowman must be woven into their character. We must find some way for youth to discover for themselves the spirit of service. The historic question that Americans have asked themselves has been—"How can I serve?" Today the first question in many minds is "How can I avoid serving?"

The American Veteran has always been interested in youth and from its earliest history, our American Legion has carried on a vigorous program of child welfare. We have sponsored Boy Scouts, oratorical contests, junior baseball, Boys State and Boys Nation. We have reached out to lend a helping hand to the orphans; we have interested ourselves in providing scholarships for deserving boys and girls. In these efforts lies the challenge of The American Legion to muster its forces to instill in our youth the spirit of service *to* God and *for* Country. There is no better way to preserve our American heritage than by teaching youth to love and be willing to serve America. Because of the complacency and failure of the past generation, it will be a long hard battle—but it must be won.

Right here—the challenge focuses on us—We, ourselves, as American Legionnaires, must set the pace. Before today's youth we must place our own example of unselfish citizenship. Words and pious phrases and high sounding resolutions turn youth off. They must see in us, not just old soldiers, sailors and marines who once sacrificed for America in war, but citizens now willing to work for our community, our state, our Nation. We must interest ourselves in the problems of the day, stand guard over our heritage, exercise our right to vote and provide vigorous and untiring leadership.

We must not be lulled to sleep by recent projections of peaceful co-existence with the Communistic world. How can there be peaceful co-existence with men whose charted course is the destruction of American ideals?

This does not mean that we want war. The idea abroad that because we are veterans we want war is a deliberate lie planted in the minds of youth by subversive elements let loose in America. We want peace. Yes, we want peace with freedom and justice. We of The American Legion, veterans of four wars, who have seen the blood of our buddies crimson the soil of many continents and the waters of the seas of the worlds; we who have known the hell of war and the cost of war in the dead, the disabled, the widowed and the orphaned, we want peace above all others. Not only that, but we pray that our children and the children of tomorrow will be spared the scourge of war.

But peace cannot be won and preserved by wishful thinking or by protest rallies and marches. It must be worked for and prayed for. We must lead the vanguard for peace in our times. Let us reaffirm once again our faith in God and our faith in the righteousness of the principles upon which our nation was founded. Let us pledge that, with God helping us, we will keep faith with those who threw to us the torch of peace. Please God—may we hold it high.

THE VIETCONG SEVEN POINT PROPOSAL

Mr. ALLOTT. Mr. President, the National Student Coordinating Committee for Freedom in Vietnam and Southeast Asia is a bipartisan group of young people who are supporting the President's program of prudent disengagement from the fighting in Vietnam.

48-059 O - 72 - pt. 19 - 56

This group has prepared an interesting analysis of the most recent Communist peace proposal.

Mr. President, so that all Senators can examine the thinking of this fine group of young Americans, I ask unanimous consent for it to be printed in the RECORD.

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

OFFICIAL STATEMENT ON THE VIETCONG'S SEVEN POINT PROPOSAL

The Viet Cong's seven-point proposal for peace in Vietnam is a most important document because it serves as an indicator of how the other side views its political prospects. There is little doubt that militarily the North Vietnamese effort in South Vietnam has suffered tremendous setbacks.

Reams of documents captured during the last dry season, which ended in May, ordered an all-out nation-wide offensive. But though "attack" was the order of the day, the enemy was unable to stage any significant and coordinated offensives nor was he able to inflict major setbacks on the pacification program as he had hoped to.

Constant communication with many Vietnamese make it clear to us that in general the military effort of the enemy will now cease to be his choice avenue to victory. North Vietnam had concluded that unless it can shatter the social fiber of South Vietnam and the morale of the population it cannot win the war in the South. COSVN (Central Command for the war in the South) Resolution 14, for example, clearly states that the enemy's primary task is now to protext and expand Communist controlled areas from the advances of pacification.

The North Vietnamese are very much aware of the fact that the tide has turned against them and, more importantly, that the population also judges the tide to have turned. Under these circumstances it becomes extremely difficult for the North Vietnamese to extract passive cooperation from the population. Taxation quotas had to be cut by 75%. Impressment into Viet Cong forces has so markedly decreased that most units are composed mostly of North Vietnamese fillers. Local Viet Cong government has had to move out of populated areas and into the jungles from where it operates in gangster-like fashion.

On the other hand, the pacification program is making major advances in security and social welfare. Despite the inflationary pressures on the urban economy the rural economy thrives. Peasants who are now being given land under the radical rural reform program of the government realize that the government gives while the Viet Cong only takes away.

In an effort to engage personal commitment from the population the Saigon Government is concentrating on building up local and regional self-defense forces. The regular army, modelled after our own, proves to be very much of a problem. Despite great improvements it still does not meet the security needs of the population. The real backbone of the pacification (i.e. Vietnamization) program is this local defense structure.

In light of this background we can better understand the position of the other side. On the whole, the seven-point proposal is identical to the eight-point proposal put forward by the Viet Cong in September, 1970. The order in which the points are made betrays the game plan of the Viet Cong for the total takeover of South Vietnam.

The first point deals with the most important issue—U.S. troop withdrawal.

Regarding the deadline for the total withdrawal of U.S. forces.

The U.S. Government must put an end to its war of aggression in Vietnam, stop the policy of "Vietnamization" of the war, withdraw from South Vietnam all troops, military personnel, weapons, and war materials of the United States and of the other foreign countries in the U.S. camp, and dismantle all U.S. bases in South Vietnam, without posing any conditions whatsoever.

The U.S. Government must set a terminal date for withdrawal from South Vietnam in 1971 of the totality of U.S. forces and those of the other foreign countries in the U.S. camp, the parties will at the same time agree on the modalities:

A. Of the withdrawal in safety from South Vietnam of the totality of U.S. forces and those of the other foreign countries in the U.S. camp.

B. Of the release of the totality of military men of all parties and the civilians captured in the war (including American pilots captured in North Vietnam), so that they may all rapidly return to their homes.

These two operations will begin on the same date and will end on the same date.

A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces and the armed forces of the United States and of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp.

Point one of last year's eight-point proposal dealt with the same matter but even advocates of withdrawal found it unacceptable because in exchange for the announcement of an American withdrawal date before June 1971, the other side only offered "to discuss" the return of POW's and the safety of our withdrawing troops. In reviewing North Vietnamese and Viet Cong press conferences, broadcast, etc. we find that at no time were they willing to do more than "discuss" the release of our POW's in exchange for the announcement of total, unconditional, and unilateral U.S. troop withdrawal before June 1971. This is not to say that Clark Clifford and the other Americans who contacted Hanoi on this matter are lying, but rather that what Hanoi says in private to individual political figures is not what it is willing to acknowledge in public. Even if one were saturated with good faith toward Hanoi, one could not help but feel that something said in private to anti-Vietnam Americans cannot be much to go on. It appears that Hanoi wanted to have its cake and eat it too. On the one hand it heightens the activities of the anti-Vietnam politicians who expect to break President Nixon with the POW issue, while on the other it makes no commitment to which they may be held accountable. Indeed, on excess of zeal on the part of these politicians may be clouding their sense of perspective, causing them to appear more trusting of the North Vietnamese than of their own government.

Has the Hanoi position on the release of POW's changed?

Point One of the new seven-point proposal not only demands that we withdraw, but also that we stop Vietnamization and disarm the South Vietnamese. As soon as we announce a date within 1971 for the disarming of the South Vietnamese the two sides will "agree on the modalities by which the POW's will be released. Unlike the eight-point proposal this new approach has lumped in "civilians captured in the war." Fitting under this category are all the Viet Cong infrastructure personnel captured in the pacification program.

We are thus in effect asked to underwrite the destruction of South Vietnam in exchange for a change of phraseology from "will discuss" to "will agree on the modalities." It seems to us that one would need to really stretch the English language in order to regard "will agree on the modalities" as a firm commitment to immediately release POW's or indeed as very different from "will discuss".

According to this proposal release of our POW's will begin and end at the same time as total disarmament of the South Vietnamese and liberation of captured Viet Cong. There would be no total cease-fire in Vietnam, only between our forces and the Communists. Thus the war would go on around our men as they retreat.

Point Two demands that we stop backing the present government in Saigon and stop the up-coming elections. The Communist call for the use of "various means" to establish a coalition of "political social and religious forces aspiring to peace and national concord."

It is noteworthy that though the Viet Cong have called for such a coalition since 1967, they have to date refused to name any group or individuals outside the NLF who qualify as "forces aspiring to peace and national concord."

This government would "see that the people's conditions of living are stabilized and gradually improved, create conditions allowing everyone to contribute his talents and efforts to heal the war wounds and rebuild the country." It is most important to remember that this is how the Viet Minh described its task in the North when it moved to collectivization at the end of the war with the French. The Viet Cong proposal goes on to say that a full cease-fire will only come about once this Viet Cong dominated government is in power.

Point Three states that only "the Vietnamese parties" will settle the question of "Vietnamese armed forces in South Vietnam . . . without foreign intereference," thus completely dropping the question of North Vietnamese aggression on the South, leaving it to be settled by Hanoi and its puppet Viet Cong dominated government "without any foreign interference," i.e. supervision.

Point Four states that reunification will come about in a step by step manner through negotiations between Hanoi and its Viet Cong controlled puppet government. Again "without foreign interference"! Note that the Communists have now substituted "negotiated reunification" for the "reunification elections" they had called for in the past.

Point Five in effect says that South Vietnam under Communist rule will take money from anyone.

Point Six says that the U.S. must pay war reparations to both Vietnams. To date the Communist have refused to separate the reparation issue from the release of POWs.

Last but not least, the Viet Cong's Seventh Point says that "the parties will find agreement on the forms of respect and international guarantee of the accords that will be concluded." Having ruled out any "foreign interference" on the coalition government issue and the problem of North Vietnamese forces in the South one can only wonder what is left for international supervision or for that matter what form it might take.

Vagueness has always been a tool of the Communists, precision a defense. The Viet Cong in its seven point proposal is very precise in what it wants of us and very vague on what it will do in return.

In summary, we are asked to disarm and disband a popularly elected government, to force it to release all its captured enemy cadres, to force it to cancel its forthcoming elections and to abandon it to the mercies of a coalition government Communist style in exchange for a twisted phrase not much different from that which we rejected earlier.

At the third Lao Dong (Vietnamese Communist) Party Congress in Hanoi in 1960, when North Vietnam first announced its plans to wage a "war of liberation on South Vietnam, Le Duan precisely stated the strategy by which the Communists planned to take over the South. It is exacity what we

are asked to accept in the form of this seven point proposal. One cannot help but wonder why after over a decade of hard fighting, with 55,000 Americans dead, 200,000 wounded and nearly a million South Vietnamese dead or wounded Hanoi should expect us to accept lock, stock, and barrel the very blue-print for victory it announced back at the beginning—particulary in light of the Communists' weak position in South Vietnam.

Only now can we appreciate the full meaning of North Vietnam's Premier Pham Van Dong's words—"Our victory will be won not in Vietnam but in America." Hanoi has full faith that we will now in an election period turn against our allies and ourselves. Such a reading only comes from its faith in the "degenerate nature of capitalist society." After all the blunders we made in Vietnam, a whole world watches us, judging our character and our greatness as a world leader by the way we make up for our mistakes.

Short-sighted personal political objectives can go a long way in their long term effects. It is incumbent on our nation's political figures to act as statesmen and not politicians. We cannot permit some to forever smudge and blot the pages of our nation's history just so that they may be noticed today. The future holds dire consequences. What we now need is sober contemplation not hysterical platitudes. We believe that only irresponsible thoughtlessness could permit anyone to see this Seven Point Proposal as anything less than a diplomatic insult to America's will to prevail.

POPULATION REDISTRIBUTION AND NEW COMMUNITIES AS POLICY ISSUES

Mr. HUMPHREY. Mr. President, Dr. Edward L. McLean of Clemson University has written an interesting and informative paper on the possibility and problems of new communities. Dr. McLean points out four alternatives to the decline of our cities:

First. To do nothing, to ignore density, congestion, and other problems of the urban area.

Second. To mount a massive and costly rehabilitation program for the central cities.

Third. To encourage migration to rural communities.

Fourth. To build new communities.

Dr. McLean examines this last alternative, noting the complexities of financing and the likelihood of getting lower economic families to move to these new communities.

Dr. McLean concludes that Government will likely accept subsidized population redistribution. And, he believes that if appropriate programs are initiated within these new communities, then harmony of varying life styles can and will prevail.

Mr. President, I ask unanimous consent that Dr. McLean's full article be printed at this point in the RECORD.

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

POPULATION REDISTRIBUTION AND NEW COMMUNITIES AS POLICY ISSUES

(By Edward L. McLean)

The process of population redistribution and the potential for new communities are topics currently being discussed as viable policy issues. It is postulated, in this paper, that rationale for consideration of these phenomena is based upon the generalization that population density in the large metropolitan areas of North America should not increase because high population density is a causal variable with respect to problematic phenomena. Some of the frequently emphasized problematics associated with metropolitan areas center around congestion and a complex array of social problems. No consensus exists, however, as to what should be done about these problematics. Four alternative approaches shall be listed in the following paragraphs with respect to the future of metropolitan centers in North America.

One alternative is to not do anything or ignore density, congestion, and other problems associated with metropolitan areas, much as we have in the past. This laissez-faire approach, actually not a solution, is not likely to be accepted because consensus exists that the status quo can no longer be perpetuated.

A second alternative, much the opposite of the first, is that of a massive and costly rehabilitation program for metropolitan areas, concentrating on housing, physical environment, employment, education, welfare, political institutions, and political representation. This alternative is frequently mentioned in a wide range of literature and public pronouncements, but is probably unrealistic because of current anti-urban and pro-suburban value orientations of electorates and elected representatives (particularly on state levels in the United States). These orientations are, of course, changing and support could conceivably shift toward metropolitan rehabilitation in the future. The tremendous monetary cost of this alternative will continue to be an impediment to this approach, however.

The third and fourth alternatives are similarly related and are also orientated to preventing increasing density (prohibit greater population density) in our large cities. One referrent for the third alternative is the 1967 proposal by former U.S. Secretary of Agriculture, Orville Freeman, that migration to small communities be encouraged. Similar proposals have been made in recent months (1970) by current U.S. Secretary of Agriculture, Clifford Hardin. Such a program could also aid metropolitan areas by reducing future population density and general congestion and would aid some static small communities by bolstering their population and economic base. If this proposal was adopted, the resulting communities would be vastly different after the migrants moved to them. These communities may actually be termed "new communities," consequently.

The fourth alternative is that of completely new communities. A new community is defined as a self-sufficient population concentration that is originated where no such human settlement previously existed (Eichler and Kaplan, 1967). The physical structures are built and the social environment is based upon the natural and man-made environments that the in-migrants adapt to when they move to the new community. Another recent referent for both the third and fourth alternatives concerns the fact that, in the U.S., several federal entities, including the President's Council on Urban Affairs, are seriously discussing population redistribution as a means to prevent increases in metropolitan population density. Such population redistribution could involve migration to previously established communities or to new communities; it is unlikely that it would involve redistribution of population within our present metropolitan areas. This alternative also affords opportunities for social planning in our society toward democratic ideals, particularly in regard to class and ethnic structures.

The author of this paper considers widespread advocacy of the previously discussed first two alternatives unlikely. Electorates and elected officials realize that situations and events associated with our metropolitan areas do need correcting, but are unlikely (in early 1970's) to allocate or authorize sufficient resources essential for total rehabilitation of metropolitan centers.

With respect to the third and fourth alternatives, it is not known if these proposals would be widely accepted, and if they were accepted, how successful they would be. These questions will be explored in this paper; i.e., could public policy, directed toward population redistribution and new community programs achieve public and political approval in the United States? Would people participate in such programs if they were approved and sanctioned?

Prior to consideration of these policy issues, four basic assumptions must be stated regarding analyses of population redistribution and new communities. Forthcoming discussion suggests that privately financed new communities are not economically feasible in North America; government money, more than likely from the federal government in the United States (perhaps channeled through state governments) would therefore be necessary at least for initial financing. Secondly, we may briefly assess the notion of who would actually participate in the programs. If well educated, skilled workers participated, this would create a disequilibrium in both communities of origin and destination. Potential wage earners who have received little and poor quality education, are untrained and unskilled, and un- or underemployed. Thus, to improve community conditions, a range of socioeconomic levels must participate, and many of the lower socioeconomic group must also be retained in order to accept meaningful employment and community roles. The third assumption concerns another population base for migration. It is assumed in this paper that *families*, with appropriate incentives, would participate in population redistribution. The family institution would not be altered appreciably by these proposals, particularly in light of current mobility norms (Kenkel, 1965). The fourth assumption is concerned with the economic and political (particularly economic) institutions and structures in our society. Political leaders and academicians have recently emphasized that population redistribution and government subsidized new communities may occur with no basic changes in the economic and political institutions and structures (Eichler and Kaplan, 1967; Stein, 1967). Moreover, these processes may take place within the normal functioning of our established economic institutional structures.

POPULATION REDISTRIBUTION AND NEW COMMUNITY EXPERIENCES

In searching for examples of population redistribution, we have many situations and events within the United States to point to. Members of the military and their families move a great deal, around the nation and around the world. This is actually population redistribution; the family moved or the wage earner must drop out of the military. Furthermore, each year several million families migrate because the heads of the households, employed by private firms, were transferred to another city branch office, or subsidiary; in this case the family moves or the wage earner does not get promoted or perhaps demoted. Involuntary population redistribution is thus a norm and necessity, with occupation or work providing the stimulus.

Past and present experience with new communities shall be discussed. Truly self-sufficient new communities are not numerous in the United States, particularly when we limit our examples to recent (World War II) developments. The most noteable examples are those residential communities that have a federal economic base; military and other governmental installations, when they are initially located

in a non-densely settled area, create the need for a new community. Other examples of new communities are associated with large, private employing firms which locate in non-densely settled areas. Several new communities have recently been originated by private developers with objectives of making a profit, or at least of not losing money. Two notable examples in the United States are Reston, Virginia, and Clear Lake, Texas, and both are notable for not making money. These are upper-middle to upper socioeconomic level communities, also; the evidence *at this time* consequently, indicates that it would be economically unwise to include plans for lower socioeconomic residents in a privately financed new community.

New, self-sufficient communities are more numerous in other parts of the world. New communities have been built in Brazil, Denmark, England, the Netherlands, Sweden, the Soviet Union, and in other nations since World War II. In these nations, the economic base or employment opportunities, dwelling units, and institutional facilities are established concomitantly, and then the inhabitants move in. These experiments have generally been successful; all are not perfect, of course, but none have failed completely (Broady, 1967; Gutheim, 1967; Osburn, 1967). It is worthwhile to note that institutions in these nations vary somewhat from those in North America, particularly, the United States. We may, however, utilize experiences in Northwest European nations as basis for revaluation. In these countries, industry and other employment opportunities are subsidized by the governments to locate in new communities and contracts are let for housing and all other facilities by the government. Employees and their families are more likely to volunteer to move to a new community to improve housing and working conditions, also, in these nations. The author of this paper believes that much can be learned from the new community and population redistribution experiences of these societies. There are more universal norms and values, with regard to economic and political systems, among these societies than dissimilar norms and values. The chief lesson to be learned is that new, self-sufficient communities can be successful in Western societies.

PUBLIC AND POLITICAL ACCEPTANCE

To reiterate, the first basic issue concerns the acceptance of government subsidized population redistribution and new community policy by electorates and elected representatives in North America. Population redistribution (migration) to new towns and to previously established communities shall be considered together in this section. The author of this paper realizes that the issue of acceptance depends upon perceived severity of central city problems, projected benefits of alternative programs, projected negative consequences, and previously discussed details such as who will move where. The prime criteria for this evaluation are the ideological, value, and normative orientations.

A historical review of public policy that is generally similar to population redistribution will provide bases for evaluating this topic. During the Great Depression in the United States, general welfare policy was formulated that set guidelines for subsequent national action. Some of these programs are: social security, unemployment compensation, child labor laws, aid to dependent children, aid to the elderly, and public housing. Since the 1930's, we have seen an expansion of social security *and* establishment of medicare, minimum wage laws, federal aid to education, and most recently President Nixon has proposed a welfare program that is more comprehensive than any past program. Consequently, if we assume past welfare experience to be generally similar to population redistribution and subsidized new communities, the latter notions could achieve acceptance.

The concept of government subsidies is also a base for evaluating potential acceptance of population redistribution and new communities. Economic subsidies, financed by the federal government, have been and are currently in force to many activity and industry categories in the United States. Some of the most notable are: agriculture, airlines, petroleum, and railroads. Consequently, if we assume past subsidy experience to be generally similar to population redistribution and new communities, the latter notions could again receive subsidies and acceptance.

The past experience with population redistribution is also a base for evaluating future acceptance of this notion. It was pointed out in previous discussion that millions of families in our society involuntarily migrate each year, in military situations, because of job transfers, or for other reasons. Based upon ths norm of forced migration, population redistribution could gain rapid acceptance.

Just one position has been discussed up to this point; why government subsidized population redistribution and new community programs *would be approved* by electorates and elected officials in the United States. But, we have to be skeptical on all these points. First of all, although many public programs similar to population redistribution and new communities are part of our way of life, this notion is "different"; i.e., it has not been practices as such up to now, nor has it even been seriously considered. New ideas, as such are destined to be opposed.

Secondly, with regard to government financed subsidy programs, the money traditionally goes to "established" causes; i.e., there is support for the program in terms of need, pressure groups, or power structures. There is no such "establishment" in existence at the present time to support population redistribution and new community programs. High population densities in our central cities and metropolitan areas, although termed as crises, have failed to gain universal commitments. Furthermore, it has been proposed in this paper, that lower socioeconomic families would participate in the program, and this notion, as a subsidy, would certainly be opposed. Finally, although population redistribution and similar welfare and subsidy programs are accepted, the combined notions of new communities and population redistribution is authoritarian and "big-brotherish." Opposition to the program could certanly be expected on these grounds.

The author of this paper will attempt to evaluate the pluses and minuses for and against public policy directed toward population redistribution and new community programs. It is suggested that the pluses slightly outweigh the minuses, and that these notions will be accepted by electorates and elected representatives in the United States. This acceptance will not be rapid or unanimous, of course; it will probably take many years, and be wrought with skepticism, much like the issue of medicare in the United States. Furthermore, a massive program is unlikely; pilot, experimental and demonstration programs are likely to evolve, much like model cities and rural poverty programs.

PUBLIC PARTICIPATION

The second major issue to be analyzed is that of participation; i.e., will people move to new communities as part of population redistribution programs and would the original residents of the areas of destination accept the in-migrants? In this analysis, value and normative orientations and past experience will again be evaluated.

It has been stated in this paper that mobility is a norm; in fact, on an average, about one-fifth of all households in the United States change their residence each and every year (Lansing and Mueller, 1967). But our non intra-city mobile population is substantially in the middle and upper-middle socioeconomic levels (Lansing and Mueller, 1967). These families would be very likely to move to new communities if employment, facilities, and other services were favorable; but this is the precise group that we do not want to move from the central cities. Most families of intermediate socioeconomic levels have already migrated from the metropolitan central cities to the suburbs.

Looking at examples from Europe briefly, most of the in-migrants to European new cities were of upper and lower socioeconomic levels; upper for white collar jobs and lower for the remaining jobs. The upper socioeconomic families were happy to move because of increased prestige and status in the new community; the lower socioeconomic families were happy to move because of improved housing and general living conditions (Broady, 1967). The European new communities consequently have no intermediate levels; in North America, the intermediate socioeconomic level would be most likely to accept population redistribution and new community programs.

The author of this paper does envision a problem in encouraging lower socioeconomic families to move to new communities. First, social origins of the poor are characterized as provincial communities with respect to social interaction and visiting patterns between relatives and friends. These families are hesitant to leave a community that they are familiar with and in which they are socially secure. Fear of the unknown, particularly among the poor, often prohibits beneficial migration. Second, many families reject the idea of moving to a community smaller than the one they currently inhabit. This would be an impediment if movement from metropolitan cities to new communities is desired. People become accustomed to the institutional, economic, social, and cultural amenities of metropolitan areas, and would not be immediately (perhaps never) happy in a community of less than 50 thousand inhabitants (Kenkel, 1965).

But, it is believed that resistance to migration can be overcome. Provision of vocational training, adult education programs, adequate housing, employment security, and in general an aesthetically pleasing manmade and physical environment in the new community, could (given time, money, and energy), insure that families will migrate.

The situation regarding original residents in areas of in-migration (regions) surrounding new communities is not so easily rationalized. Literature, based upon European experience, generally indicates that original residents do not accept in-migrants and in-migrants do not accept original residents (Broady, 1967). Whether it be migrants to new communities or to previously established communities, the original residents consider the migrants as invaders and new residents consider the old timers as iconoclasts who attempt to stifle contemporary life. More specifically, evidence indicates that the majority of residents of cities desire to prohibit substantial in-migration into their communities (Choldin, 1965). This problem is not irreconcilable, however, because adult education programs have been successful in conditioning toward accommodation and cooperation. Social action programs are based upon the premise that people can be informed of the inevitability of change and how to prepare for it.

To summarize this section, the author of this paper concludes that people, lower as well as middle socioeconomic families can be convinced to migrate to new communities. Furthermore, with appropriate training and preparation, accommodation and cooperation will take place between groups with varying life styles in their new communities.

IMPLICATIONS

Brief discussion will be devoted to the role that sociologists can play in proposed public policy associated with population redistribution and new community programs. For one reason or another, sociologists have played minor roles in past reform and rehabilitative social and welfare programs. This situation could be different with respect to potential programs designed to lessen population density and other central city problems and to prevent future cumulative problematics. Sociologists must take the initiative and design research that will provide information toward clarifying the issues presented in this paper. Research priorities must include the following topics: (1) decision to initiate new communities or build on the presently so-called dying communities; (2) decisions dealing with economic bases of the new communities, (3) decisions regarding the physical and man-made environments of the communities, (4) decisions concerning the institutional, economic, social and cultural services, (5) decisions concerning housing, (6) decisions concerning who should be encouraged to move, (7) programs to educate and retrain potential migrants, (8) details of the physical moves, (9) programs to educate original residents, (10) programs to insure accommodation and cooperation between groups in communities; etc.

Communication and dissemination of these research results is essential. Other social scientists may then play active roles in the planning of the new communities and population redistribution, and still others may participate in the implementation of the programs into reality.

CONCLUSIONS

It may be concluded from previous sections of this paper that the prospects for public policy oriented to population redistribution and new communities in the United States are good; not in any massive programs in the new future, but on the basis of pilot, experimental, or demonstration programs. Some form of population redistribution policy is desirable, when contrasted to continued increasing concentration of lower-socioeconomic families in our metropolitan central cities.

Two central issues were discussed in this paper; the first is concerned with acceptance of government subsidized population redistribution and new community programs. It is concluded that these notions will probably gain approval, because many welfare and subsidy programs have been adopted in our society in recent years. The second issue is concerned with the actual movement of families to new communities, and with harmony between groups (particularly regarding old residents and new residents) in the new communities. It is concluded that if appropriate programs are initiated within the communities, harmony between those of varying life styles will prevail.

Finally, a plea is made for social scientists to become inolved in public policy formulation in researching the basic issues associated with population redistribution and new communities, and to aid in planning and implementation of the actual programs.

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NEED FOR ECONOMIC SANITY IN FEDERAL BUDGETING

Mr. FANNIN. Mr. President, earlier this week I introduced Senate Joint Resolution 129 which is intended to return economic sanity to Federal budgeting. My proposal requires a constitutional amendment, which is a time-consuming process. I would hope that Congress would take steps in the meantime to improve the current practice of spending without regard for the eventual disastrous consequences.

One such step would be the passage of Senate Joint Resolution 114 which the Senator from Nebraska (Mr. CURTIS) introduced on June 14, 1971. This is the Stable Purchasing Power Act of 1971.

The act will make available to committees of the Congress, on request, advice indicating the anticipated offset of money authorization bills.

Congress must take action to stop the terrible inflation which was initiated by unwise Government fiscal policy in the 1965–68 guns and butter era.

If we do not soon stop spending like there is no tomorrow, there will be no tomorrow for the America that we have known. There will only be an economic shambles or worse.

We must stabilize the value of the dollar for the sake of our citizens who suffer from inflation and for the sake of our commercial standing in the world.

Mr. President, I am pleased to join with Senator CURTIS in cosponsoring Senate Joint Resolution 114.

U.N. CONVENTION ON FORCED LABOR

Mr. PROXMIRE. Mr. President, the U.N. Convention Concerning the Abolition of Forced Labor is awaiting ratification by the Senate.

The Convention on Forced Labor is aimed at preventing the use of forced labor as a means of political punishment, coercion, or labor discipline. Specifically the treaty states in articles I and II:

I.

Each Member of the International Labor Organization which ratifies this Convention undertakes to suppress and not to make use of any form of forced or compulsory labor:

(a) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political social or economic system;

(b) as a method of mobilizing and using labor for purposes of economic development;

(c) as a means of labor discipline;

(d) as a punishment for having participated in strikes;

(e) as a means of racial, social, national, or religious discrimination.

II.

Each Member of the International Labor Organization which ratifies this Convention undertakes to take effective measures to secure the immediate and complete abolition of forced or compulsory labor as specified in Article I of this Convention.

Mr. President, most of us recall the mass deportations to slave labor camps in the Soviet Union during the great terror. The most recent and most eloquent description of this has been by the Nobel laureate, Alexander Solzhenitsyn, himself a veteran of the Stalinist camps. Literally millions of people, guilty and innocent alike, were shipped to the wastelands of Siberia and the Urals to carry out extremely dangerous tasks under the guns of the Soviet secret police. The secret police had so much power through this vast free manpower that it became one of the largest industrial concerns in Russia. Trade unionists, plant managers, free thinkers, and innovators of all kinds were shipped off to labor camps at Stalin's whim.

This was the most significant example of forced labor in recent times, but by no means the only one. It was and is a clear violation of human rights and one that we must condemn.

Mr. President, there is nothing in the Convention Concerning the Abolition of Forced Labor which would threaten in any way the American system of jurisprudence. As Secretary of State Dean Rusk reported to President Kennedy in 1963 in reference to this question:

After extensive additional review of the convention and the technical legal problems involved, the interested departments of the Government have expressed their coordinated view . . . that the subject matter of convention no. 105 is wholly within the Federal competence under the 13th amendment to the Constitution of the United States . . .

We have no reason to delay acting on ratification. Other nations today wonder why we have not made a formal commitment to oppose forced labor. We must act now to reaffirm our beliefs.

OPPORTUNITY FUNDING CORPORATION

Mr. JAVITS. Mr. President, I invite the attention of the Senate to two important new economic development programs which have been undertaken by Opportunity Funding Corporation.

Opportunity Funding Corporation is a nonprofit organization funded by the Office of Economic Opportunity. It was formed for the purpose of conducting activities designed to demonstrate and test the effectiveness of various incentive techniques in attracting private resources to areas characterized by low incomes and unemployment. OFC constitute an

important experimental effort to determine to what extent, and in what ways, the vast resources of the private sector can be brought to bear on the problems of urban and rural poverty and underdevelopment. I believe, therefore, that OFC represents both a purpose and an effort to which all of us in Congress can give our fullest support, for it has become clear that public spending alone, without the commitment and participation of the private sector, cannot solve the massive problems we now face.

The two new programs announced by OFC are a minority bank deposit program, designed to strengthen local financial institutions in poverty impacted areas, and a bonding program to assist construction contractors from such areas. Through these programs banks representative of such minorities will be granted the use of $4 million in deposits, the interest on which will be used to provide management development training for the bank employees, and an additional $1 million will be used to enable contractors from the minorities to bid on and perform construction contracts in poverty impacted communities.

These new initiatives are described in a statement by Dr. David B. Hertz, chairman of the board of governors of Opportunity Funding Corporation. I ask unanimous consent that his statement be printed in the RECORD.

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

STATEMENT BY DAVID B. HERTZ

OPPORTUNITY FUNDING CORPORATION, WED., JUNE 2, 1971

First, permit me to thank the members of the press for joining us this morning and point out that we appreciate the opportunity that the Administration, through OEO, has given us to try to assist in demonstrating an approach to poverty and minority economic problems that will be of benefit to the entire U.S.

The programs which OFC is announcing today mark the real beginning of a series of demonstration programs through which we hope to show that, with the use of carefully designed risk-reduction measures, private capital can be made available for vital economic development efforts in the urban and rural poverty areas of our nation. Our objective is to use every possible mechanism to release and channel private capital into areas that have long needed it and can utilize it for growth and ownership and income.

The broadly based Board, with in-depth experience in finance and community economic development, is convinced that only by creating expanded opportunities for ownership and full-scale participation in our economy for millions of poor and disadvantaged Americans traditionally by-passed by the system can those Americans be brought to believe that they have a stake in the system; that the system can work for them. To do this, however, requires that substantial amounts of loan and equity capital must be made available for investment in the economic development of poverty communities.

The experience of the past decade shows clearly that government programs alone cannot meet this need. As has been said by the President's Advisory Council on Minority Business Enterprise, the private sector "must assume the role of joint partner with the government" in this effort. Federal resources, then, can most effectively be used to provide various kinds of financial incentives to motivate the private sector and bring to bear the large amounts of loan and equity capital needed for the creation and growth of large-scale ventures. We must overcome the problems that are created because purely social program oriented officials, concerned with poverty problems in various agencies, have had little experience in broad-scale, private-public financing. For this reason our progress in moving this new creative attempt to release private capital through financial mechanisms has, in part, been impeded up to this point in time.

An important conviction of this Board is that the economic revitalization of our poverty communities depends upon the existence in those communities of viable financial institutions which are responsive to the efforts of the poor to improve their economic conditions. For this reason we are especially pleased to announce this morning the first phase of a multi-phase program to assist poverty area banks.

The first element of this program involves the deposit of $4 million in OFC funds in approximately 30 poverty area banks in various parts of the country. The purpose of these deposits will be to demonstrate that with increased resources these banks can become significant instruments of economic development in their communities. We recognize, however, that merely increasing the deposits of these banks is not enough. Thus, OFC will use interest earned on our deposits to fund management development programs for officers of these banks. These training programs will be especially keyed to sharpening the skills of loan officers and sensitizing them to the special problems of doing business with community groups and others who often are new to business and are inexperienced in preparing financial statements, cash flows and other data generally required by financing sources.

We also recognize that many of these banks need help in strengthening their capital bases and increasing their liquidity. Future OFC bank programs will experiment with a variety of techniques for addressing these problems.

The area of bonding for poverty area construction contractors is one which has received widespread attention over recent years. Yet minority contractors, in particular, continue to experience great difficulties in obtaining bonding, especially for projects of significant size. By joining efforts with the Minority Contractors Assistance Project, Inc. (MCAP) and other such groups, OFC hopes to surround these contractors with an array of supports—including technical assistance, working capital and longer-term loan guarantees—which will enable many of them to undertake and obtain bonding for larger contracts, both as general and sub-contractors.

Both the bonding and banking programs are intended to support the basic OFC objective of demonstrating ways to unlock private sector resources. In the bonding program we believe that OFC's $1 million will open the door to at least $10 million in construction bonds. This, in turn, will create greatly expanded entrepreneurial opportunities as well as expanded employment for residents of poverty communities.

Through the bank deposit program, OFC hopes to give impetus to already existent efforts to expand the deposits of poverty area banks. A major portion of OFC's deposits, for example, will be in minority banks which are participants in the National Bankers Association's $100 Million Deposit Solicitation Program. In carrying out its other guarantee, discounting and incentive programs, OFC will use its own direct deposit program to induce private sector groups with whom OFC will be cooperating to add further to the deposits of the large banks. As an important first step in this direction, the Presbyterian Economic Development Corporation PEDCO) has agreed to maintain substantial deposits in various OFC target banks.

We expect these bank programs to assist the economic development of poverty communities in two ways. First, a condition for deposit of OFC funds in the target banks is that those banks must make a maximum effort to use at least 60% of the monies deposited to assist projects designed to improve the economic conditions of poor people. Secondly, in those areas where OEO-funded community development corporations exist, we will expect that, wherever possible, the banks will assist projects sponsored by those organizations.

In the near future, we will be announcing ather OFC programs including a consumer credit program, a program to provide automatic loan guarantees, a real estate development program and a program to make increased amounts of SBA loan money available for plant and facilities loans in poverty communities. A major objective of each of these programs will be to use OFC funds to catalyze much larger amounts from other private and public sector sources.

It is the hope of this Board that OFC's experimental programs will provide models for legislative and institutional change which will permit the mobilization of at least $500 million of private sector capital for investment in projects to expand opportunities for ownership, income and employment among the poor—for we believe that only a commitment of that magnitude will be sufficient to make a real beginning in the task of restoring hope among the poor and disadvantaged citizens of our country.

ADDRESS BY LEON SULLIVAN

Mr. HUMPHREY. Mr. President, on July 6, 1971, the Reverend Leon H. Sullivan gave an outstanding address, entitled "Steps We Must Take," before the 62d annual convention of the National Association for the Advancement of Colored People, held in Minneapolis, Minn. Dr. Sullivan's remarks were in response to his being awarded the Spingarn Medal, a high honor which he richly merited.

It is impossible to describe adequately the major accomplishments of Leon Sullivan who, as founder and chairman of the board of opportunities industrialization centers, has given thousands upon thousands of people lives of hope and purpose and dignity. From their inception at an abandoned jailhouse in Philadelphia in 1964, OIC's have spread across America, training and placing in jobs over 75,000 men and women, now earning $400 million a year. The OIC goal for the present decade is job training and placement for 1 million people in urban areas and the rural South, adding $20 billion in wages alone to the economy of our Nation.

The OIC's have depended upon private support and close working relationships with business and industry. Federal assistance has been scattered and totally inadequate, and it is my strong hope that this Congress will take decisive action to guarantee Federal funding for opportunities industrialization centers throughout the country. The OIC program is so innovative and important that it must be made a central part of the Federal manpower effort, especially in this critical time of record unemployment.

Dr. Sullivan adopted the slogan, "we help ourselves." And the OIC's have done just that. At a comparatively low cost, they have trained unemployed and un-

deremployed persons in skills that were needed, helping them to strengthen their own opportunities. But most important, the OIC program reaches the whole man, helping him understand all the hard and subtle realities of economic competition and winning, holding, and advancing in a job. The program embraces the entire training process—from going out and finding the man who would be discouraged by the impersonality and form-filling routine of the employment service office, and on through character and aptitude development, to guidance and job followthrough.

The very success of this program, and the limited accomplishments of Federal manpower programs costing much more, demand that Congress wholeheartedly endorse the OIC program and Dr. Sullivan's request for Federal assistance amounting to at least $100 million per year, over four times the present level of Government aid. Helping people to help themselves; focusing Federal help on the generation of job skills in a constantly changing labor market; enabling the expansion of a program that assures the generation of billions of dollars in the national economy and a cost return to the Federal Government many times over in tax revenues—for all these reasons, and more, the OIC's should receive what Dr. Sullivan has termed rightly a "fair share" in Federal manpower dollars.

In his address at the NAACP convention, Dr. Sullivan identified job training oriented to present and future skill demands as one of four next steps to achieving full emancipation, equal opportunity, and first-class citizenship for black people. But he also called for an end to rhetoric and political "gamesmanship" about poverty that strikes black, brown, red, and white without discrimination. And he so rightly stated:

> If America really wants to do something about poverty, it can. . . . If America can put a man on the moon in outer space, then America can help put a man on his feet in Mississippi.

Dr. Sullivan also called for an extensive self-help program of economic development, where black people can become producers, rather than be limited to the role of consumer. He proposed the development of new methods for capitalization and management training which deserve careful consideration: cooperative savings and investment groups, and self-help community and entrepreneurial training centers. In this connection he discussed the "10–36" plan started by members of his church in Philadelphia, where 6,000 investors now put in $10 a month for 36 months to construct housing developments and a shopping center, help black businessmen, and start factories and an inner city food store chain, among other enterprises.

And I hope American corporations will give close attention to Dr. Sullivan's appeal that they provide technical resources, subcontracts, and support to minority owned and managed business to meet this great need for economic development. The concentration of economic power in America ought to be of serious concern to all American business and industry, as it is for those who have for too long been denied the opportunity to participate in our free enterprise system.

Perhaps Leon Sullivan's most moving appeal in this remarkable address was for "humanity, brotherhood, group respect, and togetherness among our own people." For people struggling to achieve equal opportunity and self-dignity, that is a lesson in basic wisdom. There can be no place for divisiveness that undermines efforts to achieve constructive development and hope. But it ought also to be a lesson for all Americans. We must come together, now, to focus all our efforts and resources on meeting the critical needs of our people, developing a nation of promise and opportunity and decency, and demanding an end to war and the further escalation of the nuclear arms race.

Mr. President, I ask unanimous consent that the text of the address by the Reverend Leon H. Sullivan before the 62d annual NAACP convention, be printed at this point in the RECORD.

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

STEPS WE MUST TAKE

First, let me thank you for this Award. I am aware this is among the highest honors a Black man can receive. I want to thank you for considering me and for this presentation.

One hundred years ago the Black man began the journey towards full emancipation in America. The journey has been long and hard. A full century has gone by, and three generations have passed off the scene since the journey began, but we still have not reached our goal. The attainment of full emancipation, equal opportunity and first class citizenship is still a distance away.

To be sure, giant strides have been made. Never in the history of the world have a people, starting with so little, gone so far. The road has been rocky and rigorous. As James Weldon Johnson put it in that stirring anthem: Lift Every Voice and Sing. "We have come over a way that with tears has been watered,
We have come treading our path thro' the blood of the slaughtered."

Somehow, though, in spite of it all, with God's help, we have survived. We have endured. We have come this far.

Now, the question is: Where do we go from here? What steps must we take now, at this time, in this journey that continues on? What steps taken now, today, can more appropriately, wisely, and solidly help us on our way?

This evening, on this high occasion for me, I should like to discuss some "Steps We Must Take" that I believe will get us closer to our goal. These may not be giant steps, but I think they are steps headed in the right direction.

First, the Black man must take a step in the direction of training and skill preparation. Even to this day, no less than 90% of the work being performed by the African American is in the non-skilled scope of employment. This would not have been so disturbing to me 30 years ago, when the majority of the work being done in America fell in non-skilled classifications. But it is disturbing to me, now, because I know that by the year 2000, just 29 years hence, one-half of all the non-skilled jobs being performed today, will not even exist. New jobs, requiring some minimal technical ability and skill, will have taken their places. This means if the Black man does not, on a massive scale, begin to develop skills that will qualify him for the new kind of jobs that are sure to come along in the years that lie ahead, that more and more of our families will have to depend upon doles and relief for our survival.

I am not against assistance to a family that needs the help. In fact, I support the efforts of welfare organizations that are striving to secure sufficient income for families that are struggling to survive. So many of our families fall in that number. But I know, too, that the Black man must never permit himself to get into the position of having to depend upon the government or anyone else to sustain and support him all his years. As long as the government supports a man, the government will be able to control a man, and even destroy a man. The ultimate freedom of the Black man in America depends upon his ability to develop self-dignity, self-pride and self-dependency. As long as our people have to crawl and beg for a few crumbs from the table, so long will our people be pushed around, and kicked around, and treated like second-class citizens. I don't want to see this happen to a Black man; I don't want to see this happen to a Chicano; I don't want to see this happen to a Puerto Rican. I want to see Black men and women stand proud, self-sufficient and free. I want to see a Black man be able to make his own way and stand on his own feet.

It was for this reason that 7 years ago, the first OIC, Opportunities Industrialization Center was begun. We wanted to reach our Brothers and Sisters and help them in programs of training and preparation, that they might be motivated to self-improvement. Our slogan became: "We Help Ourselves."

The OIC recruited, and took in men and women from every stratum of life. The average age of an OIC trainee was 27, and the average grade attainment was the 10th grade. One-third of those who came to us were on relief, and 80% of those who came had incomes beneath the poverty line. Most of the men were hostile towards society and most all of the men and women who came were hopeless. OIC began to turn that hopelessness into Hope. OIC began to teach that genius was color blind; and OIC began to teach that it was not important where a man came from, but where he was going that counted; OIC taught that a man is like a balloon, it is not his color that makes him rise, but what he has inside of him.

Beginning thus, in an old abandoned jail house, OIC began to train by the hundreds, and then by the thousands, men and women into useful skills, making salaries that most never dreamed of making in their lives. In Philadelphia, OIC trained 10,000 men and women into useful skills for jobs and added more than $100 million to the economy of the City of Philadelphia.

From Philadelphia, OIC spread to 10 cities, and then to 20 cities and now OICs are established in 100 cities across America, including Minneapolis and St. Paul. And now, also, OICs are in Nigeria and Ghana, and developing in Kenya, Ethiopia and the Dominican Republic and British Honduras. Indeed, there are inquiries for the establishment of OICs throughout the Black world, as well as throughout South America and Asia.

All together, OICs have trained and placed in jobs these past few years, around America, 75,000 men and women, now earning $400 million dollars a year. It is the goal of OIC in the decade of the seventies, to train and place in jobs, one million men and women out of the concentrated communities of America, and out of the rural south. If we reach our goal, OIC will add 20 billion dollars in wages to the economy of the country, and considering the economic multiplier of money generated as the result of dollars earned, the sum total of money that will be added to the gross national product of the

country, will exceed $100 billion. And most important of all, this money will be turned over and over again where it is needed most; among Black and Brown and Red men, and Orientals in the concentrated communities of America and in the rural Southland. This kind of money could begin to help stand our communities on their feet.

Significantly, too, OICs are administered, supervised and led for the most part by Blacks at every level of the organization. Perhaps, more Black men and women are serving as administrators and executives and supervisors of large scale manpower programs, than ever before in the history of the world. Too, in many respects, OIC is an on-job training program for Black management and executive workers. Already, many are finding new employment opportunities in government, private enterprise, and other areas of professional employment.

I do not look upon OIC as any cure-all, but I do see it as a "step" in the direction I think the race has to go. We must continue to fight for integration, as I have fought for integration. It was I who created and initiated and led great boycotts in the early sixties, that opened jobs to Blacks in Philadelphia and other parts of America. I shall continue to fight for integration in employment opportunities as long as I live, because I know as long as the White man can keep us back in job opportunities, that the Black man will always be kept down. But I know too that, "Integration without preparation is frustration;" and that to the same extent that I must fight for job opportunities for my people, I must also work to train my people to go through those doors when they are opened. "We've gotten the man on the bus. Now we want to be sure he can do something when he gets off."

Some may say: "Leave it to the Government." Well . . . the Government is not going to take the initiative to train Black men to do the kinds of jobs I am talking about. The Government will do no more than it has to do in this matter. They seem to have some idea in Washington that training for Black men and women means training for "stopgap", "dead-end", "going no place in a hurry" jobs; or emergency jobs of some kind that will keep the summer cool. Therefore, much that will have to be done in the field of training and re-training, for the kinds of jobs we "want" and "need", must be done out of our own efforts and persuasions. Either we will do it ourselves, with the cooperation of private industry, and persuade the government to provide maximum resources to help us help ourselves, or our people will not get the help that they need in job training opportunities.

We have in the past, and we shall continue to appeal to the Congress of the United States, and to the President of the United States, for more funds to support the OIC work. All OIC programs are initiated out of the pockets and the efforts of Black and Brown men and women, or other minority citizens, who believe in the philosophy of OIC, and in what we are trying to do. We also secure significant support and help from the industrial community of the nation. And although the government helps us some, OIC receives only a pittance compared with the large sums of money spent on Manpower programs in the nation, most of which have fallen on their faces. We contend that OIC should get a "fair share" of all Manpower dollars being spent in the nation, particularly since so much of it is supposed to be going to help the Brothers. If the government can pour billions into Manpower programs that don't work, we say it is time now for the government to put some of this money into something like OIC that does work. Therefore, the OICs of America are appealing to the President and to the Congress to help OIC. We have 25 million dollars to work with now and we thank the Department of Labor for that kind of help, because at least it is something, but we need at least 100 million dollars a year to begin to do the job that we can do to help our people. This will help OIC to train and place 100 thousand men and women a year, in jobs and therefore reach our goal of one million men and women trained and re-trained into useful, good paying jobs in the decade of the Seventies, and we believe OIC can get $100 million.

But, we are not concerned just with OIC, we are disturbed generally about the inaction of the government relative to the needs of the nation's poor. There are 30 million poor: Black, Brown, Red and White in this country, but the Federal Government, meaning the President and the Congress, have been playing political "tiddly-winks" with the needs of the poverty stricken. The policy of both the President and the Congress seems to be: Like "tiddly-winks." Don't disturb them, "Take a few off the top, but don't upset those on the bottom." The only thing that has come out of this government these last 3 years on measures affecting the poor has been "Hot Air" and "Vetoes"! Speeches in Washington get longer and longer; and the poor get poorer and poorer. It is time now for the President and the Congress to stop playing petty politics with the poor. And I am talking about Republicans and Democrats both, because neither are doing much for Black people, or we would not be in the mess we are in all over the country today. They are playing games with us in the national government and in the cities and its time to end this game playing.

It is time that America should take the billions of dollars being spent meaninglessly in Vietnam, and some of the billions of dollars being spent in space, and put that money to work eliminating poverty from among the poor people of this nation. If America really wants to do something about poverty, it can. We can do what we want to do! All we need to do is do it!

"If America can put a man on the moon in outer space, then America can help put a man on his feet in Mississippi."

So, we want some meaningful legislation out of Washington to help people with jobs, and training, and hope. And we can't wait for 1972 for something to happen. We might all be wiped out by 1972. We need the President and the Congress to get together to provide some meaningful help now, in 1971. We want funds to help us develop OICs in 100 cities, and in the Rural South and on Reservations. We want to help Blacks and Chicanos and Puerto Ricans and Appalachian Whites and Red Men who want a decent job. It is time a program to help the poor; founded, developed and run by Black people got a part of the action.

The second step the Black man must take, is in economic development. Now I do mean Black Capitalism. I do not know why, when or where that term was ever started, or by whom. Because there is no such thing as Black Capitalism. Capital is not Black—it is green. What Black people want is: some green money, in order that we might be able to buy what we want to buy, live where we want to live, and do what we want to do. It is not Black Capitalism the Black man wants, but some Green Capitalism. "We just want some money!" Don't we?

In this respect, there is a need, therefore, for Black men to develop enterprises so that we might become producers, rather than just consumers. We have a long way to go in this respect. We have so little. If we were to take all the businesses owned by all the Black people in America, and put them together, the sum total would not be worth the value of one building on Fifth Avenue: The Empire State Building.

We must, therefore, take a step in the direction of economic development so that we might become economically emancipated in the market places of the nation and the world.

Now . . . the world of economics is a hard world. It is a cold world. It is a concise world. It deals with balance sheets, profit and loss statements, and hard management practices. The three main factors in this kind of world are: Cost, Quality and Time. We cannot deal in this kind of world as we have dealt with other matters. In this world of economics, either "you make it" or "you lose it." In the next 30 years it will be necessary for us to develop at least 50,000 new businesses, operated by Blacks, but selling to everybody, in order for us to just get a foot in the door.

Several weeks ago, I looked at the listing of Fortune's top 1,000 industrial enterprises in America, and in going through all 1,000 there was not a single Black-owned enterprise on the list, not even 999th. Something can, and must be done about it.

To move in this direction, new methods will have to be devised for capitalization and management training; including cooperative savings, and investment groups, and self-help community and entrepreneurial training centers. We must collectively utilize our resources that we might be able to compete with individual wealth. That is to say, that we must cooperativize to industrialize. Our economic future must be built on the collective unity and the collective savings and investments of our people. We may not have a Rockefeller in the Race, but 5,000 of us together can make one; and 100,000 of us can make a Ford Foundation. In many ways I am a Black American Patriot. I believe in America. For those who say "If you don't like America why don't you leave," I say "When the last Indian leaves, I will be right behind him." I just want to see America and Free Enterprise work for Black people like it works for White people. If America is to be America, then let it be America for everyone. The 10–36 plan is one example of the kind of thing that can be done.

The 10–36 Plan in Philadelphia was initiated by 200 members of my church a few years ago, and has since grown to 6,000 investors who invest $10 a month for 36 months, demonstrating what can be done when people collectively share and invest their resources for mutual goals. This 10–36 group has built housing developments, constructed a shopping center, initiated factories, developed an inner city food store chain, secured office buildings, started entrepreneurial training center programs, and created a lending enterprise for aspiring Black businessmen. I long to see this kind of example duplicated in other communities wherever our people live. It works; and it can be done anywhere.

A Black couple went to rent an apartment and were told they couldn't live there because of other color. They came to us and we went back and bought the apartment building.

And every industry and every company of the first 1,000 in America should assist in the development of Black owned businesses, as cooperating companies; much as the General Electric Company provided technical resources, subcontracts and support to a totally minority owned and managed, successful multimillion dollar enterprise in Philadelphia, called Progress Aerospace Enterprises. Similarly, every large industry and company in the nation could provide that same technical resource, sub-contracts and management support to developing Black owned enterprises. And the larger the company the more it should do.

Economic emancipation is the top priority of the race; in job preparation and in the creation of productive enterprises. Not until the race begins to produce will the world stop seeing us as beggars.

The third step we must take is in the area of group respect and togetherness: It is imperative that we establish a new standard of

humanity, brotherhood, group respect and togetherness among our own people.

Today, more and more, we are turned against ourselves. Black men are turned against Black men. We fight each other. We curse each other. We kill each other. This condition is seen throughout the Black community. During the same time span of the present war, Black men have killed more Black men in arguments with each other, *here in America*, than all the Black men that have been killed by the Viet Cong during the entire Vietnam War. We have let our conditions make us turn against ourselves. Somehow, this must be stopped, or our divisions and self-conflict will halt our progress.

There is nothing the enemy of Black progress wants more than to see us divided and fighting among ourselves. We need a national crusade for group respect and togetherness in the race. This kind of group respect and togetherness is needed among individuals, and our organizations as well. We spend so much time in our organizations, vying with each other, that we don't have time left to fight the enemy. We are all in the struggle together. We rise together, or we fall together.

Make no mistake about it; we need each other, and we had better start working together, as individuals, and as organizations, or our cause will be lost.

Rivers flow from many sources to arrive at the same goal. So with the race. Some of us are conservative, some of us are militant, some of us are quiet, some of us are loud, some of us wear dashikis, and some of us wear sport jackets, but we must let the world know that whatever we wear or however we look we all intend to arrive at the same goal; *and that goal is freedom for our people!* We must not let the White man divide us any longer; and we must not divide ourselves. The emphasis of the future must be: Together! Together! Together!

Like Fingers on a Hand: Strike a man with fingers divided and you hurt the Hand—Strike a man with fingers united and you hurt the Man.

So . . . strike discrimination with the race divided and no good will be done—but strike discrimination with the race united and *Victories* will be won.

Whether we be Conservative, Moderate or Militant: Whether we be NAACP, Urban League, Southern Christian Leadership Conference, the Muslims, the Panthers, or OIC, or whatever we may be, we must let the Nation know that we are in this struggle Together . . . Together . . . Together!

If anyone wants to know who the leader in America is in Civil Rights—"The National Association for the Advancement of Colored People" is the leader. If anyone wants to know who is the main speaker for Black people, tell them to call Roy Wilkins. (applause) And the NAACP will stay the leader until Freedom comes!

We must all help to make the NAACP stronger, stronger and stronger—for the strength of the NAACP in America is the strength of the Black man in America.

The OIC Board has passed a resolution to buy a life membership in the NAACP. And another resolution was passed calling upon every OIC in the country to support the NAACP. That's really going to be something when OIC and the NAACP start rolling together!

Then there is the fourth step that we must take; of Black International awareness. For wherever Black men are in the world, our fates are tied together. *Black men will not be free anywhere until Black men are free everywhere!* Therefore, we must be concerned with the suffering of our Brothers and our Sisters wherever they may be: in Angola and in Rhodesia and in the Union of South Africa, where the most ruthless system of discrimination practices in the world today are perpetrated against the Black man. My friends, *Apartheid must come to an end!* There are those who say to me, "Be silent on this matter," but that has been the trouble already. We have been silent too long. I shall not be silent. I shall not be silent until Apartheid comes to an end in the Union of South Africa. And we must do whatever is necessary to see that it comes to an end. If it means a United States economic embargo against the Union of South Africa, then we must fight for that; if it means the removal of American based plants and industry out of the Union of South Africa, then we must fight for that. Whatever is necessary to be done to help our Black brothers in the Union of South Africa and to rid the world of Apartheid must be done. For I repeat, *Black men will not be free anywhere until they are free everywhere.* And it is not necessary for the plants to be moved if some fundamental thing are done.

To resolve the situation in the Union of South Africa, let the Black man be recognized as a full human being and not a subspecie to the White man, with full citizenship rights in his own country and with the right to vote, and the freedom to go and live where he pleases without discrimination. And let the Black man have the right to equal wages for the same job done as received by the White man. Though I be a voice in the wilderness, I shall not be silent until progress is made in this direction. We must be . . . Together . . . Together . . . Together!

I know there are other steps that must be taken that you, the NAACP, do better than anyone else I know: Political education, integrated housing, improvement of public education, and more.

I have given you these steps: Training, Economic Development, Togetherness and a concern for our Brothers across the seas. They may not be giant steps, but they are steps in the right direction. And, I believe, if we take these steps, the day will come when we shall, with the help of God, reach our goal of full emancipation and equal opportunity, and freedom for the Black man in America, and around the world.

Let us move on Together . . . Together . . . Together!

Thank you for this great honor. I hope in the years ahead it can be proved that I merited it.

Incidentally, domestically, General Motors is doing a *little* better these days. Right on!

OPPOSITION TO SUSPENSION OF CERTAIN AIRLINE SERVICES TO WILMINGTON, DEL.

Mr. ROTH. Mr. President, I wish to address myself today to a matter of grave concern to the citizens of Delaware, especially to those living in the Wilmington area. The Civil Aeronautics Board is currently reviewing the petitions for reconsideration filed by Eastern Air Lines, and Allegheny Airlines, Inc., for suspension of service at Wilmington, Del. The CAB denied an earlier application by Allegheny and Eastern for authority to temporarily suspend service at Wilmington with its order 70–9–104, dated September 21, 1970.

A brief look at the history of this controversy indicates that the Civil Aeronautics Board has acted in the public interest by denying the airlines' request to suspend service to Wilmington.

In 1947, American and TWA were certified to service Wilmington and were followed by Eastern and Allegheny in 1948.

TWA and American were authorized by the Civil Aeronautics Board to suspend service in 1953 and 1959 respectively.

In addition, Allegheny's east-west service was eliminated as a result of litigation between 1962 and 1967.

In 1965, the CAB denied Eastern Air Lines' request to terminate its service at Wilmington.

Moreover, in 1967, the CAB found that Allegheny's north-south service to Wilmington, in partial competition with Eastern, should be renewed on a permanent basis.

More recently, representatives of the Wilmington, Del., communities have been resisting efforts of Eastern and Allegheny since March 1970, to eliminate their service at Wilmington.

Finally, just last week, Eastern discontinued its flight 195, which departed at 8 a.m. for Washington and Miami, and its flight 566, which arrived at 9:55 p.m. from Dallas, Atlanta, Greenville/Spartanburg, and Washington. This last development is truly shocking when we consider that 19 of Eastern's stations, or one-quarter of Eastern's total of 76 stations, generate the same or less traffic per flight than the Wilmington flights which Eastern canceled on July 1, 1971. Altair Airlines, a small passenger air company, based in Philadelphia, has scheduled flights to provide some of the lost service for Wilmington. However, this service with small passenger aircraft cannot be considered the substitute for services of a major carrier, such as Eastern.

The Greater Wilmington Airport is the closest trunkline carrier for a 10-county area of almost a million people. Moreover, of the 512 points in the United States that receive certificated air service, Wilmington generates more traffic for Eastern and Allegheny than 244 such points, or 48 percent of the total certificated points in the country. In addition, Greater Wilmington Airport is the only airport in Delaware served by a major carrier on a scheduled basis. It also serves as a reliever airport to the already overcrowded Philadelphia Airport.

Finally, Wilmington Airport is a vital part of this major industrial area and facilitates the transportation of passengers, cargo, and mail to the region.

Recently, on July 8, the Civil Aeronautics Board initiated informal discussions with airlines certified for service into Greater Wilmington Airport and those not currently serving the Philadelphia area for substituted service into Wilmington. These discussions by the Board are in the interest of the people of Wilmington and its surrounding area and I am hopeful of positive results. However, if there is failure to find an airline willing to service Greater Wilmington with equal or improved service than is currently being provided by Eastern and Allegheny airlines, I call upon the Civil Aeronautics Board to deny the latter's request for reconsideration in this matter.

RECOGNITION FOR MR. ANELLO

Mr. PROXMIRE. Mr. President, the National Association of Counties has designated Milwaukee County for its

"New County Achievement Award" because of the county's cultural affairs program.

The man largely responsible for Milwaukee County's achievement is John-David Anello, director of cultural activities for the county.

One of the highlights of the county's program is a series of musical programs, which have been presented free of charge for the last several years.

Milwaukee County has one of the finest park systems in the country. Its Music Under the Stars series is just one indication of its efforts to be beyond merely providing green space and a respite from daily routine for more than a million people in the metropolitan area.

I believe Mr. Anello is completely deserving of the recognition he and Milwaukee County are receiving from the National Association of Counties.

U.S. MILITARY STRENGTH

Mr. ALLOTT. Mr. President, yesterday the distinguished junior Senator from New York delivered a very important address to the National Press Club.

The title of his address asks this question: "The Erosion of U.S. Military Strength: Can There Be Peace Without Power?" Senator BUCKLEY answers the question in this way:

Military forces are not a luxury but a necessity. So long as we live in a world in which some nations feel a compulsion to dominate others, we have no choice but to maintain those levels of defense which are essential to our survival. Great nations are not allowed the luxury of retiring from the world. For such nations, there can be no peace unless they have the power and the will to defend it.

Mr. President, the distinguished junior Senator from New York has undertaken a thorough survey of the U.S. military position. He reports:

It has therefore been with deep concern that I have found my investigation confirming those recently published stories which conclude that we will soon find ourselves in a position where our deterrent capacity will no longer be sufficiently plausible to cause the Soviet Union to back away from future confrontations involving interests vital to the West. What this means quite simply, is that we are rapidly approaching a point where no American President will be able to emerge from a political confrontation with the Soviet Union with our foreign policy objectives intact, whether that confrontation takes place in the Middle East or Western Europe or even in the Caribbean.

Since 1965, the Soviet Union has launched and sustained a truly extraordinary drive to increase and modernize every sector of her strategic and conventional forces. As a result, the Soviet Union now has a payload capacity in her intercontinental and submarine-launched ballistic missiles which is capable of delivering eight times as many nuclear warheads as the United States. This buildup so far exceeds any plausible requirements for a policy of deterrence that we can only conclude that the Soviet Union has developed this extraordinary capacity for use in support of her own diplomacy, a diplomacy whose historic goals have always been aggressive.

Senator BUCKLEY's remarks regarding the SALT talks are very wise:

I submit that if we are to provide adequately for our own defense, and if we wish at the same time to create the conditions best calculated to assure ultimate success in the SALT negotiations, then we must move on an urgent basis to restore the balance of forces which existed at the outset of the SALT talks, to restore the minimum requirements for effective deterrence. We must accelerate existing programs for the deployment of advanced strategic offensive weapons, namely the Air Force B–1A Bomber and the Navy's undersea long-range missile systems; and at the same time, we must broaden the scope of our research and development of new and more exotic weapons. We simply cannot afford any longer to ignore the fact that the Soviet Union is currently spending $3 billion per year more than we are on military and space R&D, and that she is expanding these expenditures at the rate of 13 percent per annum while ours have been declining. For us to continue to fall behind in this critical area is to invite a technological Pearl Harbor. And further, we must devote a significant portion of this research to developing ways of reducing United States vulnerability to strategic attack.

Mr. President, Senator BUCKLEY also calls attention to the ominous situation in the Middle East:

The Soviet Union, for example, has recently introduced the MIG–23 Foxbat into Egypt's already formidable arsenal.

This is an aircraft which can outshoot and outmaneuver anything the Israelis have, and we can do nothing about it because we simply have nothing in our existing military inventory which can challenge the Foxbat. And this of course applies to the primary aircraft utilized by the sixth fleet to its own defense and for support of ground operations.

I speak of the F–4 Phanton which until recently the Israelis had also counted upon to maintain their air superiority. Yet it is typical of the blinders worn by so many in and out of the Congress today that there are active attempts to scuttle the F–14 Tomcat which is the only aircraft competitive with the Foxbat which we are in a position to deliver to the Navy at a reasonably early date.

But this isn't the only problem now facing the sixth fleet. The growing obsolescence of its Combat Vessels, the abandonment of Nato, bases along North Africa, the rapid expansion of modern Soviet Naval Forces in the Mediterranean, and the deployment of Soviet fighter, bomber and reconnaissance squadrons at air bases in Egypt, Libya and Algeria are reducing to the vanishing point the effectiveness of the Sixth Fleet as an instrument of American Policy.

Because the simple, quite inescapable fact is that unless action is taken to modernize and reinforce the Sixth Fleet; and unless we are able to develop and deliver to Israeli weapons which can challenge those which the Soviets can provide to the Arab States, we will find our Mideast options foreclosed. If our compulsive antimilitarism is not soon brought to heel, we will find that American Foreign Policy objectives will have become irrelevant because we will be without the means of implementing them. It will be irrelevant that the United States is committed to the survival of the State of Israel, or that the United States opposes a Russian hegemony in the Middle East, because in a showdown the United States will have no choice but to back down.

Mr. President, I commend the distinguished junior Senator from New York for his able analysis of the most grave problem confronting this Nation; namely, the shifting balance of military power. So that all Senators can examine this analysis, I ask unanimous consent for it to be printed in the RECORD.

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

THE EROSION OF U.S. MILITARY STRENGTH: CAN THERE BE PEACE WITHOUT POWER?

(By Senator JAMES L. BUCKLEY)

I would like to talk about the urgent need to *re-reorder* our priorities.

In simpler times, when it was somehow easier to maintain touch with reality than it is today, it was understood that the first priority of any society was to provide for its own survival. This fundamental principle ought to be as self-evident today as it ever has been in the past. Yet for some time now we have been on an anti-military binge which has forced drastic cutbacks in large categories of defense spending which are essential to our security. As a result we are not only falling critically behind in the necessary business of military research and development, but we have allowed our existing forces to deteriorate to a point where the ability of the President of the United States to assure the defense of vital national interests may be in jeopardy.

Because of the attrition caused by inflation, these cutbacks have been far more severe than would appear on the basis of dollar figures alone. We have not simply cut the fat out of military budgets, we have been hacking away at the sinews and muscles as well. By way of illustration, because of inflation and because payroll costs have risen from 40 per cent of the defense budget for fiscal 1964 to 60 percent of the defense budget submitted for fiscal 1972, in the coming year we will be purchasing 40 percent less in military research and hardware than we did eight years ago before we became actively involved in the Vietnam war. These same figures have forced us, over the same eight-year period, to reduce the number of our Navy carrier wings from 24 to 15, the number of our tactical Air Force squadrons from 119 to 105, and to reduce by almost 30 percent the number of our active naval vessels, from 932 vessels to 658.

I take no pelasure in reciting these figures. I have never had a consuming interest in military affairs, but because of the responsibilities of my office and because of the growing evidence of America's rapidly deteriorating defenses, I have found it necessary to seek out the facts. And the facts that I have been able to determine and their implications are so very serious that I feel I must do what I can to contribute to a better public understanding of what is at stake. We simply cannot any longer afford the blind attacks on just about every program for military research or military procurement which continue to be made in the name of an overriding need to reorder our priorities. Because in the words of Hanson W. Baldwin, "For the United States . . . the eleventh hour is here."

Now admittedly, there is no inherent virtue in maintaining extensive and costly military forces or in developing increasingly sophisticated weapons. No nation with peaceful intentions requires or can justify a defense establishment which is larger than that which is necessary to meet the needs of her own security. But the adequacy or inadequacy of a nation's defenses is not determined by considerations of domestic priorities, but by the power relationships within which it must operate. And we must keep in mind that in the real world, no country can conduct an effective foreign policy without a military capability which is appropriate to its responsibilities.

In our case, our responsibilities since World War II have necessarily been international in scope as they have concerned themselves primarily with the need to contain the aggressive outward thrust of the Communist powers. These are responsibilities which we did not seek, but which we cannot escape as the only free world power capable of facing up to the Russian challenge. In the past we have succeeded time and again—witness, for example, the Berlin

and Cuban crises—in causing the Soviets to back away from confrontations which might have ignited a Third World War precisely because we had the military power to back the positions we had to take. The Soviets simply could not risk a test of strength. Our military might, in other words, has been the critical factor in our ability to maintain the tenuous peace which by and large has existed since the end of the Second World War.

While the effectiveness of our foreign policy has ultimately rested on our power to unleash nuclear devastation on any enemy, it has long been an accepted fact at home and abroad that it is unthinkable that the United States should ever initiate an atomic strike. Therefore, the whole fabric of our defense policy has depended on our having sufficient strategic weapons survive any attack launched by an enemy to assure us the ability to deliver a retaliatory strike which would inflict unacceptable losses. This is what our policy of nuclear deterrence has been all about. This is what has been called the balance of terror.

It has therefore been with deep concern that I have found my investigation confirming those recently published stories which conclude that we will soon find ourselves in a position where our deterrent capacity will no longer be sufficiently plausible to cause the Soviet Union to back away from future confrontations involving interests vital to the West. What this means, quite simply, is that we are rapidly approaching a point where no American President will be able to emerge from a political confrontation with the Soviet Union with our foreign policy objectives intact, whether that confrontation takes place in the Middle East or Western Europe or even in the Caribbean.

Since 1965, the Soviet Union has launched and sustained a truly extraordinary drive to increase and modernize every sector of her strategic and conventional forces. As a result, the Soviet Union now has a payload capacity in her intercontinental and submarine-launched ballistic missiles which is capable of delivering eight times as many nuclear warheads as the United States. This buildup so far exceeds any plausible requirement for a policy of deterrence that we can only conclude that the Soviet Union has developed this extraordinary capacity for use in support of her own diplomacy, a diplomacy whose historic goals have always been aggressive.

The conventional wisdom states that any development of nuclear warheads beyond a certain point, whether by the United States or the Soviet Union, is simply superfluous—the disparity in warheads representing merely an "overkill" capacity. I suggest, however, that there is no evidence whatever that the Russians buy this analysis.

For an insight into what may be the Russian view, let us consider what might plausibly be the result of a hypothetical "first strike" attack by the Soviets on our strategic forces. If we assume that Russia's production line technology is equal to our own—and we must—then the existing three hundred Soviet SS–9's could each be equipped with between three and six independently targeted warheads, having a yield of from two to five megatons each. This would give their SS–9's the present capacity to deliver between 900 and 1800 warheads, each capable of attacking and destroying one of our Minutemen ICBM's. If we assume further that the Russians employ guidance systems equivalent to those available to us for our Minutemen III and Poseidon missiles, then a "first strike" attack by their SS–9's could destroy on the ground or in port about 90 per cent of our land based ICBM's, 50 per cent of our aging B–52 bombers, and one-third of our Polaris submarines before we could even consider a retaliatory strike. And this destruction of our deterrent force could be significantly increased by advances in guidance technology which our own research has already shown to be feasible.

Assuming such an attack, the Soviets would have left over sufficient forces-in-being to pose a continuing threat to our remaining strategic forces and to our cities. This remaining capacity would include over 900 SS–11's, over 400 submarine launched ballistic missiles, and nearly 200 bombers. We would, as of the present, still have the suicidal capacity to inflict devastation on those Russian cities not protected by ABM systems, but this remaining deterrence could soon be taken from us by an expansion of Russia's ABM defenses.

There are many, of course, who are pinning their hopes on the strategic arms limitation treaty negotiations which are now taking place between the United States and the Soviet Union. In a sensible, rational, truly peace-seeking world, we could have high hopes for the success of these discussions, and the optimist in me believes that such success may in fact be possible, but only if the Soviets are satisfied that we will not deal away our strength in exchange for unenforceable promises. One thing which ought to be clear is that we cannot hope for success if we hide from the cold realities of life, if we let ourselves be carried away by euphoria at every small concession. Let us keep in mind that the SALT talks are now in their second year, and that we have experienced powerful pressures here at home to defer any buildup of our forces or of our purely defensive systems pending the outcome of these talks. Yet since the SALT negotiations began in early 1969, the Soviets have deployed 700 additional ICBM's, thus doubling the number which were deployed in late 1968.

In my judgment, we can no longer afford to defer further development of our strategic offensive and defensive capabilities in the hope that successful negotiations will have made the expenditures unnecessary. And we must take particular care that any agreement reached with the Russians will not have the effect of freezing them in a position of decisive superiority. We must also keep in mind that unless we are prepared to place the future of the free world at the mercy of Russian bona fides, we will have to insist on inspection procedures more rigorous than any previously suggested. We will need, quite literally, the right to inspect her anti-aircraft weapons, missile by missile and radar site by radar site to make sure that weapons now deployed are not converted into effective anti-ballistic missiles which would destroy our remaining deterrent power in a manner which cannot possibly be monitored by satellite surveillance.

In expressing these doubts about our ability to achieve in the near-term the overall objectives of the SALT negotiations, I do not want to suggest that I consider them to be futile. All that I ask is that we understand what we are about, and that we seek to maintain a strategic capability which will not leave us defenseless should negotiations fail. And in the meantime, if the talks continue as I hope they will, any number of understandings, formal and informal, could be worked out to our mutual advantage to reduce the likelihood of the outbreak of war, or should it occur, to mitigate its consequences.

I submit that if we are to provide adequately for our own defense, and if we wish at the same time to create the conditions best calculated to assure ultimate success in the SALT negotiations, then we must move on an urgent basis to restore the balance of forces which existed at the outset of the SALT talks, to restore the minimum requirements for effective deterrence. We must accelerate existing programs for the deployment of advanced strategic offensive weapons, namely the Air Force B–1A bomber and the Navy's undersea long-range missile systems; and at the same time, we must broaden the scope of our research and development of new and more exotic weapons. We simply cannot afford any longer to ignore the fact that the Soviet Union is currently spending $3 billion per year more than we are on military and space R&D, and that she is expanding these expenditures at the rate of 13 per cent per annum while ours have been declining. For us to continue to fall behind in this critical area is to invite a technological Pearl Harbor.

And further, we must devote a significant portion of this research to developing ways of reducing United States vulnerability to strategic attack. Specifically, we must capitalize on the promising advances which have been made in the once maligned Safeguard program, advances which indicate that major gains in effectiveness can be achieved within the next several years.

This, of course, suggests the need for a major shift in the U.S. strategic philosophy which dominated our planning during the Kennedy and Johnson administrations, and which still limits the options available to the Nixon administration. I speak of the theory known as "assured destruction." This doctrine, in brief, holds that our security is best maintained if we make certain that sufficient Russian and American missiles will survive any first attack to guarantee mutual suicide. This requires that each side maintain the vulnerability of its respective populations to nuclear annihilation. Thus, as a result of this involuted reasoning, it became the official policy of McNamara's defense department to make certain that our citizens were exposed to maximum danger. Our failure to deploy defensive ballistic missiles around our major centers of population has resulted in the grotesque implication that U.S. policy prefers dead Russians to live Americans.

Now the trouble with this doctrine is that the Russians have evidently refused to play the game in accordance with the McNamara rules. Since 1964, they have been deploying ballistic missile defenses around their major population center, Moscow; and this system, which is constantly being improved, now offers some measure of protection for 15 per cent of the Soviet population. And as I mentioned earlier, the Russians have expanded their offensive capabilities far beyond the limits required by a philosophy of "assured destruction." Under the circumstances, I cannot see how we can afford to delay any longer those measures within our capabilities which will assure some measure of protection to our major population centers; and I cannot view with equanimity any agreements which might be arrived at in the SALT discussions which would have the effect of preventing us from developing such defenses while preserving for the Soviet Union her current offensive advantage.

Our strategic posture, of course, is only part of the story. Under any philosophy of strategic defense, the objective has been to assure a balance of forces which will preclude a resort to nuclear warfare. But while the maintenance of such a balance might avert the horror of an atomic holocaust, it does nothing to eliminate recourse to more conventional forms of warfare; and to the extent that nuclear warfare becomes unthinkable, to that extent must we make certain that we maintain the conventional strength essential to our needs. But here again, while we have allowed our position to deteriorate, the Soviets have been overtaking us with astonishing determination and speed, with consequences which are far from academic.

Let me illustrate the significance of these developments by focusing on one area in which it is generally conceded that the West has strategic interests of critical importance. I speak of the Middle East.

Because of the extreme danger to the interests and security of the West which is

posed by Soviet expansionism in the Middle East, and because Israel sits athwart Soviet ambitions, we have had a special interest in Israel's continuing independence. American policy, therefore, has sought to assure Israel of the weapons required for her defense against her Arab neighbors, while at the same time we have sought to dissuade the Russians from the kind of adventurism which might escalate Arab-Israeli hostilities into an American-Soviet confrontation. To the latter end, we have relied on the United States Sixth Fleet to provide the credible threat required to deter the Soviets from any temptation to intervene on the side of the Arabs in an all-out attempt at a military conquest of Israel.

In the past, the United States has been able to achieve these twin objectives, and as a result she has helped to keep the Middle East from blowing apart. She has been able to avert, in other words, a crisis of the kind which might have triggered a third world war. But as a result of the persistent cuts in research and procurement which have been imposed on our military in recent years, it is no longer at all certain that the United States will continue to have the capability of meeting these objectives in the future.

The Soviet Union, for example, has recently introduced the MIG–23 Foxbat into Egypt's already formidable arsenal. This is an aircraft which can outshoot and outmaneuver anything the Israelis have, and we can do nothing about it because we simply have nothing in our existing military inventory which can challenge the Foxbat. And this of course applies to the primary aircraft utilized by the Sixth Fleet for its own defense and for support of ground operations. I speak of the F–4 Phantom which until recently the Israelis had also counted upon to maintain their air superiority. Yet it is typical of the blinders worn by so many in and out of the Congress today that there are active attempts to scuttle the F–14 Tomcat which is the only aircraft competitive with the Foxbat which we are in a position to deliver to the Navy at a reasonably early date.

But this isn't the only problem now facing the Sixth Fleet. The growing obsolescence of its combat vessels, the abandonment of NATO bases along North Africa, the rapid expansion of modern Soviet naval forces in the Mediterranean, and the deployment of Soviet fighter, bomber and reconnaissance squadrons at air bases in Egypt, Libya and Algeria are reducing to the vanishing point the effectiveness of the Sixth Fleet as an instrument of American policy.

Because the simple, quite inescapable fact is that unless action is taken to modernize and reinforce the Sixth Fleet; and unless we are able to develop and deliver to Israel weapons which can challenge those which the Soviets can provide to the Arab states, we will find our Mideast options foreclosed. If our compulsive antimilitarism is not soon brought to heel, we will find that American foreign policy objectives will have become irrelevant because we will be without the means of implementing them. It will be irrelevant that the United States is committed to the survival of the State of Israel, or that the United States opposes a Russian hegemony in the Middle East, because in a showdown the United States will have no choice but to back down.

And once we begin backing down under pressure here and there around the globe, we will court the disaster of a third world war. Because aggressive nations seem inevitably to overestimate the readiness of free men to retreat. This was the lesson of the first and second world wars. It is a lesson which we will forget at our mortal peril.

Military forces are not a luxury but a necessity. So long as we live in a world in which some nations feel a compulsion to dominate others, we have no choice but to maintain those levels of defense which are essential to our survival. Great nations are not allowed the luxury of retiring from the world. For such nations, there can be no peace unless they have the power and the will to defend it.

RECYCLING

Mr. MOSS. Mr. President, the July issue of Environmental Science and Technology contained a fascinating and important article on the subject of recycling—fascinating, because so much is being done in this field; important, because recycling is the wave of the future in conserving our resources and protecting our environment.

The figures in the article document what is already a well-known fact: we throw away a staggering amount of resources that could potentially be recovered. It also tells about some surprising and exciting technological breakthroughs that will enable us greatly to increase our capacity for recycling. We will soon be able to recycle more different kinds of materials than ever before, and do it far more economically. The returns, both environmental and economic, will be enormous. The Bureau of Mines certainly deserves our commendation for its outstanding research in this field.

At this point I ask unanimous consent that the text of this article be printed in the RECORD.

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

SOLID WASTE—RESOURCES OUT OF PLACE

(By Charles B. Kenahan, U.S. Bureau of Mines)

The constant increase in per capita generation of solid waste, stimulated by production growth and coupled with a rapidly increasing population concentrated in urban areas, is responsible for the nation's present environmental crisis. Increased demand and the increased production to meet it are the basic causes of increased pollution. This is confirmed by the fact that the real output of goods and services in the U.S. has grown as much since 1950 as it grew in the entire period from the landing of the Pilgrims up to 1950.

To add fuel to the fire—or waste to the pile—consider that a similar growth period is predicted between 1970 and 1980, which can easily be translated into more junk cars, cans, bottles, plastics, fly ash, and paper products. If the present production of solid waste is not managed what of the future?

SOLID WASTE

The terminology and characteristics of this solid waste that is causing such a furor must be examined. Where does it come from? How much of it is there? Where is its final resting place? And, what is being done about it?

Solid waste falls into three major source categories. The first is urban refuse, which includes domestic, commercial, municipal, and industrial waste products; the second category contains the mineral waste which results from mining and mineral processing operations; and the last, agricultural waste, includes farming, animal, and crop waste.

A further breakdown of urban refuse shows that the nation generates about 400 million tons each year. This includes 60 billion cans, 36 billion bottles, 58 million tons of paper and paper products, 4 million tons of plastic, over 1 million abandoned automobiles, mountains of demolition debris, 180 million tires, and countless millions of tons of refrigerators, stoves, TV sets, and like items. The cost to collect and dispose of urban solid waste alone is about $6 billion annually. Where does it all go? About half is burned in some manner, and the other half is buried in landfills and dumps, with the values it contains lost forever.

The second category, mineral waste, is large—about 1.7 billion tons each year. The production of 1 ton of copper results in about 500 tons of waste earth and rock. Additionally, a past accumulation of about 23 billion tons of mineral waste is scattered across the nation.

The final category, agricultural waste, is even more awesome—over 2 billion tons annually—including farming, slaughterhouse, and animal waste. An average-sized steer generates about 10 tons of solid waste each year.

Furthermore, over 100 lb of solid waste daily is generated for every man, woman, and child in the country. By 1980, this is expected to increase to 150 lb per day.

The importance of secondary metals—which represent the only growing metal resources—can best be assessed by comparing the gross production of major metals with quantities reclaimed from secondary sources. According to production estimates (on an annual basis), over 50% of the lead, 40% of the copper, 45% of the iron and steel, and 25% of the zinc and aluminum made available for new products last year were derived from secondary sources. Equally important are the estimated quantities of these metals accumulating in the "in-use" channels of the economy. Nearly 40 million tons of copper, over 3.5 million tons of lead, and about 4 million tons of zinc are presently in the category, which represents a constantly growing man-made mine of future raw materials.

These figures are indeed impressive, but the amounts of metals still being wasted are equally impressive. Annually discarded in municipal dumps are 11 million tons of ferrous metals and over 1 million tons of nonferrous metals, including copper, aluminum, tin, lead, and zinc. An estimated 12 million junk cars still remain to be reclaimed from auto graveyards across the nation. In addition, automotive scrappage has now reached a rate that can provide over 10 million tons of ferrous and a half million tons of nonferrous metals annually. Nearly 400,000 tons of aluminum was used for manufacturing cans, lids, and caps in 1970; only a small percentage of this was reclaimed. Thrown away each year in city dumps is 25,000 tons of tin in tin-coated steel cans, which is equivalent to the amount of tin salvaged from all other secondary sources. These are just a few opportunities.

BU MINES RESEARCH

The Department of the Interior's Bureau of Mines has always considered waste products and scrap generated by the mineral and metals industry and the consuming public as potential resources. In the business of reclaiming values from metal and mineral-based by-products for over 30 years, the bureau has been a pioneer in the field of secondary metals recovery and solid waste research. The authority and responsibility for conducting research on separation, recovery, and recycling of metal, mineral, and energy-based by-products, however generated, are inherent in the Organic Act of May 16, 1910, as amended in 1913, which established the Bureau of Mines. Congress assigned a major role to the Department of the Interior in the Solid Waste Disposal Act of 1965, and more recently in the Resource Recovery Act of 1970.

Under the original Solid Waste Act, the Department of the Interior was authorized $32.3 million over a 3-year period for research relating to metal and mineral waste. Only $11 million was appropriated to the Bureau of Mines under this law. The Resource Recovery Act of 1970 authorizes fund-

ing of $8.75 million for fiscal year (FY) 1971, $20 million for FY 1972, and $22.5 million for FY 1973 to the Department of the Interior.

The bureau's Metallurgy Research Activity, equipped for metal and mineral waste problems, includes the Divisions of Metallurgy and Solid Wastes with 777 full-time employees at eight research centers across the country. About half are professionally trained in metallurgy, chemical engineering, chemistry and physics, and mineral engineering. The bureau's coal and petroleum research activities also deal with solid waste problems relating to energy recovery.

The bureau has already laid valuable groundwork in several solid waste research areas, including urban refuse, junk cars, mining and processing waste, and industrial waste products.

For over a year the bureau has operated a pilot plant at the College Park (Md.) Metallurgy Research Center which separates and recovers, in much the same way the minerals are separated from their ores, the major metal and mineral values contained in municipal incinerator residues. The process, which employs conventional mineral engineering equipment such as magnetic separation, screening, grinding, and shredding procedures, separates the ferrous and nonferrous metals and glass from the burned refuse on a continuous basis. The plant, which can process one-half ton of residues per hour, is sophisticated enough to separate glass into clear and colored components. Based on the engineering data developed from the pilot-plant operation, estimates for capital and operating costs for a 1,000-ton-per-day plant show a cost of about $2 per ton of residue. Each ton of residue processed through the plant yields 700 lb of iron, 40 lb of nonferrous metals including aluminum, copper, lead, tin, and zinc, small amounts of silver, and a half ton of glass. The total value is $10 to $12 per ton of residues. The remainder is finely powdered ash, which makes excellent fill material and also has agricultural nutrient value. The values contained in 1 ton of municipal incinerator residues are depicted in the photograph above. Not printed in the RECORD.

An air classification system to recover the metal and mineral values from raw, unburned refuse is also being investigated. The bureau has developed an experimental, simple, horizontal air classifier with a feed rate of over 1 ton per hour, which produces a concentrate from shredded municipal refuse assaying 65% metal and 85% paper, with high metal and paper recovery. Potential uses for the paper and plastics are also being examined.

Significant progress has also been made in developing processes for refining ferrous and nonferrous products reclaimed from refuse. High-purity zinc and an aluminum alloy having utility in the secondary aluminum industry have been produced in the laboratory. Tin cans and other iron products can be used for precipitating copper from waste copper dump leach solutions, which is an established practice, or used as feed material for steelmaking after removing deleterious contaminants.

The bureau has been successful in producing standard bricks from various grades of glass recovered from refuse. The bricks, made by dry pressing or extruding mixes of 70% glass and 30% clay and firing at 1,000° C., meet or exceed ASTM specifications for severe weathering, FBS brick.

Another use for glass from refuse is mineral wool production. By fusing glass with about 50% dolomite and blowing, an excellent grade of colorless glass wool, having a bulk density of 2.5 lb per ft^3 and an average fiber diameter of 6 μ, is produced. The fibers are shorter and softer than typical commercial slag wools tested.

Another development that could significantly affect the disposal or utilization of urban solid waste is a process recently developed by the bureau's Pittsburgh Coal Research Center for converting garbage and waste paper into crude petroleum. In the process, the combustible material from refuse, including garbage, is hydrogenated by reaction with carbon monoxide and steam at 500 psi. The resulting product is a heavy paraffinic oil, that is low in sulfur. It is estimated that each ton of dry refuse would yield over two barrels of this crude petroleum. The same process has been applied to wood by-products, sewage sludge, and animal manure to yield a crude oil. Based on current generated domestic refuse and animal manures, this represents a potential equivalent to 2 billion barrels of oil annually.

Other research has demonstrated that organic fractions of wastes can be pyrolyzed thermally (destructive distillation in the absence of oxygen) to yield liquid and gaseous hydrocarbons, tar, and valuable chemicals. Worn-out rubber tires, for example, are a nationwide waste product that can be disposed of by pyrolysis.

About 180 million tires containing nearly 2 million tons of rubber are scrapped yearly. Tire disposal by burning causes serious air pollution by the billowing, acrid, black smoke produced. Disposal in landfills or open dumps is less than desirable because tires are difficult to compact and are essentially not biodegradable. Bureau research on pyrolysis of tires has shown that 1500 ft^3 of high-quality gas (800 to 1200 Btu per ft^3) and 140 gallons of hydrocarbon liquid oil can be produced per ton of tires treated. The Firestone Tire and Rubber Co. has constructed a pilot plant to prove out the technical and economic feasibility of the bureau-developed process. In other research, the pyrolysis process has been applied successfully on a laboratory scale to urban refuse, wood bark and sawdust, plastics, and discarded battery cases to produce a variety of useful products.

The bureau is also investigating vortex incineration to solve problems encountered in conventional furnaces. The vortex incinerator is more compact, has a lower capital cost, and greater potential for cleaner effluents that the conventional grate-type incinerator commonly used to burn refuse. A pilot-scale vortex unit, incinerating combustible solids ranging from high-moisture-content sludge to industrial and domestic refuse, is currently under evaluation at the bureau's Coal Research Center in Pittsburgh.

Bureau of Mines researchers at the Twin Cities Metallurgy Research Center in Minneapolis, Minn., have found another novel use for the mounting avalanche of trash from this affluent society. The refuse, traditionally posing a costly disposal problem to every municipality, has proved to be an effective reductant for converting nonmagnetic taconite ore (a waste product of iron ore mining) into high-quality magnetic iron ore in a reduction-roasting process developed by the bureau. The average composition of raw refuse includes about 8% metallic, 42% paper, and 22% other combustible rubbish such as wood, rags, rubber, grass, leaves, and plastics. These supply both fuel and metal for the reduction process. The nonmagnetic taconite ore, containing about 30% iron, is roasted with the refuse in a large rotary kiln furnace at 1000°C. The final recovered product analyzes 70% iron—a high-grade iron ore suitable for smelting in the blast furnace.

JUNK CARS

Another problem to which the bureau's Salt Lake City, Utah, research center has been devoting a considerable research effort is junk cars. Although discarded auto hulks constitute only a small fraction of the waste disposal problem in terms of tonnage, they are higher in metal values than most waste materials.

As a result of recent research by the bureau, practical and economic methods have been developed for dismantling junk automobiles to produce high-quality scrap. All components of 15 scrap automobiles procurred from auto-wrecking yards, scrap processors, and insurance salvage firms—cars manufactured between 1954 and 1965—were dismantled, separated into various components, and analyzed. Alternative means and methods of stripping and dismantling the cars were employed to determine the fastest and most practical technique. Derived from the information obtained, a representative junk automobile weighing 3600 lb could yield approximately 2500 lb of steel, 500 lb of cast iron, 32 lb of copper, 54 lb of zinc, 51 lb of aluminum, and 20 lb of lead. The remaining 400 lb consisted of nonmetallics.

The bureau conducted time and motion studies on the 15 scrap cars using various dismantling procedures (cutting torches, hand-stripping, and cutoff saws) and found that a typical vehicle could be economically burned in a smokeless incinerator and hand-dismantled, and the steel could be baled into a high-quality bundle containing less than 0.1% copper. A cost evaluation study showed that such an operation could provide an annual return rate on investment of 25%.

In a cooperative effort with the Wasatch Metal and Salvage Co. (Salt Lake City, Utah), the bureau developed, constructed, and is presently operating a practical, smokeless junk car incinerator. It is relatively inexpensive and can efficiently process as many as 80 cars in an eight-hour period. Also, the combustion gases are smokeless and meet or exceed most clean air standards.

The new incinerator's principal attraction is its $22,000 construction cost (roughly one-tenth the cost of smokeless models now commercially available) and a relatively low operating cost of about $2 per car. The incinerator has stimulated wide interest among scrap processors whose open-air burning practices are being increasingly restricted. At least nine scrap car processors are constructing auto incinerators which are based on the bureau design.

Bureau engineers are also working on the problem of upgrading the nonmetallic and nonferrous rejects from junk car shredding operations. Such rejects are currently being generated at the rate of about 1 million tons annually. Aluminum, copper, zinc, and lead constitute over 30% of this reject For the most part, these valuable nonferrous metals are being wasted because no practical method has been devised to separate and recover them.

Recently, the bureau's Salt Lake City research center developed an air separation method that yields a concentrate of the metallic constituents from this residue. This air classifier has a 16-ton-per-hour capacity for shredded residue. The concentrate, which is 84% metal, contains 97% of the nonferrous content of the residue. This metallic concentrate can be refined into some of its constituent parts by physical concentration methods and pyrometallurgical processing.

Other bureau research aimed at developing a continuous process for steelmaking in the electric furnace promises to have an impact on automotive scrap consumption that makes an ideal feed for such a process. Test results to date indicate that the steel produced will be suitable for teeming into ingots and rolling into a variety of finished structural products.

A relatively simple technique was developed at the Twin Cities, Minn., research center, for recovering copper from starters, generators, armatures, and similar high-copper automotive components. This process may offer the solution to a troublesome and time-consuming problem for scrap processors. In this process, copper-containing scrap is dipped in a molten salt (calcium chloride) and agitated briefly. The bath does not affect the iron and steel scrap but quickly

melts the copper, even in inaccessible small holes and crevices. The molten copper collects in the bottom of the vessel and can easily be tapped off. About 99% of the copper can be reclaimed in this manner. The process is economical because the salt is cheap and can be reused.

Bureau research on utilization of auto scrap as a reductant for converting currently nonexploitable, nonmagnetic taconite ores to a commercially attractive iron resource has been given much attention. In this process, the nonmagnetic taconites, rejected as waste during mining and beneficiation of the magnetic taconites and analyzing about 30% iron, are mixed with unburned auto scrap. This material is heated in a rotary kiln at 1000°C to reduce simultaneously the nonmagnetic oxide iron in the ore to the magnetic form and oxidize the scrap iron to the magnetic oxide. The final product is a high-grade ore that analyzes about 70% iron. Tin cans, borings and turnings, and other low-grade ferrous scrap are also ideal raw materials for this process.

MINERAL WASTE

The bureau has also been active in reclaiming values from mining, metallurgical, chemical, and industrial processing operations. This work not only includes salvage and reuse, but also stabilizing nonusable mineral waste.

A large-scale effort has been made to stabilize the waste tailing piles from mining operations that have no mineral or utilization values. These wastes are often air, water, and land pollution sources. Successful chemical and vegetative techniques have been demonstrated on copper and uranium-mill tailing piles.

Thirty-four acres of uranium leach plant residues, located on the Navajo Indian Reservation in Arizona, has been effectively stabilized against wind erosion using a low-cost chemical method developed by bureau scientists. In Durango, Colo., another 13-acre plot of waste uranium tailings was stabilized by a vegetative cover under bureau supervision. The procedure has been so successful that a stalk of wheat grown on the waste pile, where formerly nothing would germinate, won second prize in a local flower and garden show.

Engineers have also demonstrated that mineral waste such as copper and gold mill tailings, coal washer rejects, and power plant bottom and fly ash can be converted into useful finished products.

The bureau also initiated a modest contract and grant program under authority of the Solid Waste Disposal Act of 1965. Under the contract and grant program, the University of Utah made significant progress producing crystallized glass and ceramic tile and pipe from copper tailings, fabricating a promising refractory and tile from asbestos tailing waste, and producing high-quality ferrites from mill scale.

West Virginia University, under a bureau grant, developed a process producing rock wool insulation from coal ash slag, a waste product from coal-fired central power plants. Commercially competitive structural concrete blocks also have been fabricated from the power plant fly ash. Stanford University researchers, under another bureau grant, demonstrated the technical and economic feasibility of producing steam-cured, calcium-silicate bricks from California gold mine waste. A preliminary report indicates that the calcium silicate bricks can be produced from the tailings and delivered to the market areas at costs below the existing lowest quoted selling price of standard clay bricks.

Research conducted by the IIT Research Institute, Chicago, Ill., on red mud has shown that this waste material can be fabricated into a variety of potentially useful commercial products. Red mud is a slimy, high-iron content reject resulting from processing bauxite to produce alumina for making aluminum. Ceramic articles such as tile pipe, wall and floor tile, and lightweight building blocks have been fabricated from the mud which otherwise poses an acute disposal and impounding problem.

Processes have been developed by bureau scientists to convert asbestos mining waste, phosphorus furnace slags, and mine and mill tailings into raw materials for manufacture of wall tile and bricks.

INDUSTRIAL WASTE

In the industrial waste area, the bureau has developed several promising methods to convert waste materials into useful resources. A unique method for claiming valuable cobalt from sintered carbide scrap was developed at the research center in Rolla, Mo. The process involves the use of molten zinc, which forms an alloy with the cobalt binder. The zinc is then recovered by distillation techniques. Over 99% of the tungsten carbide and over 98% of the cobalt can be recovered and reused. Virtually all of the zinc is recovered and can be reused to reclaim additional scrap. The process yields products that are directly reusable without further treatment. Evaluating the products made from recycled material shows that there is no difference between the properties of those made from used material and those made from virgin sources. The treatment is unique in that virtually all components of the process are recovered and can be reused. The technique is believed to be a breakthrough in the recycling of cemented carbides, which is a $250 million business nationally. The Wendt-Sonis United Greenfield Division of TRW Inc. is presently testing the bureau process on a pilot-size scale.

Other research has focused on developing methods that may alleviate serious water pollution problems for the nearly 20,000 metal-plating and coating facilities across the nation. Electroplating and metal-finishing wastes are significant stream pollutants—either directly, owing to their content of toxic and corrosive materials such as cyanide, acids, and metals, or indirectly, owing to the deleterious effect of these components on sewage treatment systems. Bureau scientists have shown that reducing an organic-cyanide electroplating waste with formaldehyde will cause metallic copper and silver to coprecipitate while destroying all of the poisonous cyanides. Another method, which is even more promising, employs two plating waste solutions to recover metals and chemicals and leaves behind a harmless liquid free of toxic metal ions and hazardous cyanides.

Bureau researchers have developed processes for recovering expensive metals from cuttings and grindings left over when "superalloy" jet engine parts are machined. Such scrap, containing nickel, cobalt, molybdenum, and chromium, has a metal content worth nearly $1000 per ton. It is regularly sold to overseas markets for far less, because of the high cost of separating and recovering the metals by methods now available in the United States.

Remelting the material for reuse as alloy is impractical because oil, rags, abrasive grit, and other contaminants are mixed with the alloy, and its alloying metals content is not uniform. In the bureau process, the scrap is cleaned by screening, burning, and magnetic separation, and dissolved in hot acid. Molybdenum, cobalt, chromium, and nickel are removed from the hot acid solution in successive operations by solvent extraction, followed by selective precipitation of the valuable metals.

The bureau is working on recovering and reusing waste materials that are being ejected in the stack gases generated by the minerals and metal industries during smelting and chemical processing. Good progress is being made by removing these waste materials in a form that will permit their recycling and reuse. For example, fluorine liberated in processing phosphate rock to phosphoric acid has been converted to synthetic fluorite or calcium fluoride, which is a raw material in short supply for steel and aluminum manufacturing.

There has been exceptional success in developing a process for removing sulfur dioxide from copper and other base-metal smelter gases. The process not only effectively removes all of the sulfur dioxide from the gases but converts the sulfur dioxide to elemental sulfur that can be stored for indefinite periods or easily shipped over long distances to consumer points. Currently, a major copper producer is constructing a pilot plant at a smelter in Arizona to test the process and obtain detailed operating and cost figures preparatory to design and construction of a full-sized facility.

These are some of the uses the bureau has found for solid wastes. Several of the processes developed have already attracted wide interest by the industrial sector and probably will be adopted.

It is not inconceivable that the present-day mine tailing dumps, municipal landfills, and junk car graveyards may be looked upon in the future as "man-made mines" for minerals whose natural ores have been completed or remain in deposits that can be mined only at greater cost than required for recycling waste. The Bureau of Mines considers solid waste as resources out of place—and is simply trying to put it back where it belongs.

THE ILLINOIS DRUG ABUSE PROGRAM

Mr. PERCY. Mr. President, in connection with the drug crisis which we, as a Nation, are now experiencing, I have introduced S. 2097—and am joined in that bipartisan effort by 24 of my colleagues—to establish a Special Action Office for Drug Abuse Prevention within the Executive Office of the President.

I am pleased to report that hearings are well underway before joint sessions of the Subcommittee on Executive Reorganization and the Subcommittee on Intergovernmental Relations, which are presided over, respectively, by the Senator from Connecticut (Mr. RIBICOFF) and the Senator from Maine (Mr. MUSKIE). I am hopeful that, upon completion of these hearings next week, our committees can work together to report out a bill which reflects the best thinking of all of us with respect to the treatment and prevention of drug abuse and which will represent a significant step forward in combating the drug contagion which is afflicting our society.

One of our witnesses next week will be Dr. Jerome H. Jaffe, the man President Nixon has selected to head this highest priority effort at the White House level. Dr. Jaffe is in Vietnam this week surveying the drug problem amongst our G.I.'s there and will be reporting to the President his personal observations with respect to drug conditions in Vietnam. He will then communicate these same findings to our jointly convened subcommittee.

Because Dr. Jaffe's outstanding efforts in this area are so little known outside the professional community, I would like to familiarize my colleagues with the program he has developed for the State of Illinois. The Illinois drug abuse program

began in June 1968 with one patient, one bottle of methadone and one office. Today, 2,002 individuals are under treatment—15 percent in residence and 85 percent outpatients—in 24 facilities.

Of these 2,002 individuals, 1,673 are receiving methadone; 329 are drug free; 157 of whom are in abstinent residential communities; and 172 of whom had gone through withdrawal and were receiving care in clinics. Also, 118 young nonheroin drug users were receiving treatment.

Although it is too early to completely evaluate the Illinois drug abuse program, several criteria preliminarily point up the effect of treatment; namely, a decrease in cost to the community as a result of decreased antisocial activity on the part of patients, an increase in the number of patients employed, and a reduction in illicit drug usage.

Followup study of outpatients indicates that arrest rates have fallen dramatically; that about two-thirds of those who are medically able to work are gainfully employed; and that in any given week, use of illicit drugs—as determined by analysis of urine samples—is limited to less than 20 percent of all outpatients and less than 10 percent of all patients in treatment.

I ask unanimous consent to have printed in the RECORD a more complete description of the Illinois drug abuse program prepared by officials administering that program. I would also ask that a report emanating from that effort, "The Epidemiology of Heroin Addiction in Chicago," prepared by Dr. Patrick Hughes, director of epidemiology for the Illinois drug abuse program, be printed in the RECORD. Both documents may well provide the information and impetus that other States seek in dealing with the national drug emergency that we currently face.

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

THE ILLINOIS DRUG ABUSE PROGRAM

The Illinois Drug Abuse Program is a carefully designed system of interlocking components that offers treatment and rehabilitation to drug abusers.

At present the program is largely for persons addicted to heroin, although components for young people who abuse other drugs have recently been initiated.

The program is geared primarily for voluntary patients; however, it also accepts individuals under court pressure.

A variety of methods are used and patients are allowed to move from one method to another until each finds the one that works best for him. All methods are continuously examined to determine their value.

Attention is paid not only to the patients' medical needs through treatment methods and general medical services but also to their larger social needs through counseling, legal, vocational, and recreational services and work activities.

Financing for the program is through the Illinois Department of Mental Health and by a five-year grant from the National Institute of Mental Health to the University of Chicago.

The program is operated by the Illinois Department of Mental Health in cooperation with the University of Chicago Department of Psychiatry. The State bears the primary responsibility for the delivery of treatment and rehabilitation services; the University provides for evaluation, research, and training.

BACKGROUND

The present program was planned over a two-year period beginning in 1966 when Illinois was faced with a growing drug abuse problem. At that time narcotics (e.g., heroin and cocaine) and other dangerous drugs were being abused with increasing frequency. To add to the seriousness of the problem, treatment resources in Illinois were scarce.

Advice was sorely needed as to the course to be followed in coping with this problem. To obtain this advice, the State Legislature established a council—the Illinois Narcotics Advisory Council. The Council was made up of legislators, concerned citizens, and (by statute) members of various city and state agencies whose functions touched on the drug abuse problem. The Council was to study the problem, consider programs being developed in other states to cope with their drug abuse problems, and make recommendations to the State Legislature.

The Chairman of the Council, Dr. Harold Visotsky, who was also Director of the Illinois Department of Mental Health, sought advice from Dr. Daniel X. Freedman, Chairman of the Department of Psychiatry at the University of Chicago. Dr. Freedman recruited Dr. Jerome H. Jaffe, who joined the Psychiatry Department and served as chief consultant to the Council.

In 1967, after studying the problem, considering the conflicting claims about the effectiveness of programs throughout the nation, and entertaining the suggestions of its chief consultant, the Council developed this set of premises and principles:

1. Narcotics abuse was only one part of the general drug abuse problem and, from a social viewpoint, perhaps not the most significant part.

But, due to the social conditions surrounding the use of narcotics and the high degree of damaging effects following from narcotics use, it would be appropriate for Illinois to begin with a treatment program focusing on narcotics users.

2. Since those who made up the narcotics-using population had different reasons for starting drug use, presented different patterns of drug use, fell back into drug use for different reasons, and had widely differing experiences as a result of their narcotics-using behavior, it would be reasonable to expect that more than one treatment and rehabilitative method might be required.

3. Since there was then no reliable way to predict what types of narcotics users would respond best to what methods, it would be necessary to carry out research to determine which the methods would be most helpful to the citizens of Illinois.

4. Goals had to be clearly stated before any meaningful conclusions could be drawn concerning the outcome of the various methods.

Accordingly, the Council stated that ideally every method should attempt to help all compulsive narcotics users become law-abiding, productive, drug-free, and emotionally mature members of society, who require no additional medical or social support to maintain this ideal status.

However, the Council felt that no single program could realistically expect all patients to reach all items in the ideal set of goals.

The Council rejected the view that being drug free must be the sole or even the most important standard.

Instead, it held that in the program to be proposed the minimum expectation would be that all patients become law-abiding citizens—even if they did not become productive, drug free or mature.

At the next level, patients would be law-abiding, gainfully employed, and drug free.

Still closer to the ideal would be the stage where patients were law-abiding, productive, drug free, and beginning to make some progress toward emotional stability.

5. A program receiving public support had to be prepared to show objectively just how much the public (including the drug-using population) was getting for its money.

Closely related to this was the view that a large program for any given community should be built on the basis of objective data from a smaller program and that any program component which did not achieve substantial movement toward the described goals should be abandoned.

As a result of these premises and principles and related considerations, the Council recommended to the State Legislature that a singly administered pilot program be developed, designed to eliminate duplication of effort, facilitate patient movement, and permit uniform evaluation. The program was to focus on a limited geographic area in Chicago with a relatively high occurrence in the use of narcotics—specifically heroin.

Since it was not possible to predict which of the several treatments employed elsewhere in the country would be most effective with this as-yet-unstudied Chicago population, the Council recommended that the pilot program develop, use, carefully evaluate and compare several different treatment methods. As a minimum, the specific methods were to be:

1. Standard periods of hospitalization for withdrawal from narcotics followed by group therapy in the outpatient community. Additionally, patients here were to be able to volunteer for the use of cyclazocine, a drug that blocks the effects of heroin.

2. Use of oral methadone, a substance that prevents withdrawal symptoms and eliminates the hunger for heroin.

3. Residence in long-term drug-free communities.

Within this entire context, the word "pilot" implied that the structure be flexible enough to be taken apart completely should none of the specific treatment methods prove helpful, yet sturdy enough to provide a framework on which a full state-wide program could be built, should any or all of the treatment methods prove valuable.

INCEPTION AND GROWTH

On January 1, 1968, after requisite legislation and appropriations were signed into law, the pilot program became operational under the name of the Illinois Drug Abuse Program with the Council's chief consultant, Dr. Jaffe, as the first Director.

Starting with one patient, one bottle of methadone and one office in the University of Chicago's Billings Hospital, the program began the process of developing and using all the methods outlined by the Council's recommendations.

The program grew quickly.

By July 1, 1968, there were 108 individuals in treatment—all outpatients—and 2 facilities.

On July 1, 1969, there were 301 individuals in treatment—30% in residence and 70% outpatients—and 7 facilities.

By September, 1969, it had been recommended that steps be considered to transform the "pilot" concept into a fully operational program offering a wider range of services to a larger number of drug users.

As a result, on July 1, 1970, there were 912 individuals in treatment—82% in residence and 78% outpatients—and 15 facilities throughout the State.

In addition, there were 956 people waiting to enter treatment for the first time and 92 people seeking readmission.

CURRENT STATUS—TREATMENT

By July 1, 1971, there were 2,002 individuals in treatment—15% in residence, and 35% outpatients—and to geographically distinct facilities. Of these 2,002 individuals, 329 were drug free. 1673 individuals were re-

ceiving oral methadone. 157 were residents in long-term drug-free communities.

No individuals were being treated with cyclazocine, but the possibility of using such an agent remained—pending the development of a longer-acting substance. Additionally, there were 118 young non-heroin drug users.

Patients entered these treatment settings via a centralized intake procedure initially conducted at one location but now conducted at several locations—in an attempt to permit more people to enter the program.

Although the recommended treatment methods remain intact (with the exception of replacing hospital-based withdrawal with residential-based withdrawal), the program has moved from having individual units using only one treatment method to having some units which use all methods.

For example, units may have methadone patients, as well as drug-free patients, and possibly cyclazocine patients.

Units can be further subdivided into entirely in-residence units, units that have both a residential and outpatient capacity, and units that are outpatient only.

Treatment units

A more specific description of the types of current treatment units includes:

Pre-treatment or holding pattern. This unit, at present a research effort, is a dispensary offering no rehabilitative services other than methadone medication.

Its main function is to determine whether medication alone can help a patient avoid criminal activity while awaiting entry into a more comprehensive treatment program.

If it proves to be helpful, the holding pattern concept will permit the program to serve the large number of heroin-addicted individuals waiting to get into a regular treatment unit.

The long waiting list, a problem the program has faced since inception, presently means a wait of four to five months before treatment can be entered. Pre-treatment patients receive oral methadone daily under supervision. As in all units, urine testing is done to check for the use of unauthorized drugs, and weekly a certain amount of information about the individual's activities is collected.

Outpatient methadone clinics. These clinics supply their members with methadone support for an indefinite length of time. Weekly group therapy is an essential part of the treatment process and other services are provided when needed.

When members decide that they wish to become drug-free from all drugs, they may be withdrawn from methadone either on an outpatient basis or in one of the residential facilities of the program.

Although they have withdrawn, these patients can remain in their original treatment unit to take part in other services. There are presently four of these clinics. There are also four facilities that represent modifications on the general concept of such clinics.

The in-residence multimethod centers. These are the most complex of the program's operations. They accept methadone-support patients who need a temporary, but highly structured, treatment setting.

These centers also accept cyclazocine patients. They serve as emergency or crisis centers for members of the program and ex-members who are back in the community.

Members of these units may start out as residents stabilized on methadone, or they may be individuals who elect immediate withdrawal from drugs and who remain in the facilities as drug free members.

There is no separation of members on the basis of whether they choose methadone stabilization or withdrawal, nor are there any other differences in the treatment process.

The length of stay in these facilities is usually not more than six months.

One such unit has outpatients who return from work or training to participate in group therapy with the residents. Some of the outpatients are on methadone; others are drug free. In other respects, the environment is similar to that of residential long-term drug-free communities. At present, the programs have two of these multimethod units.

Halfway house. This unit is for patients from the various treatment settings who, after a period of residential care, have effectively come to grips with their heroin problem. It operates on an outpatient and in-residence basis. There is less emphasis on group therapy, because patients learn to operate effectively outside a group atmosphere as they must do in the society to which they are returning.

It is here that patients, without skilled training or any work history, prepare themselves for dealing with ordinary situations, such as filling out an employment application.

The in-residence, long-term drug free communities. These facilities emphasize abstinence and restructuring of character and accept heroin as well as non-heroin patients.

At present, there are three such units operated by Gateway Houses Foundation, a not-for-profit corporation originally established under the aegis of the program. Now operating semi-autonomously under a contract with the program, Gateway Houses Foundation is able to receive additional support from private sources.

The same data are collected on Gateway residents as on every other patient in the program. As a result, once admitted to a Gateway facility, patients may be transferred to other units within the program.

Residents in Gateway Houses are required to remain drug-free in a highly structured setting wherein group therapy, often in its more intense aspects, is used. The stay, from one to two years, is devided into stages which involve living and working in and out of the in-residence commun'ty.

Re-entry clinic. This clinic serves heroin-addicted persons who were members of other treatment units in the program and who left either voluntarily or involuntarily before treatment was completed. Methadone is dispensed; group therapy is mandatory; and social, vocational, and legal services are provided when necessary.

The clinic staff is specially alerted to the problems that caused the patients to do poorly in their earlier attempts at treatment.

Non-heroin treatment units. At the program's first multimethod center, opened July 1, 1969, treatment for young non-heroin drug users was made available on a residential basis.

Later, as an extension into the community, the program opened its first outpatient treatment unit for such drug users. This unit, primarily concerned with offering emergency and regular services, employs abstinence, group therapy, and phone therapy, and has a temporary residential capacity. At present, this unit is considered experimental in nature and its final structure has not yet been clearly defined.

While treatment units are initially concentrated on the south side of Chicago (where the immediate need was greatest), there are now units on the north side and the far south side of Chicago.

In addition, several units have been established in the northern suburbs and in Peoria and Rockford. These units operate via a contractual arrangement which places them under the close supervision of the program, but they are actually run by local agencies.

Wherever possible, these units have been located for the convenience of patients and are either within walking distance or easily accessible by public transportation.

These units are designed to provide a structure for productively supplying the patients with new activities, new associates, and new patterns of speech and behavior. They are also designed to be comfortable and to foster the feeling that they belong to the patients.

The notion of belonging is particularly important since optimum program effectiveness requires the generation of involvement in the treatment process.

The size of the patient population at any given unit is kept small enough to permit a sense of group identity.

To better implement the delivery of services, certain units are grouped into regions. There are currently three regions.

Each region has or will have a Central Clinic fully staffed to provide immediate backup services, crisis intervention and residential facilities to each of its outpatient clinics.

Five additional units are available to provide continuing supportive service to the present regions. They are the Medical Services unit, the Social Services and Vocational Rehabilitation unit, the Legal Services unit, the Community Organization unit and the Pharmacy. The Gateway Houses and certain other contractual operations and the Pre-treatment unit are considered non-regional.

The treatment manpower that supports this current effort totals 106 persons, 59% of which are formerly addicted persons performing more than ably in many areas of crucial importance to the program.

Working side-by-side with such people, but in collaborative and supportive capacities, are doctors, nurses, pharmacists, social workers, psychologists, and a toxicologist.

CURRENT STATUS—GENERAL

Training

The program has a training project through which capable persons interested in working in the areas of treatment are identified and trained, creating a source of manpower to respond to narcotic abuse as well as non-narcotic abuse.

The training cycle, lasting for four months, seeks to develop staff who influence not only patients in the program but also people in the greater community. This offers a potential counter-force, not only to the symptoms of drug abuse but also to the psychosocial cause of such dehumanizing symptoms.

Pharmacy

The program operates a special pharmacy which, through mechanized and automated procedures, mixes methadone, and then fills and labels bottles of this medication for patients. Currently, over 5,000 bottles of methadone are being so prepared weekly for over 700 patients.

Because of the special problems attendant upon the use of methadone, considerable attention is paid to recordkeeping, security, and adherence to the general protocol under which the methadone components operate.

Additionally, general non-methadone medication (e.g., vitamins) is maintained and dispersed by the pharmacy for use by the program's patient population.

Toxicology laboratory

The program also operates a laboratory where urine specimens are tested to determine whether patients have been using unauthorized drugs. The test can detect the presence of heroin and other related drugs as well as amphetamines, barbiturates and cocaine. In addition, this laboratory is seeking to develop new and better testing procedures for the detection of drugs.

At present, more than 1,200 specimens are tested for heroin and related drugs each week. Several hundred of these specimens are also tested for amphetamines, barbiturates and other drugs.

Evaluation and research

Built into the program from inception was the capacity to evaluate the effectiveness of treatment methods and, hence, help to insure that changes in treatment policy would

be based on solid evidence rather than conjecture.

Such evaluation continues and currently involves the active manipulation of treatment procedures in an attempt to maximize treatment success.

Closely aligned to such evaluative activities are the program's research activities. These concern, for example, analyses of what factors may help to identify patients who do well under one method as compared to another, and the development of new treatment methods.

Included here is research which seeks to: determine drug use trends in a drug distribution setting; examine the social structure that exists among addicted persons in such a setting; and measure the impact of the program's activities on drug addiction in that setting.

Additionally, such research (termed epidemiological research) is used (in its exploratory capacity, for the planning of new facilities.

There is also animal research which, among other tasks concerns itself with the testing of different drugs to determine their abuse potential.

As a logical result of this research, writings have accrued. Some of the publications that have emerged are:

Jaffe, Jerome H.; Zaks, W.; and Washington, E. "Experience with the use of methadone in a multimodality program for the treatment of narcotics users." *International Journal of the Addictions, 4* (3), 481–490, 1969.

Jaffe, Jerome H.; Schuster, Charles R.; Smith, B.; and Blachly, P. "A Comparison of dl-Alpha-Acetylmethadol and Methadone in the treatment of chronic heroin users: a pilot study." *JAMA,* 211 (11), 1834–1836, 1970.

Hughes, Patrick H.; and Jaffe, Jerome H. "An approach for estimating true prevailance of heroin addiction in the urban community." *Abstracts of the 29th International Congress on Alcoholism and Drug Dependence,* Sydney, Australia (February, 1970) page 25 (Abs.).

The computer

Where possible, the program makes use of computer techniques to merge, store, and print out—on a weekly basis—data utilized in the care of patients and modification of treatment procedures.

One print-out includes the current status of each patient along certain parameters: program type, self-reported drug use, laboratory reports of drug use, vocational status, income information, housing, medication being prescribed by the program, and the dose of medication prescribed.

Another print-out includes a list of all patients ever in treatment, all patients now in treatment, which patients are in which treatment units and how low each has been in a particular unit, new patients entering each unit and patients leaving each unit. The age, race, sex, and legal pressure (if any) are also recorded for each patient.

Such techniques assure that basic descriptions of the patient load are always immediately available. This feedback helps to spot small difficulties in the program before they become large problems.

Information

The program seeks to respond to the information needs of the public. In responding to needs for information on drug abuse education, the program provides speakers, seminars, and written as well as audiovisual materials. Also, developmental work is being done for a major drug exhibit to be housed in the Museum of Science and Industry.

In responding to needs for information about the program, tours and written as well as audiovisual materials are provided.

Visitors to the program come from a public which consists of people in drug abuse work, legislators, police, the news media and interested citizens.

They come from all over the United States, and from places as far as the Netherlands, Switzerland, and Australia—averaging about 70 per month and appearing to be on the increase.

THE STAFF

The program, in all of its aspects, has a basic flavor of sincerity and commitment.

Undoubtedly, much of this is afforded by people who had heroin addiction problems, but who faced and overcame them. These people are now invaluable assets strenuously working in some way to help others face and overcome their own addiction problems.

For example, there is B.R., who seemingly had no contribution to make to society but who now participates steadily and dependably in the delivery of treatment services.

There is B.F., who with many past convictions for drug charges, now works with patients to develop constructive attitudes.

There is also K.M., who had a long history of drug abuse before entering the program. Now a productive and active model change agent, K. M. recently earned a high school diploma in preparation for future college work.

There is W.M., who started with the program as a patient and actively advanced to becoming a nationally recognized treatment professional, administrator, and developer.

There is S.R., who prior to entering the program had numerous arrests on drug charges. Now actively engaged in the program's rehabilitation effort, S.R. has received commendation from the Chicago Police Department for such work.

Then, there is J.L. who before entering the program had abused drugs for years and had never been continuously employed. Recently, after steady employment in an area critically important to the program, J.L. obtained a sizeable bank loan upon a complete credit check.

Such persons now represent 39.4% of the program's total staff of 160.

The flavor of sincerity and commitment is also afforded by the work of people called SQUARES, or people who were never addicted. Such persons comprise 60.6% of the program's entire staff.

They are the office workers, pharmacists, lawyers, psychologists, doctors, nurses, systems engineers, psychiatrists, researchers, technicians, administrators, and many other dedicated employees.

Such people, taken together, are the Illinois Drug Abuse Program and it is in this respect that the program represents a repository of cooperation of the highest level.

GENERAL

The Illinois Drug Abuse Program has developed on schedule from a standpoint of services being delivered to patients, research designs around which the program is structured, and other ingredients necessarily connected to the work of the program.

Very importantly, the program has shown:

1. That it is possible to develop a multimethod treatment system within a single administrative structure.

2. That such a system can reduce or eliminate much of the inefficiency and destructive rivalry which often characterizes the operations of single-method treatment programs in other communities.

3. That where vested interests have not developed and treatment of narcotic users has not become politicized, people with widely different philosophies can not only talk together but can actively cooperate.

Although it is too early to completely evaluate the effectiveness of the program, there are several criteria that can be used *preliminarily* to examine treatments, viz.; the decrease in cost to the community as a result of decreased antisocial activity on the part of the patients; the change in productivity (tax paying employment status) of patients; and the reduction in unauthorized drug usage.

Research on outpatients indicates that arrest rates for such groups have fallen dramatically; that approximately two-thirds of the outpatients medically able to work are gainfully employed; and that on any given week the use of unauthorized drugs—as determined by analysis of urine specimens—is less than 20% of the total outpatients and less than 10% of all patients in treatment.

FOR THE FUTURE

The program expects to expand into other communities of the state as funds and trained staff become available, so that no one need be turned away to wait on the streets and wonder whether death or the police will come before a place in the program.

THE EPIDEMIOLOGY OF HEROIN ADDICTION IN CHICAGO

(By Patrick Hughes, M.D.)

Our epidemiology research unit had its beginnings a little less than three years ago, receiving funds from the Illinois Drug Abuse Program. We were able to expand our effort a year ago under a National Institute of Mental Health grant so that at the present time our staff consists of myself, four social science researchers, and five part-time ex-addict fieldworkers.

Epidemiology can be defined as the study of the antecedants, spread, and maintenance of a disorder in a given population. Although epidemiologists carry out a variety of research activities, one of their basic functions is estimating the prevalence and incidence of particular disorders in defined communities. Prevalence is usually thought of as the number or proportion of a population who have a particular disorder such as heroin addiction. Therefore it is a measure of the scope or extent of the disorder. Incidence usually refers to the rate or number of new cases and is therefore a measure of disease spread.

Generally speaking, there have been two major types of epidemiologic studies in the drug abuse field. The first involves the development of a narcotics or a drug abuse registry, in other words, the compilation of statistical information obtained from agencies having formal contact with drug users, such as police, courts, hospitals and treatment programs. The New York City Narcotics Registry and the Federal Bureau of Narcotics and Dangerous Drugs Registry are examples of this approach. Although these systems collect only a small amount of information on a large number of people, they are very important in estimating the extent of the disease and the characteristics of drug users. In the past three and one half years, the Illinois Drug Abuse Program has accumulated information on approximately 4,000 treatment applicants so that we have the beginnings of such a registry.

Our efforts have been largely directed at carrying out the other major type of epidemiologic activity, that is, research in natural settings such as places where drug users spend their time. We spend a good deal of time on the street observing and talking to drug users, and conducting field surveys of selected populations.

As an organizing principle in our research, we have borrowed heavily from the conceptual framework and field methods developed by public health agencies to erradicate certain infectious diseases. Our first task was to develop an epidemiologic field team that could carry out case finding, research, and treatment intake functions. Our fieldworkers are methadone maintained ex-addicts assigned to the neighborhoods where they are known and trusted by the majority of heroin addicts. The fieldworkers are accompanied by members of our research staff to validate their observations, collect additional data, and periodically involve active addicts in special projects.

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PROJECTS DESIGNED TO MEASURE AND, REDUCE PREVALANCE

Our second goal was to determine if we could monitor the prevalence of active heroin addiction in given neighborhoods. We found that the majority of active heroin addicts in our community are already organized in a way that permits us to carry out such monitoring. The majority of addicts in Chicago visit stable drug distribution sites called street "copping areas" on a daily basis to obtain heroin and thereby relieve the discomfort of withdrawal. By stationing our field teams at these drug distribution sites, then, we can continuously monitor the number of addicts meeting there. It appears to be much more efficient to carry out case finding activities where addicts come to you rather than having to seek them out. Because of heavy police pressure at these distribution sites, however, we have had to demonstrate that our observations will not result in their arrest and that our mission is primarily to study and help them. We have done this by bringing samples of the population under study into treatment. Through this approach, we have been able to go beyond simple head counts of active addicts meeting at a given location. We are able to study the complex social system developed by heroin addicts to protect themselves from arrest. The roles elaborated by these local distribution networks are substantially more complex than the usual dichotomy of "user" and "pusher". The dealer cannot stand on the street corner with bags of heroin in his pocket because of heavy police pressure at these sites. In one Black copping community observed for a period of one year, we found that 125 different heroin addicts regularly bought or sold drugs there. We found that 6% occupied the role of "big dealer" or local wholesaler, 6% were street dealers, 15% were part-time dealers who sold only enough to support their own habits, and 6% were bag followers or touts who carried out liaison functions to protect dealers from direct exposure to the consumer and risk of arrest. A third of this distribution network, or copping community, maintained their heroin habits by performing dealership functions. Two-thirds were consumers, 38% being hustlers (usually thieves or prostitutes) and the remaining 28% held at least part-time legitimate jobs. The data are interesting in several respects. For example, of the 34% occuping dealer roles we found only 2 non-addicted dealers motivated purely by profit.

We have also been able to study the natural events affecting copping communities, causing them to flourish at certain times and to decline or disappear at others. For example; we have observed the dispersal of copping community members from their regular copping areas when these sites were brought under extensive police or gang pressure. The net result of such dramatic assaults on the copping area may or may not be beneficial since they tend to disperse the membership to other locations. When the pressure is removed, the copping area usually begins to flourish again, and the original members may return.

Our third aim has been to determine whether a treatment program can have significant impact on these disease maintenance systems. For example, in one study we were able to demonstrate that we could involve in treatment 60% of one copping community's members who had not already sought treatment in the Illinois Drug Abuse Program. We also found that these less motivated patients were as successful in treatment as those who actively seek help. We are currently carrying out projects in four Chicago neighborhoods where we hope to demonstrate that approximately ¾ of representative samples of active street addicts can be shifted from the status of active heroin addiction to methadone out-patient.

PROJECTS DESIGNED TO MEASURE AND REDUCE INCIDENCE

Research designed to measure incidence or spread of heroin addiction is inherently more difficult than that designed to measure prevalence. By visiting street copping areas, we are able to observe diseased individuals at any time of the day and in many parts of the city. First use of heroin (our definition of incidence) occurs only once for each addict and is therefore almost impossible to observe. Consequently, we must rely on retrospective accounts of this event. We have carried out several different studies in order to clarify the factors involved in the spread of heroin.

Our first project was designed to determine whether an epidemiologic field team could monitor incidence of heroin addiction at the neighborhood level. We found this could be accomplished (see attachments) through interviewing street addicts in a given neighborhood and administering survey cards in the field. Through our field team, then, we can determine whether a neighborhood is experiencing an outbreak of new heroin users or whether the majority of addicts meeting at that copping area are chronic cases—in other words, whether the disease is endemic or contagious.

Our second project was a retrospective study designed to clarify the parameters of a tragic heroin epidemic in Chicago primarily affecting Negro youth following World War II. A major finding was that this epidemic reached a peak in 1949 and thereafter showed a rapid decline in the number of new cases. Despite the twenty years intervening between the epidemic and our opportunity to study it, we have been able to identify a number of the factors associated with its decline, such as the dramatic increase in cost and decrease in quality of heroin available to Chicago addicts and an increasing arrest rate for narcotic violations.

A number of questions still remain unanswered, for example, the preventative effect of increased awareness among youth, and the general public of the dangers of heroin addiction. The major import of this study for us, however, was that we obtained data suggesting that heroin addiction does occur in massive epidemics similar to other contagious diseases and that the factors involved in spread and control can be empirically studied.

A third concern of ours has been the process of heroin spread in the Chicago area at the present time. Our field observations and interviews with young heroin addicts suggest that heroin spreads in three general patterns: macro-epidemics, involving 50 or more new young heroin addicts in particular neighborhoods, micro-epidemics usually 15 or fewer new addicts in a given neighborhood or area, and finally, single cases, where spread is confined to isolated individuals. We are aware of four macro-epidemics occurring in the Chicago area within the past two years. The first to come to our attention was in a Puerto Rican neighborhood; it now appears to be contained. The other three are in Negro neighborhoods and two of these are not yet contained. We have identified more than ten micro-epidemics of heroin addiction and numerous single cases in neighborhoods of all ethnic groups, including Whites. The major objective of this study is to describe the natural history of such outbreaks with a specific focus on the events that bring these epidemics to a halt, or limit their size to no more than 10 or 15 individuals.

Although this study is not yet completed, I can talk about some of our impressions. Micro-epidemics, which can occur in any type of community, tend to involve members of adolescent friendship groups already heavily into drugs prior to the introduction of heroin. While all group members do not become addicted, most do try heroin at least once. The only significant discriminator we can find is the types of neighborhoods in which they occur. The four macro-epidemics all occurred in neighborhoods that had recently undergone rapid population changes leading to a breakdown in both community stability and established mechanisms of social control. In other words, not only did heroin addiction become rampant in these neighborhoods but other forms of deviant activities as well.

Currently we are examining the effects of police intervention on the course of these epidemics. It appears to be much more difficult for narcotics enforcement personnel to penetrate deviant groups in neighborhoods undergoing rapid social change than in relatively stable neighborhoods. For example, we note that even in long established ghetto neighborhoods where heroin addiction is endemic, we do not see macro-epidemics. This may be related to our observation that local police have had time to penetrate these addict communities, so that new users soon come under investigation and outbreaks are rapidly contained. Single cases of heroin addiction usually do not result in further spread because they commonly involve the sibling or spouse of an addict who is not part of a drug-using friendship group.

In studying the course of these outbreaks, we find that neighborhoods experiencing macro-epidemics usually evolve their own street copping areas and that heroin addiction then becomes endemic to the neighborhood. Neighborhoods experiencing micro-epidemics where no copping area exists, are dependent on the center city for their drug supply. Most commonly one or two people from the neighborhood collect "cop" money in advance and then travel to an established copping area to buy drugs for themselves and others. Center city copping areas also serve as the distribution sites for the new heroin users in the surrounding suburban areas.

We are now in the initial stage of an intervention project designed to test a public health response to contain macro-epidemics in a manner similar to the way infectious diseases are contained by the use of public health field teams which bring treatment quickly and effectively to individuals involved in new outbreaks. If our efforts prove successful, we will have a strong argument for a public health oriented control system for narcotic addiction.

RECOMMENDATIONS

(1) We were extremely gratified to read a week ago that agreements have been formalized with the Turkish government to control illegal heroin distribution. Because our data suggest that the cost and quality of heroin available in local communities is related to heroin spread, we recommend that an all-out effort be made to reduce availability. Our own interviews with young heroin users suggest that it is not fair to force the curious 15 or 16 year old drug user to make the choice of whether or not he will try heroin, for we know that all too frequently he does—with tragic results. Over and over we hear young addicts say, "I knew I wouldn't get strung out if I just took off once. I figured I could handle it." It sounds almost too simplistic to say that if this drug were not available, we would not have to launch massive rehabilitation programs and imprison thousands of young people who were only curious.

(2) The pilot findings of our field intervention project suggest that epidemiologic field teams can remove active heroin addicts from the community and might enable us to contain new outbreaks of heroin addiction. Therefore, we suggest that comprehensive drug programs contain epidemiologic units with field intervention teams. To be maximally effective, however, as we have learned through our own mistakes, considerable training and experience are necessary to develop effective field teams, and most outreach efforts will need careful evaluation and feedback. Thus, it is advisable that these

units be tied into a university or other research setting.

(3) Although we find that heroin spreads through drug using friendship groups, this does not mean that all such groups will eventually experiment with heroin. However, we do need to develop effective treatment approaches for this drug abuse population; and we would suggest that the potential of epidemiologic field teams be explored. Programs without this important element may provide needed services, but they will not incorporate the element of control that seems to us to be necessary.

(4) Our finding that spread of heroin addiction follows the pattern of other contagious diseases has several implications for program planning. Because incidence and prevalence of an infectious disease may vary greatly from community to community and from year to year in the same community, program development, personnel and funding needs do not remain stable. Control of heroin outbreaks, then, requires that programs be rapidly established in areas of need and then phased out as the need diminishes.

(5) Although we have had some success in carrying out our research under current laws, we constantly meet with resistance from addicts and other drug users who naturally fear that we might use information to bring about their arrest. In practice, we must tailor our research design around the assumption that many of our subjects will remain suspicious regardless of our assurances. There is a need for broad legislation to protect the confidentiality of drug use surveys and other epidemiologic studies carried out by legitimate rehabilitation programs, educational or research groups. Although it is now possible to obtain special permission from federal agencies guaranteeing confidentiality of records, the procedures involved are unnecessarily cumbersome and restrictive. In this vein, I must say that we have never had any pressure from local narcotics enforcement agencies for information obtained from our research. Nevertheless, we are not able to completely convince our subjects that we do not represent a threat.

(6) We are just beginning to collect information concerning the development of primary prevention programs, and as yet have not reported on this topic. We have, however, recently surveyed 14,000 students in six suburban high schools with an eye to developing alternatives to drug abuse, and effective educational and counselling programs.

INDIANA DUNES NATIONAL LAKESHORE

Mr. STEVENSON. Mr. President, the Committee on Appropriations has reported the Department of the Interior appropriations bill and has included in it $572,000 for the planning and development of the Indiana Dunes National Lakeshore in fiscal year 1972.

This is indeed an important moment for the recreational interests of some 10 million residents of northern Illinois and Indiana. With House passage of $455,000 in planning funds for fiscal year 1972 several weeks ago, and an affirmative Senate vote on the Department of the Interior appropriations bill tomorrow, the long-awaited development of our Nation's first urban national park can begin.

I urge support for the Department of the Interior appropriations bill, including that $572,000 for Dunes development, so that this unique resource and much needed recreation area, first suggested in 1886 and fought for many times over the years until its creation some 80 years later, in 1966, can finally become a reality for those park starved millions it was created to serve.

ADVANCING THE ARTS THE AMERICAN WAY

Mr. GOLDWATER. Mr. President, on June 29, the House of Representatives approved a $30 million appropriation for the National Endowment for the Arts. Tomorrow, the Senate will be asked to consider a similar request, and I would like to go on record here and now as giving my complete endorsement to the appropriation of the full amount of money requested by President Nixon for this program.

Mr. President, the appropriation which will be coming before us is designed to fulfill a commitment made by Congress 1 year ago when it resoundingly approved legislation extending the life of the National Foundation on the Arts and the Humanities and increasing the authorization of funds which could be appropriated to the Foundation. At that time, I expressed my strong satisfaction in the accomplishments which could then be traced directly to the arts endowment. I was particularly happy with its proven ability to stimulate the development of artistic activities throughout the United States without in any way reducing local initiative or private participation in the arts. In fact, far from imposing a regulatory hand over arts development in the United States, I observed the National Foundation had aroused, inspired, and sustained local activity and involvement in the arts to its highest peak in American history.

Mr. President, I am happy to be able to repeat again this year that in its short history, the National Endowment for the Arts has proven to be a constant stimulus to the individual State art councils and thousands of local cultural endeavors. This has been possible through congressionally mandated funds earmarked specifically for the State councils and through a spirit of cooperation that has been generated between State and local groups and the National Endowment.

According to a study made by the U.S. Office of Education at the time of the passage of the National Foundation of the Arts and Humanities Act of 1965, there were art councils in existence in only 24 States. Even then, there were only four art councils for which funds had been appropriated in excess of $10,000 a year.

By the summer of 1970, there were art councils in each of the 50 States and in the District of Columbia, Puerto Rico, Guam, and the Virgin Islands as well. Not only has the number of State councils more than doubled during the brief existence of the national endowment, but the overall quality, effectiveness, and responsibilities of the State groups have increased. Proof of this is seen in the recognition given to the State councils by a majority of the State legislatures themselves. By last year, 32 State legislatures had appropriated funds for their art commissions which were actually in excess of the Federal contribution to the councils for that year. In other words, while in 1965, there were only four State councils whose own States had given them more than $10,000 a year; in 1970 there were 32 councils who received State appropriations of more than $36,000 annually.

Mr. President, this is one indication of what I mean by the ability of the National Foundation to cultivate action in the arts at the local level to its highest point in our history. But there is more. It should also be noted that the national endowment has conducted a very successful matching-grant program. By this I mean the endowment has money set aside in a special fund which can be released only when matching amounts are donated from private sources. The program has received enormous support from the public. In one period of 4 weeks, the National Foundation received more than $1,400,000 in checks and pledges from private sources. In all, I am told, for every dollar of Federal money spent under the matching grant program, $3 of private donations have been generated to support art programs.

But if we are to have a complete picture of what the true meaning of the arts endowment has been to the cultural climate of our Nation, we must take a look at the immense and thriving activities which have sprouted up all over the country in small towns and villages as well as in metropolitan communities where live concerts, live art shows, and live theater have been presented on a scale never before witnessed in these areas. The best way I can think of to bring home the great things going on at the State and local level since the Foundation began its operations is to review what has happened in my own State of Arizona.

I summarized some of the new projects underway in Arizona when I made a speech on the Senate floor in February of 1970 endorsing the proposals for an extension of the art endowment's term and an increase of its authorized funds. Now I would like to carry that summary forward by briefly reviewing a few of the self-initiated programs developed in Arizona during the last year.

Mr. President, first I might mention the pioneering work Arizona is doing in developing art which is aimed at the Spanish-speaking people of the Southwest. It is not often realized, but there are over 200,000 Spanish-speaking persons in the southern and central part of Arizona who, until recently, had no theater in Spanish to serve their needs.

This was changed in 1970 when a bilingual theater, El Teatro del Pueblo, was established in Tucson in order to provide a source of cultural identity for Spanish-speaking citizens. In order to get started, El Teatro del Pueblo had asked the Arizona Commission for the Arts and Humanities for a $1,000 grant. When the Arizona Commission surveyed the needs and potential of El Teatro del Pueblo, however, it decided that much more could be done for the Spanish-speaking people of the State. Accordingly, the State commission assisted the Tucson group in obtaining a $10,000 grant from the national endowment. As

a result, the group will be able to stage the best possible plays from Spanish, Mexican, and Mexican-American authors.

Its first play was quite a success. Actors, stagehands, and workers from the immediate community pitched in on the performance of "El Color de Nuestra Piel"—"The Color of Our Skin"—by Celestino Grostiza. This year, the group plans to tour the State with at least four productions which will bring the theater to a community of citizens who has not formerly had a cultural outlet to express itself.

Turning to another area, Mr. President, I would like to point to Yuma, Ariz., which recently experienced a unique kind of cultural potpourri in the Garces Celebration of the Arts. This is a cultural festival centered around an Indian chapel outside of Yuma where Father Garces died. The festival is of Indian origin, but is now acclaimed by the entire Southwest. Included among its events are a southwestern film festival, a sidewalk art sale, a symphony concert, an Indian dance theater, a black theater, a bilingual Spanish theater, a children's theater, and a culminating tribute to Father Garces.

Mr. President, I should mention the National Endowment for the Arts granted $3,000 for the Garces celebration and the matching funds raised by local citizens far exceeded this amount.

One of the major programs that the Arizona Commission underwrites is the Flagstaff summer festival. This occasion is acclaimed not only in the music capitals of the United States, but has been mentioned in the French, Swiss, and Austrian press. Over 200,000 people attended the festival last summer and many more are expected this year. Concerts were given in 1970 by the Flagstaff Festival Orchestra, the Beaux Arts Trio of New York, the Flagstaff Festival Chamber Orchestra, and the Indianapolis Woodwind Quintet. In addition, the Pacific Ballet put on several performances with nationally known artists.

Of particular interest to my message today, Mr. President, is the fact that financial backing for this festival was entirely a State and local endeavor. The money contributed by the Arizona Commission on the Arts and Humanities, however, came largely as a result of the individual State arts grant program of the National Endowment for the Arts.

Also, I should mention we have a very successful program situated in my hometown, Phoenix. Compas, the Combined Metropolitan Phoenix Arts, is the name of this project. In short, it is a new concept for raising funds for cultural organizations through which large numbers of local citizens may participate.

The original COMPAS program was born in 1967, and has flourished ever since through devoted and dedicated volunteer help. The idea behind COMPAS is a simple one; various businesses, professions, and people donate a variety of goods and services. These goods and services are then auctioned to the highest bidder at two fun-auction parties. The result: COMPAS II, which was held on February 13 and 14 of 1970, raised $320,000 in support of Phoenix art groups. This is a sum that is higher than the entire arts grant which the National Endowment will make to each State under the appropriation which the Senate will have before it tomorrow.

Mr. President, there is a very similiar fundraising program in Tucson called FOCUS. In 1969, $110,000 was raised in a drive which was highlighted by a 24-hour television auction. FOCUS II is now being organized for the fall of 1971, and a goal of $118,000 has been set.

Along with the two combined fundraising efforts in Phoenix and Tucson, where the donations are allotted to the several participating arts members, Arizona has many individual efforts. For example, there is the Phoenix Symphony, the Tucson Symphony, the Flagstaff Symphony, the Yuma Symphony, the Phoenix Art Museum, the Phoenix Chamber Music Society, the Tucson Art Museum, the Tucson Festival, and the Arizona Civic Theater among many others.

What it all adds up to, Mr. President, is this; the arts are important in Arizona. The individual citizens of our State and of every State want to experience the arts. They will support the arts if they are brought to them. They do have an interest in things other than the worldly materialistic values of our everyday competitive life.

Mr. President, my brief résumé of activities in Arizona is, I believe, representative of what is occurring within the States and communities throughout this nation. The people of our country in numbers greater than ever are revealing a deep interest in enjoying, participating in, and supporting cultural events. The experience of Arizona plainly puts to lie the blind fears raised by some that the presence of a Federal Arts Endowment would stifle the development of local activities or discourage private countributions. What the National Endowment for the Arts has done is to awaken an interest in the arts where it was dormant, to permit the sprouting and growth of an enormous diversity of cultural activities in any community or area of our nation which wanted this to happen, and in general, to nurture the cultural resources of our nation.

Mr. President, I can see nothing wrong with this. In fact, I believe the arts are an important aspect of American life. They are deserving of support by the richest nation in the world and their development will bring out the best in us as a people. I commend the National Endowment for the Arts for its unobtrusive contribution to uplifting the Nation's cultural awareness and hope the Senate will give its solid approval to the full appropriation sought in its 1972 fiscal year budget.

WHAT TO DO IN PARIS

Mr. BAYH. Mr. President, I ask unanimous consent to have printed in the RECORD two excellent articles on the Paris peace talks.

One is a "guest privilege" editorial in Life magazine by Leslie H. Gelb, director of the "Pentagon Papers" study, and Morton H. Halperin who was also involved in that project and served on President Nixon's National Security Council staff. This article urges an immediate and positive response to the Vietcong proposal of a POW release and U.S. troop withdrawals. It suggests we set a terminal data for our withdrawals, dependent on the return of our prisoners, and thereby test the validity of Mme. Binh's offer. It warns that otherwise the Nixon policy could lead to not one but two residual forces in Vietnam: one on the ground in South Vietnam fighting and dying to protect itself and the Thieu regime; the other based in Thailand and on aircraft carriers to continue the air war. That air war has had a devastating effect on the land and people of Vietnam but has been utterly indecisive in affecting the outcome of the war.

Messrs. Gelb and Halperin warn, too, that continuation by the administration along the current path, avoiding a clear indication of when and how our Vietnam mistake will end, could break "the fragile link of trust between the President and the people." That, I contend, is too high a price to pay when there is so little to be gained by staying a few more months or more in Vietnam.

The other article is an op-ed piece in today's New York Times by Averell Harriman, who was U.S. chief negotiator in Paris from May 1968 to January 1969. Governor Harriman analyzes the current North Vietnamese and Vietcong positions on a settlement in Vietnam and projects the kind of political arrangements which might be possible there. He describes why he believes the forthcoming elections in Vietnam cannot be a fair and free test of the South Vietnamese. He emphasizes the need for immediate negotiations for our prompt withdrawal from the war and the return of our prisoners.

Mr. President, it is unfortunate for all of us that the counsel of this wise and vastly experienced statesman has not yet been heeded by the administration. I urge that Senators and those in the executive branch who are involved in the making of Vietnam policy give his views—and those of Dr. Gelb and Dr. Halperin—serious consideration.

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

WHAT CHANCE IS "REASONABLE" IN VIETNAM

With presidential adviser Henry A. Kissinger coming home from a "fact-finding" trip to Saigon and Paris, the Nixon administration is in the midst of yet another reappraisal of American Vietnam policy. The Pentagon papers indicate that such reevaluations are episodic. As in the past, the public can only be dimly aware of what options are being seriously debated. The President's choice involves as much what he decides to tell the American people as what he decides to do.

We believe that only an unambiguous public gesture can now end the divisions in our country. The Senate for the first time has gone on record in favor of a complete withdrawal within nine months. The publication of the Pentagon papers has intensified the debate about governmental credibility. And, in the midst of this, the Vietcong on July 1 put forward another in a long line of peace proposals.

This new seven-point proposal, like its predecessors, is a construct of Marxist rhetoric and Talmudic precision. The Vietnamese Communists use words very carefully to state

their position in a way that raises hopes without giving anything away. They present a familiar list of noral imperatives that the United States "must" do in order to bring peace to Vietnam: ending "Vietnamization," dismantling all bases, withdrawing "all troops, military personnel, weapons, war materials," bringing about a coalition government.

But in the following paragraph, which enunciates their conditions for action, as distinguished from the moral imperatives, they simply state: "If the U.S. sets a terminal date for the withdrawal from South Vietnam in 1971 of the totality of U.S. forces [and Allied forces], the parties will at the same time agree on" 1) safe withdrawal and 2) the release of American POWs, beginning and ending with the withdrawal of U.S. forces.

The message seems to be this: if we set a 1971 terminal date, there will be a cease-fire against American forces, a concurrent release of prisoners, and ostensibly no prohibitions on future American military and economic assistance to the Saigon regime. This interpretation is supported by North Vietnam's Le Duc Tho in his press interview of July 6.

We cannot be certain that this is really Hanoi's meaning. In the past, when we asked them what such and such a phrase meant, they only would say that we should look at the totality of their proposal. Thus we can only learn what they mean by putting forward a concrete proposal of our own which includes a terminal date for our presence and simultaneous release of prisoners.

Of course, if release of our POWs alone were our basic goal, the President would have every reason to accept the Hanoi position. But the real issue is, as it has always been, how important a non-Communist Vietnam is to American security. In this regard, everything that the President has *said* indicates that his Vietnam policy is not much different from that of each of his post-World War II predecessors. His stated goal is, as their goal was, a non-Communist South Vietnam. For President Truman, that meant beginning a program of military assistance to enable the French to fight the Vietminh. For President Eisenhower, it meant massive aid totaling 80 percent of the French effort in 1954 and, after the Geneva Conference, the introduction of an American military mission. For President Kennedy, it meant sending 15,000 American advisers to Vietnam and meddling in South Vietnamese domestic politics. For President Johnson, it meant Americanization of the war. For President Nixon, it is Vietnamization with phased withdrawal of American troops, along with invasions of Laos and Cambodia. The American policy in Vietnam is now described by President Nixon as assuring a "reasonable chance" for survival of the Saigon government. The difficulty is not with the phrase but with what meaning it is given. In fact, "reasonable chance" reasonably defined could provide a basis for uniting the American people.

So far, however, "reasonable chance" seems to add up to an ambiguous holding action: it has meant withdrawing most of the American forces in order to cut American casualties and costs, thereby, the President hopes, maintaining domestic support for the war. It has meant withdrawing slowly enough with hawkish enough rhetoric to reduce the chances of what the President has called "a nightmare of recrimination"—the right-wing reaction.

It seems to portend keeping two American residual forces in the battle as long as necessary: one on the ground in Vietnam providing assistance to the South Vietnamese and defending itself, and the other in Thailand and offshore on carriers conducting bombing raids throughout Indochina. It surely will mean continuing large-scale military and economic assistance to the South Vietnamese government.

While these actions can be interpreted in various ways, they are consistent with the notion that the President is doing everything that our domestic politics will permit to support the current Saigon government for the indefinite future.

Many would argue that we have long since given the Saigon government a "reasonable chance." We have fought their war for them for six years, killing many of the best enemy troops. At least for the past three years, we have given top priority to the equipping and training of South Vietnamese forces. The Saigon government has an army larger than its opponents, and it can draw ample recruits from the population under its control. These facts do not mean that the Saigon government would survive a complete American withdrawal. The simple truth is that we do not understand much more about South Vietnam today than we did in 1946, and we just do not know whether the Saigon government can survive or not.

President Nixon is really asking for continued American support for the war—for what everyone, including the President himself, seems to concede is only a marginal improvement of an uncertain chance that the current Saigon government will indeed be able to survive.

What the President hopes to gain is surely more than overbalanced by what he risks in continuing the war.

First, whatever Hanoi's current terms are, they are almost certain to increase as the size of our force diminishes. When 50,000 or fewer American troops are left in South Vietnam, Hanoi might demand that the United States also cease aid to Saigon and perhaps even change that government in return for the release of the prisoners.

A second risk is that if Hanoi does step up military pressure against this shrunken American force, the President might feel that he had no alternative than to respond by what he has called "decisive escalation" against North Vietnam. Most observers would say that the President simply cannot afford the domestic political repercussions of escalation now. But most of them were saying that before Laos and Cambodia. Indeed, most U.S. escalations of the war were preceded by predictions that they would not occur.

Beyond these two risks lies a third: namely, the risk of breaking the fragile link of trust between the President and the people. Presidents always want to keep open their options and retain their flexibility. But when the issue in Vietnam today, the President's desire for ambiguity must give way to the public's right to clarity.

President Nixon seems prepared to run these risks for two reasons. He still believes what most Southeast Asian specialists, including those within the government, have long since ceased to believe: that prospects for a "generation of peace" depend on the outcome in Vietnam.

The President also fears the growth of radicalism at home. Such a domestic reaction is indeed something to worry about. The political left has started calling for war crimes trials. Their goal seems to be to establish wide-ranging individual, if not national, guilt. The Calley trial sparked the political right. Their goal will be to find out who is to blame for America's not winning this war. This emerging "scapegoatism" is frightening. President Nixon is on the mark here.

It is now the President's obligation to unite the country by stating an unambiguous policy. The new NLF proposal opens the way for doing so by apparently allowing the President to define "reasonable chance" as an American withdrawal with the Saigon government free to receive American military and economic aid. If President Nixon were to define "reasonable chance" in these terms, few here would quarrel with that decision, and it would almost certainly open the way at last to one end to our military involvement in Indochina.

It may well be the only way to give ourselves—these United States—a reasonable chance.

A Reasonable Chance

(By W. Averell Harriman)

Washington.—Publication of the Pentagon Papers has increased a widespread feeling that the public has not been adequately informed of United States intentions in Vietnam. The credibility of the Government was already at low point. To restore confidence it is essential that the Administration now clarify its aims in Vietnam.

The Administration has previously justified its refusal to negotiate a definite date for withdrawal of all American forces on three grounds—the safety of our forces, the release of our prisoners of war and giving the South Vietnamese "a reasonable chance."

Mrs. Binh's seven-point proposal satisfies the first two reasons. The Administration should now explain what it means by giving South Vietnam "a reasonable chance," and what American vital interests are involved. There are certain factors that already appear clear.

One that should be understood is that we have been fighting North Vietnam, a strongly nationalist Communist state which does not want to be dominated by China. It is supported, of course, by both China and the Soviet Union. During my months of talks in Paris, Hanoi's historic desire for independence was apparent. They were gratified that they were able to establish normal relations with the French and wished to have similar relations with us. Like Tito, they understand to avoid domination by the Communist giants they must have relations with the West and particularly the United States. We must recognize this and no longer blindly follow the concept that we are fighting Communist China.

Another factor is that the majority of the South Vietnamese clearly desire peace and prefer a non-Vietcong-controlled government. During recent years we have helped strengthen the Saigon Government militarily to Vietnamize the war, but not politically to expand its base to permit negotiations for a compromise settlement and to succeed in the political competition which would ensue. A political settlement worked out by the South Vietnamese themselves could give a "chance" for the South Vietnamese while experience indicates continued attempts to achieve a military solution can only mean endless fighting with no settlement in sight.

In South Vietnam there are no effective political parties but there are groups representing the non-Communist elements in the country—Buddhists, Catholics, Cao Dai, Hoa Hao, and the labor unions. It is not too late for President Thieu to rally these forces and bring their representatives into a peace cabinet or a negotiating committee. Conditions must be agreed to with the National Liberation Front under which a national election can be held from which would evolve a new constitution and a new government. As the front has proposed, provision should be made for guarantees against reprisals, and release of political prisoners.

There is increasing evidence that the other side would agree to an independent neutral South Vietnam for a period of years. The front, made up of people who are themselves southerners, evidently wants the South to be independent of the North until such time as a merger can be negotiated between equals.

Evidence indicates a willingness to agree to a non-Communist South. In fact Le Duc Tho has stated this in a New York Times interview. Furthermore, the Chinese, for the first time are now publicly supporting a

peaceful settlement, and speak of the four countries of Indochina, including both North and South Vietnam. They may wish to keep Indochina Balkanized and not unified under Hanoi.

After the settlement Hanoi must be induced to leave its neighbors alone and that can best be done by long-term cooperative arrangements for the reconstruction and development of North and South Vietnam, Laos, Cambodia and Thailand. The United States should be generous in its financial contribution but must leave the management to an international agency.

I can see only further confusion by awaiting the October elections in South Vietnam. Senator Tran Van Don has succinctly pointed out in a recent speech that President Thieu controls (1) the administrative, military, police and intelligence apparatus, (2) the mass media, and (3) large financial resources. Senator Don concluded that control of any one of the three factors would be sufficient to elect President Thieu, and he also has a fourth "decisive" factor—U.S. support.

Under these circumstances there is no reason to delay negotiations until the election which can hardly be a meaningful democratic expression. Moreover, the frustration pervading our country requires negotiations for our prompt withdrawal from the war.

NATIONAL LIBERATION FRONT PROPOSALS

Mr. MOSS. Mr. President, over the past few weeks I have watched with great interest and hope the unfolding events at the Paris talks. After a careful analysis of the materials made public concerning the recent National Liberation Front peace initiative, I have concluded it represents a significant peace overture apparently made in good faith. There well may be unacceptable elements and inadequacies in the proposal. There may be long days of negotiations ahead. Nevertheless, because the NLF initiative offers some hope for a genuine breakthrough in the now stalled talks, the President should call for an immediate cease fire while we negotiate the proposals.

Recent NLF proposals emphasize two issues of paramount importance to the Communists: First, the setting of a date for the total withdrawal of all U.S. Forces, and second, the creation of a provisional coalition government. The peace plan put forward on July 1, keeps these two points intact, and at the same time appears to make significant concessions on those issues which, in my opinion, are most important to our disengagement from Vietnam.

On July 1, Madame Binh publically stated in announcing the NLF plan that if we will set a date for the total withdrawal of our forces then the NLF will agree to release our prisoners of war, and insure the safety of our withdrawing troops. According to the plan the "modalities" for implementing these operations are to be worked out when the withdrawal date is set. Le Doc Tho, Hanoi's chief representative at Paris, further clarified point one of the plan on July 6 when he said that the question of prisoner release and troop withdrawals could be decided independently of a political settlement in South Vietnam. Madame Binh has also stated that the NLF proposal was not intended on a take-it or leave-it basis. These statements demonstrate the increased flexibility in the NLF's new negotiating position which allows the United States to capitalize on the recent NLF peace overture by agreeing to those portions of the proposal which are acceptable and negotiating on those which are not.

Moreover, these concessions by the NLF make it imperative that President Nixon test their offer by announcing a withdrawal date. The peace plan provides the President with his long sought guarantee that our prisoners of war will be released. With such public assurance, it seems incongruous for the administration to continue withdrawing troops and receive nothing in return. Latest Defense Department estimates project that over 400 American prisoners are now being held by Communist forces in North and South Vietnam. Assuming that these POW's would be released in direct proportion to our troop withdrawals, we can now return approximately 30 of our prisoners to their families for every 25,000 troops we withdraw. If problems arise in agreeing upon the modalities for troop withdrawal and prisoner release, the President, should he deem it appropriate, could withdraw his commitment to withdraw by a specific date.

The National Liberation Front also has consistently held that a coalition government is the key to a peaceful settlement. The peace plan of July 1 reiterates this view in point two:

> By various means the political, social, and religious forces in South Vietnam aspiring to peace and national concord will form in Saigon a new administration declaring itself for peace, independence, neutrality, and democracy.

In calling for the creation of a provisional coalition government the recent NLF proposal appears not to require the violent overthrow of the existing Saigon regime. The proposal does require that the United States Government cease its backing of Nguyen Van Thieu. Recent interviews with NLF officials suggest that if President Thieu were defeated in the upcoming elections, then negotiations for a peaceful settlement might begin.

I believe the United States should not impose any specific government on the people of South Vietnam; neither should we be expected to underwrite indefinitely the political future of the Thieu government. We have invested almost $200 billion in our attempt to achieve a stable political environment in South Vietnam. We have fulfilled our commitment in blood and treasure.

The recent peace proposal attempts to provide for a mechanism to prevent a blood bath from occurring. Point 2 declares that one of the questions to be settled in the negotiations state is:

> To take concrete measures with the required guarantees so as to prohibit all acts of terror, reprisal and discrimination against persons having collaborated with one or the other part . . .

Point 7 of the peace proposal indicates that the aforementioned guarantees could be buttressed by international guarantees.

During his April 29 press conference, the President stated:

> As far as any action on our part of ending American involvement completely—and that means a total withdrawal is concerned—that will have to be delayed until we get, not just the promise to discuss the release of our prisoners, but a commitment to release our prisoners.

The recent NLF peace plan offers that commitment.

Later in that same press conference President Nixon added:

> I see no gain from our standpoint to set a troop withdrawal date by the end of 1972 or the end of 1973, or the middle of 1972 when we get nothing for it.

The NFL peace proposal gives us the hope that by setting such a date we will get in return what we have been seeking for so long—the return of American POW's and an end to our involvement in this tragic war.

The United States has a responsibility to respond positively and creatively to the NLF peace plan and actively to explore the possibilities of a settlement based on this new concession. We owe it to ourselves and to the world to do no less.

A LITTLE LIGHT IN THE TUNNEL ON OIL

Mr. McINTYRE. Mr. President, today I wish to acknowledge an announced decline in the price of heavy industrial fuel oil by Humble Oil & Refining Co. This follows a long period of steadily rising prices that have had a profound impact on consumers across the United States, particularly those in New England.

I commend Humble for this move, which I believe is long overdue. I sincerely hope that others in the oil industry will follow suit and provide widespread relief to a large number of citizens.

Beyond the initial announcement, however, the oil industry has given us little to be grateful for. This decrease does not include low-sulfur-content fuel oils, and yet only the low-sulfur-content fuels meet the recently stated air pollution standards. The price of the environmentally acceptable fuel therefore remains high.

There has also been no movement to lower prices in the area of No. 2 homeheating oil. New England citizens know that the cruel hardships that the oil import quota system and the high prices charged by the integrated oil companies remains unchanged. Over 80 percent of the homes in New England consume homeheating oil but the cost of heating those homes next winter is going to remain sky high.

Mr. President, as a Senator from New England, I will not be satisfied that the oil companies have done all they can to alleviate the current fuel price problem until action has been taken to curtail the heavyhanded quota system that cripples New England. When that kind of action is taken New England consumers and homeowners will have reason to applaud the action of the oil industry, but not until.

INTERNATIONAL DRUG CRISIS

Mr. MONDALE. Mr. President, this past 4th of July, a series of three articles appeared in the St. Paul Pioneer Press, each portraying an important aspect of the international drug crisis. This series reveals both the unremitting danger of abundant heroin supply and the many pitfalls in present narcotics control policy.

"It's Harvest Time in Turkey" focuses on the incentives and mechanisms for Turkish opium farmers to evade present opium control laws. I should like to add that despite restrictions on acreage authorized for poppy cultivation the illicit production in Turkey reportedly doubled last year.

Another article, by Leon Daniel, traces the invidious network of heroin supply from Southeast Asian producers through Thailand and Laos ultimately to American troops in Vietnam. It captures the incredible irony of our position in Southeast Asia—after 10 years, 50,000 lives, and more than $100 billion spent in Vietnam, we now reap the bitter harvest of tens of thousands of GI's returning from Indochina as heroin addicts.

According to this article, our own embassy in Thailand—Thailand is a key heroin supplier—refuses to talk with news reporters about drugs for fear of "embarrassing" the Thai Government.

Our Government is undoubtedly more embarrassed that we continue to finance our own destruction, by allowing recipients of massive American aid to kill us with drugs.

Finally, in a third article, we hear from Director Ingersoll of the Bureau of Narcotics and Dangerous Drugs that even with all the heroin seizures and arrests in this country, there has been not a ripple in the plentiful supply of heroin pouring into the United States.

Early this year, I introduced a bill which incorporates the essential aspects of an effective international narcotics law. It would eliminate the terrible confusion and inconsistency of present policies by spelling out the high priority solving the drug crisis must command.

To offset attractive cash earnings for opium farmers, my bill would provide substantial assistance for the implementation of intensive, modern agricultural methods. Equally important, it would provide assistance for strict narcotics law enforcement.

But for those nations unwilling to stop the terrible human devastation caused by heroin, my bill would end the absurdity of continued foreign aid.

I would like to submit for the consideration of Senators these three worthy articles from the Pioneer Press. Mr. President, I ask unanimous consent that they be printed in the RECORD.

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

[From St. Paul (Minn.) Sunday Pioneer Press, July 4, 1971]

HEROIN FROM TURKEY, ASIA "PLENTIFUL"

(By Mark Brown)

WASHINGTON (AP).—Despite recent large seizures here and abroad, the supply of heroin is still plentiful, says the United States' top narcotics law enforcer.

John E. Ingersoll, director of the Bureau of Narcotics and Dangerous Drugs, said most of the heroin entering the country is processed in France from Turkish opium, but an increasing amount is coming from Southeast Asia.

At least three narcotics rings are involved in the smuggling from Southeast Asia, Ingersoll said in an interview, and American servicemen are "amply represented" among all three.

Ingersoll, who returned recently from an inspection visit to Southeast Asia, said that if heroin use persists among U.S. troops in Vietnam, American soldiers should be "isolated from the civilian population."

The interview took place before President Nixon announced an agreement by Turkey to stop growing the opium poppy by July 1972.

The White House said narcotics negotiations are continuing with six other countries where the poppy seed is grown.

The questions and answers:

Q. At a White House seminar on drugs, Mr. Finlator (asst. BNDD director) mentioned the narcotics systems that you are trying to crack. Could you describe the makeup of these nine systems and how they operate?

A. Well there are 10, and it's kind of hard to describe them in general terms because each of them are distinct kinds of operations. One involves people scattered all over the world who deal principally in heroin, or opium derivatives.

Another one was exemplified by what we called Operation Flanker, with the arrest of a number of organized crime figures last February and a number of arrests since then. Another one was Operation Eagle, where most participants were of Cuban extraction.

Another one involves the clandestine production of dangerous drugs in the United States. We've made some significant inroads there. We haven't publicized much of what we've done or brought it together, but I guess the attorney general will mark an announcement of this at his next press conference.

Q. Operation Flanker disclosed that the Mafia is involved with narcotics. Isn't that something they hadn't dealt in extensively?

A. Well, their announced policy since 1956 has been not to be involved, but there are deviations from that policy at fairly high levels and there's been nothing done, apparently to enforce it. There are significant traffickers.

Q. Who are some of the other groups?

A. There's the Cuban group, Eagle; although their main product was cocaine, they were also bringing heroin in. Presently there's a good deal of heroin being transshipped through various South American countries.

Q. Does most of the heroin coming into this country come from the Middle East through France?

A. Most of the heroin that is used in this country is derived from opium that is diverted in Turkey. Turkey is a legal opium producer and exporter for medical purposes. But large quantities every year have been diverted into illicit channels.

Q. At the House committee the other day, you mentioned that you had had some negotiations with President Thieu. Is the Thieu government showing sufficient concern over trafficking in heroin?

A. Ambassador Bunker told me he has never seen the Thieu government respond to any other issue as it has on this one. There has been an immediate and a very strong response. Whether they're doing enough, I think, remains to be seen.

They've done a lot. They've shaken up their customs operations; they've changed the leadership in their national police activity on this project and President Thieu has taken a personal interest in what's happening.

Q. Is heroin any less easy to get for the American troops over there now than it was two or three months ago?

A. No, I haven't seen any sign of that yet. But I do know that some of the people who were moving it in that direction have now, temporarily at least, stopped to look at the situation . . . believing that South Vietnam has been shut off.

Q. How would heroin get from Southeast Asia to the United States? Is there yet another system?

A. Yes. There are at least three different groups, we think, that are moving heroin into the United States from Southeast Asia.

Q. In getting their supplies, are they dealing with people like the Laotian general that you mentioned in testimony before the House committee?

A. No. The heroin manufacture itself appears, at any rate, to be conducted basically by ethnic Chinese living in these areas.

The heroin that's moving into the United States appears to be coming from Hong Kong or Bangkok, primarily. Some of it is coming straight from Vietnam through the mail, belongings of servicemen and so on.

Q. Have there been any significant seizures of heroin coming into the United States from Southeast Asia?

A. Yes, just the other day eight pounds were seized here in Washington, D.C., and about a month or so ago there was a little over seven pounds, I think, seized at Fort Monmouth, N.J., in the mail. And we have some others, all in the last year or so.

Q. The number of seizures here have gone up. Have these seizures at all put a dent in the heroin supply?

A. No. There's still a lot of it around. There appears to be a sufficient supply of heroin available on the streets, and the price hasn't fluctuated significantly or noticeably.

IT'S HARVEST TIME IN TURKEY

(By William Tuohy)

AFYON, TURKEY.—It's harvest time here, and the carpet of white and purple poppy blossoms are losing their petals, exposing the green, plum-sized opium pods to ripen in the sun.

This year's harvest on the 4,000-foot high Anatolian Plateau is excepted to be a bumper crop.

It also might possibly be the last.

Turkey, leading source of the opium derivative, heroin, channeling illegally into the United States, agreed Thursday to eradicate totally the production of poppies by late next year.

But the 75,000 farm families of central Turkey, to whom opium is their cash crop, their livelihood may never understand, even though U.S. dollar subsidies are pledged to them.

"OUR LIFE is built on growing poppies," said 40-year-old Lutfi Yeldiz, in the nearby village of Kumartas. "We produce our opium and sell it to the government. They say they use it for medicine . . . We have heard in the newspapers that America is against opium, but we do not know why. I don't understand what you mean by drug addiction."

As Yeldiz says, legally produced opium is sold through government agencies to world wide pharmaceutical firms which convert it to morphine and codeine to help the sick and injured.

But the same raw opium, illegally trafficked and refined into heroin, eventually finds its way into the veins of countless thousands of addicts. President Nixon said more than 60 per cent of the heroin peddled in the United States comes from Turkey.

Unlike the growing of wheat or barley, the opium plant is enormously rewarding to the dirt-poor farmers of Afyon.

In addition to gathering the raw opium,

the farmers use the leaves for salad greens. They eat or bake bread with poppy seeds. They press the rest of the seeds into cooking oil. Then they use the residue for animal feed. They cut the stalks for firewood. And they ship the husks of the pod to Holland and Germany where more opium gum is extracted, and the rest used for pressed board.

Thus, the opium crop is at least three times as profitable as anything else the farmers could grow in the hard-scrabble country of central Anatolia—without intensive, modern farming methods.

This year's legal crop—estimated at perhaps 100 metric tons—is taken by the farmers to government purchasing offices where they receive about $4 a pound for raw opium—depending on the quality. This is the product sold to legitimate foreign drug firms.

But at least an equal amount, according to informed estimates, and perhaps more is funneled off into the illicit trade to be smuggled out of Turkey.

Each year, farmers officially estimate how much opium gum they will produce, but these estimates are invariably thought to be on the low side. Other farmers produce opium in illegal fields.

The surplus illegal opium is purchased—usually in advance—at four times the legal price by "commission men" from Istanbul and Ismir, who are often themselves farmers who have prospered in the opium trade. They usually pay the opium farmer in advance for his illegal production—which is a keen incentive to the cash-short growers.

ASIAN SUPPLY FILTERS THROUGH CAMBODIA

(By Leon Daniel)

BANGKOK.—Despite, or perhaps because of, America's investment of blood and treasure in Southeast Asia, one of the region's most successful commercial ventures is the illegal production and sale of heroin.

Compounding this tragic irony is the fact that virtually all of the heroin smoked, snorted and injected by American GI's in Vietnam is smuggled through Thailand, a staunch American ally in the Indochina war.

Thailand also is the conduit for an increasing amount of illicit heroin entering the United States.

Spurred by President Nixon, the U.S. government has now turned more of its attention to trying to solve the problem that may ultimately prove to have more staying power than the war itself.

The practice of the American diplomats in Bangkok was to meet queries from newsmen about Thailand's opium-heroin traffic with reactions ranging from boredom to hostility.

Newsmen were told they could not interview for the record American officials here on the subject.

The explanation was that news stories about the opium-heroin traffic would damage relations between the United States and Thailand.

While the diplomats were trying to keep a lid on the embarrassing situation, agents from the U.S. Bureau of Narcotics and Dangerous Drugs were working against great odds to stem the opium-heroin tide through Thailand.

It took a couple of U.S. representatives, armed with congressional investigative powers, to spell out publicly Thailand's role as a passageway in the opium-heroin traffic.

Reps. Morgan Murphy, an Illinois Democrat who represents Chicago's drug-troubled south side, and Robert Steele, a Connecticut Republican, came up with some recommendations.

They said the U.S. mission in Thiland "should be more forceful" in convincing the Thai government that the United States not only needs, but expects, rapidly increasing action to stop the illegal traffic in opium and its derivatives.

Most of the heroin used by GI's in Vietnam is produced from poppies grown in mountainous areas of Burma, Laos, Thailand and parts of Yunnan Province in Communist China.

Murphy and Steele, a former Central Intelligency Agency (CIA) agent, charged that in Laos "government armed forces are major wholesalers of opium and heroin and have been directly involved in large-scale smuggling activities."

They also said for the record that most of the opium produced in Southeast Asia is smuggled through Thailand.

U.S. narcotics agents here told the two congressmen enough to finally get a startling story before the public. Here is the story that emerged:

Some of the Southeast Asia opium is processed into heroin which is smuggled to the United States by couriers on commercial and military aircraft. Some is mailed to the United States by U.S. military personnel, using both commercial and military postal services.

Most of the heroin is smuggled into South Vietnam through Thailand and Laos.

American citizens, mostly former servicemen, recently have moved to Thailand and have gotten into the business of smuggling heroin.

U.S. agents told the congressmen that bar patrons are recruited as heroin couriers to the United States and that U.S. military personnel on active duty are recruited to ship heroin to the United States through the military postal system.

(On April 5, the Bureau of Customs seized 17 pounds of heroin in a piece of military mail from Bangkok. The package, seized at Fort Monmouth, N.J., contained heroin with an estimated street-sale value of $1.75 million.)

Some of the heroin smuggled into South Vietnam is carried in commercial aircraft and planes of the Laotian-Thai and South Vietnamese air forces.

The congressmen also said that heroin has been smuggled in planes of Air America, a private airline financed by the CIA, "although there is no evidence that any official of a U.S. agency has ever been involved in the smuggling of heroin into South Vietnam."

RECYCLING PAPER AND WASTE OIL

Mr. MOSS. Mr. President, recycling was in the news again yesterday. I invite the attention of Senators to two articles published yesterday in the Washington Post. The subject of the first article is a report by the Prince George's County Committee of the Maryland Environmental Trust. After citing some statistics to demonstrate the need for increased recycling of paper in the Washington area, the report makes several recommendations. Among them: that the Government Printing Office and the General Service Administration make substantial use of recycled paper. This recommendation is in line with two bills I have recently introduced into the Senate.

The other article describes a proposal that the State of Maryland establish a $1 million pilot project for the collection and rerefining of waste oil.

These proposals are worthwhile, and thoroughly consistent with bills that I and other Senators have introduced on the subject of recycling. Because I believe these articles to be of general interest, I ask unanimous consent that they be printed in the RECORD.

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

READ AND RECYCLE—AND SAVE OUR TREES

About 300,000 tons of newsprint are used yearly in the Washington area, but only 21,000 tons of that is recycled. The difference means a lot of trees cut down.

The matter of trees has become an issue of great concern to the Prince George's County Committee of the Maryland Environmental Trust, which has issued a report calling for a broader program of recycling waste paper.

Their target: 280,000 tons of solid waste which, they say, could be put to good use.

The 7 per cent of newsprint that is currently being recycled annually saves 420,000 medium sized trees, according to the committee report. In addition, the recycling reduces papermill pollution and garbage collection problems, the committee said.

Japan today leads the world by recycling 50 per cent of its paper. If the metropolitan Washington area did the same, according to the committee report, three million trees could be saved annually.

Adding to the problem, the committee said, is the fact that national newsprint consumption—now at 9,545,000 tons yearly—will double by 1985.

Difficulties are also increasing currently, the report said, because of a depression in the wastepaper dealers market. Dealers now pay $6 a ton, and sell it for an average of $17 a ton, but the profit is only $2–3 because of increased costs for processing and freight.

The recycling process is not new. It's been used for 50 years, and currently about 25 firms handle and recycle fiber, the committee said. The Garden State Paper Company of Garfield, N.J., one of the early pioneers, was the first to find a way to remove ink from old papers and to build a papermaking machine for recycled newsprint.

The Bergstrom Paper Company of Neenah, Wisconsin, has recently made significant advances, according to the report, in processing recycled fibers into suitable office writing and business paper. By including the inks, resins, and clays in the paper, this process leaves a residue of about three pounds of waste per 100 pounds of reclaimed paper, as opposed to 20 or 35 pounds in other methods.

The result, the report said, is that one ton of recycled fibers saves 20 live trees and one ton of unclaimed polluted waste.

Bergstrom's local agent, Wilcox-Walter-Furlong Paper Co., has been promoting recycled/100 bond and offset printing paper. In addition, one Metro-area retail grocery outlet has recently introduced recycled bathroom tissues and towels.

But what can other people do? The committee report had some answers.

First, the waste from lumber mills, shops and yards, municipally condemned trees, and the clearing of lands by construction, contractors, could all be shipped by rail to woodpulp mills for making paper.

Recently, the report said, one area city could not find a source to dispose of 600 tons of diseased and storm damaged trees. That waste could have been used.

Both business and government, the report said, could help the problem by using recycled paper. The committee suggested that the U.S. Government Printing Office and General Services Administration, both very large buyers and users of newsprint and office stationery, could use totally recycled

paper and specify that bidders on contracts use a percentage also.

The committee also urged that business firms, which the report said contribute to the solid waste problem, should aid the recycling system financially. In addition, newspapers were urged to use, and publicize use of, recycled products.

The committee's report was printed on recycled paper.

PLAN PROPOSED TO RECYCLE WASTE OIL IN MARYLAND

Maryland should establish a $1 million pilot project of collecting and recycling waste oil for reuse as fuel in state buildings and lubricants for state-owned vehicles, two public health engineers have recommended.

Even if the program only breaks even, they suggested, it would demonstrate how a state can significantly reduce ecological problems resulting from waste oil.

The proposal was set forth in a preliminary report by Wilfred H. Shields Jr., chief of the solid-waste services of the Maryland Environmental Service, and Walter A. Miles, head of monitoring-surveillance for the State Department of Health and Mental Hygiene.

He said that the 13.5 million gallons of waste oil produced annually in Maryland could be refined to its original quality.

"The resulting product is a lubricating oil which is identical in every respect . . . to the original product itself," the engineers wrote.

They noted that contaminants must be removed from crude oil just as they are removed from waste oil during a recycling process.

Rerefined waste oil was widely marketed commercially before a 1964 Federal Trade Commission requirement that such products sold interstate carry clear labels that they are reprocessed oil, according to the report.

"The labeling requirement of the FTC knocked the bottom out of the re-refined oil market, not because of low quality . . . but because the label suggests low quality," Shields and Miles wrote.

"This label . . . has no bearing on the quality of the product," they said.

The report said that waste automotive and industrial oils are disposed of in a variety of ways in Maryland—some is used again, some is burned for heat recovery and some simply dumped into the ground. The engineers noted, however, there have been "numerous incidents" in western Maryland where dumped oil has seeped into drinking water wells.

The State Department of Water Resources has warned that underground water supplies throughout the state are being polluted by waste oil seepage, the report said.

"The hazard is increased every time oil is dumped onto the ground," it warned.

The report suggested spending $1 million for the construction of a small recycling refinery, purchase of 10 small trucks, one large tanker and operation of the facility for a year in the Baltimore-Washington area.

The report said the state is not interested in competing with oil suppliers.

"It's sole aims are to protect the state environment, to conserve and preserve the natural resources of the world and to accomplish these aims at considerable savings to the taxpayers of Maryland by using these refined oils in state-owned vehicles and facilities."

CHANGING PRIORITIES—THE UAW PROPOSAL FOR OCCUPATIONAL SAFETY

Mr. PROXMIRE. Mr. President, often it seems that politicians traffick in ambiguous codes; we speak in phrases and slogans which lose their sharp edges from the wear of constant use.

This can have an adverse impact on the public policymaking process. If our words on a given issue suggest a thousand meanings to a thousand people, then any public debate on that issue is certain to be confused and frustrated. And a confused public cannot be very conducive to the making of a sensible, coherent public policy.

I am sure that every Member of the Senate and the House can think of some issue on which he has accused his opposition, or has been accused, of being overly simplistic or unrealistic. In my own case I have tried to give special attention to the problem of shifting national priorities. "We must change our Nation's priorities," I might say, or one of my colleagues might say, and any subsequent proposals for specific changes are likely to be drowned in the applause for the initial statement.

Change to what? This is a legitimate question. To what specific concerns shall we turn our Nation's abundant energies?

I would like to draw attention to one possible alternative: the need of our working men and women for safer conditions at their place of work.

Workers recognize the need. A Labor Department survey completed this year shows that health and safety hazards on the job rank second among 19 common sources of job discontent among all workers.

Congress recognizes the need. Last year Congress passed Public Law 91–596, the Occupational Safety and Health Act, which empowers the Federal Government to improve the working conditions of 57 million Americans at 4.1 million working places.

But the administration has requested only $50 million to fund the inspection of working places under this law in fiscal 1972—less than $1 of coverage per worker. Surely the working people of our country deserve better protection against the hazards of their jobs.

The United Automobile, Aerospace and Agricultural Implement Workers of America have proposed that $150 should be appropriated for inspections against occupational hazards in the coming fiscal year. It is estimated that this would provide for 3,000 inspectors (compared to the administration's 1,000), and 6,000 inspections in a year (compared to the administration's proposed 2,000).

If the UAW proposal were adopted by Congress, the result would be increased protection for the working people of America. I think this course of action is better advised than the misappropriation of taxpayers' dollars to a Defense Department or private corporation which cannot keep track of its money, to an "intelligence" agency which refuses to publicly disclose how it spends taxpayers' money, or for the prolongation of a war in Indochina which has spawned more miseries than can be documented here.

To those who ask for viable alternatives to present priorities, I would raise the issue of work safety protection.

Mr. President, I think that this proposal deserves the consideration of all Members of Congress. Therefore, I would like to insert at this point in the RECORD the recent testimony of UAW vice president Nelson Jack Edwards before the Senate Appropriations Subcommittee on the Labor-HEW budget.

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

STATEMENT OF NELSON JACK EDWARDS, VICE PRESIDENT, UNITED AUTOMOBILE, AEROSPACE, AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW)

The UAW is here today to ask that Congress approve at least three times the money which the Administration is asking to implement the Occupational Safety and Health Act of 1970 for Fiscal 1972.

There is no other law on the books today which more directly affects the lives of working Americans than does Public Law 91–596, which covers 57 million workers at 4.1 million workplaces. This law has properly been described as a new magna charta for working men and women. But the law—as promising as it is—will be reduced to harmless bits of paper if Congress does not vote enough money for the law to be carried out.

The Administration's request of $50 million for Fiscal '72 is shortsighted and cruel. We ask that Congress approve no less than $150 million for occupational safety and health during the upcoming fiscal year. Ultimately we favor an even bigger level of spending. The Administration is asking for $1 per worker. We are asking here for $3 per worker. We suggest that the Gordon Counter-budget of $4 and ultimately $10 per worker are the kinds of realistic expenditures for worker health and safety which the Congress must reckon with during the next five years.

Health and safety hazards on the job were the number two complaint in a U.S. Department of Labor survey completed this year. On a scale of 19 sources of job discontent, some 38 percent of all workers said that health and safety hazards ranked as the second highest problem. We ask that the pertinent sections of that survey as described in the Monthly Labor Review (April, 1971) be made part of this hearing record. (Appendix I)

In a U.S. Public Health Service study of 1 million workers in the Chicago area, it was found in 1968 that 46.2 percent of those workers were exposed to serious and urgent health hazards on their jobs. We ask that a table prepared form that study also be made part of the record today. (Appendix II)

These two government studies show very clearly, if documented proof is needed, that occupational safety and health is a sorely neglected area of national concern. It is not enough to say that the problem be solved by collective bargaining. Many of the health and safety problems suffered by workers today are too subtle, too technical, and too complex to be settled by contract language between labor and management. And only 20 million of the 57 million workers under the protection of the law have the added protection of collective bargaining agreements. Thus the role of the federal government is crucial. We need more research, more training, and more inspectors so that the American workplace can be safer and healthier.

The National Safety Council has estimated that the nation loses at least $20 billion each year from unsafe and unhealthy jobs. The entire nation will be the gainer if the new law is fully and fairly implemented—work-

ers will live longer and in better health, industry will have more productivity, and the gross national product of our country will expand. Obviously, it will not happen overnight. But if the Congress will support this law with adequate money, we can make significant headway toward the goal of a humane work environment.

We estimated that only 1,000 inspectors can be hired, trained and put into operation toward the end of Fiscal 1972 if Congress supports the Administration's request for $25 million for the Department of Labor. Nobody can accurately measure the output of a safety and health inspector, but it is unlikely that any one inspector can make more than 200 inspections at the very most—which means that only 200,000 inspections can be made during the first year of this law. This is, in our judgment, a travesty upon the American working man and woman. Every one of the 4.1 million workplaces ought to have at least one inspection, if not more. We realize that some of these are very small establishments. Three million of the workplaces have seven or less workers. We ask that a table describing the size and kind of establishments as prepared by the Department of Labor be made part of the record here. (Appendix III)

We estimate that under our proposal the federal government could hire, train, and put into the field a minimum of 3,000 inspectors which could provide at least 600,000 inspections during the year.

By beefing up money for the Institute for Occupational Safety and Health under the HEW budget for Fiscal '72, Congress will be providing money for basic research and training which is vitally needed to make this new law real in the lives of working people. Only one out of every three Americans today is in the workforce. We in the UAW have enthusiastically supported programs for the poor, the elderly, the young, and the handicapped. We gladly support research programs which study how to nourish the young, help the poor and elderly—but there are few basic research projects underway today to minimize noise, the grime, the drudgery, and hazards of the American workplace. We think that the federal research arm of the Department of Health, Education and Welfare can do far, far better than it has for the person who works long and hard hours at his job, often at great peril to his very life. If Congress approves the $25 million for HEW which the Administration is asking, it will be a rude slap in the face to millions upon millions of our fellow Americans.

There are training and education programs promised by PL 91–596 which will not get off the drawing board if the Department of Labor gets only the $25 million asked by the Administration.

Finally, the 50 states have $80 million pending in requests to implement their state plans. DOL is asking for only $13 million for the states. We hasten to say that the federal law was passed because the states had failed. But if we accept the Administration's rhetoric that the states get more money, that 13 million barely scratches the surface of what the states are asking for.

We indicated in our testimony before the House Appropriations Subcommittee for Labor/HEW that we welcome the suggestion of Dr. Jerome Gordon for a five year $2.2 billion outlay for occupational safety and health expenditures. Half of that money is income from a 5 percent tax on workmen's compensation. A smaller tax of this kind works now in Michigan and Oklahoma and is fed back to the state safety and health programs. We are not at this time recommending such a tax on workmen's compensation, but we certainly approve Dr. Gordon's proposal for a more comprehensive and larger attack on the job safety and health problems of American working people. We attach his proposal and ask that it be part of this record. (Appendix IV)

The Administration's entire approach to funding for PL 91–596 is a nickles and dimes approach which ill behooves a nation with a trillion dollar gross national product. The noise, the dust, the fumes, the gas, and the physical hazards which face millions of workers every day of the year can be reduced and in time eliminated if the nation will dedicate more of its resources and talents to making the workplace safe and healthful. But it will only happen if the Congress takes the initiative.

Chairman Dan Flood of the House subcommittee asked what will happen if Congress votes the money and the President refuses to spend it. A fair question, since $12 billion of approved money is unspent. We are confident that the moral imperative, in this instance, will compel the Administration to implement the law if Congress provides the strong level of funding we are asking for here.

The money we are asking for here is money which goes directly to help the people who are the muscle and backbone of America. In terms of the demands upon the U.S. Treasury the mere $150 million we ask for here is very small. It is less than $1 per citizen, but it does represent $3 per worker and is, therefore, fully justified by the promise and requirements of the new job safety and health law.

[Excerpts from Monthly Labor Review, April 1971]

THE WORKING CONDITIONS SURVEY AS A SOURCE OF SOCIAL INDICATORS

(By Neal Q. Herrick and Robert P. Quinn)

"It is a good general rule that governments only begin to do something about problems when they learn to measure them." [1]

Social legislation often has been inspired by failures of the system. The depression of the 1930's produced the Social Security Act. Some widely publicized scandals of the 1950's resulted in legislation governing the finances of labor unions. The deaths of 78 workers in a Farmington, W. Va., mining tragedy in November 1968 helped bring about the Coal Mine Health and Safety Act.

Some failures, however, are fragmented in time and space and are, therefore, not as easily recognized. For example, the economic and emotional impacts of disabling accidents to persons not covered by workmen's compensation are felt mainly by the injured workers and their families. Despite the tragic dimensions of this problem and the length of time it has existed, about a half million families a year are now left without income as a result of disabling occupational accidents. To make a bad situation worse, many of those compensated receive far less in proportion to their incomes than was the case 40 years ago. And so, at least partially because of an information system that leans heavily upon dramatic and publicized disasters to stimulate governmental action, workmen's compensation in America remains inadequate.

Responsible government must assure that headline-making failures of the system are not the sole prerequisites of action. There are other, more accurate ways of assessing the magnitude of problems than by their suitability for news coverage. As economic indicators are used to formulate fiscal and monetary policy, so should working conditions indicators be developed to help shape laws and programs to meet workers' needs.

An information system is required to help policymakers evaluate working conditions. Three components are essential to such a system: (1) Objective data relating to working conditions problems (such as occupational safety statistics); (2) the considered judgments of specialists in these problems; and (3) data reflecting a view of working conditions through the eyes of the American worker.

The first two elements have been available in some degree for years. There remains an urgent need to develop and use continuing measures of working conditions problems as experienced and evaluated by the workers themselves, thus providing much-needed worker participation in this field of social change.

This was the Department of Labor's intent in 1968 when it contracted with the University of Michigan's Survey Research Center to conduct the first in a proposed series of triennial nationwide surveys of employed persons. The Department recognized two major possibilities: First, that the proportion of its resources allocated to existing programs might not reflect the actual importance of these programs to workers, and second, that its traditional labor standards programs might be ignoring other important problems confronting workers.

The survey was conducted in November and December of 1969, using a national probability sample of 1,533 employed persons 16 years of age and older who worked 20 hours a week or more. It inquired into the extrinsic and intrinsic elements of work and attempted to relate these elements to workers' satisfaction with their jobs. The extrinsic elements were the traditional labor standards, such as occupational safety and workmen's compensation. The intrinsic elements related to what had been described by a previous Secretary of Labor [2] as being as great a problem in our time as unemployment was in the 1930's. Human fulfillment through work.

This article reports some of the preliminary findings of the survey as a preview of other, more detailed reports. Analysis of the data has so far been confined largely to the compilation of simple descriptive statistics and bivariate frequency tables. Additional analyses are currently underway at the Survey Research Center, the Department of Labor, and the W. E. Upjohn Insttiute for Employment Research. Other qualified researchers are invited to make use of the data file.[3] Until such analyses are completed, only qualified conclusions can be drawn. For example, workers who received many paid vacation days reported generally high job satisfaction. However, they tended to be cencentrated in certain occupations or income levels. Hence, it cannot be concluded that paid vacation days by themselves contributed to job satisfaction.

LABOR STANDARDS PROBLEMS

Special emphasis was devoted to investigating the problems faced by workers in the 19 labor standards areas listed in table 1. These problem areas range from such enduring concerns as adequacy of income to more recent concerns such as transportation problems and the invasion of a worker's privacy by his employer. Data were collected regarding the frequency with which these problems occurred, their severity as judged by the workers who experienced them, and the extent to which workers indicated they wanted to be protected against the occurrence of such problems by "government, a union (their) employer, or someone else."

According to these criteria, the labor standards areas that were most important to workers were those relating principally to the general area of health and safety (including health and safety hazards, unpleas-

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Footnotes at end of article.

ant physical working conditions, work-related illness or injury, and wage loss following a work-related illness or injury) and, secondarily, to the general area of income (including inadequate income, inadequate fringe benefits, and wage loss through either garnishment or an employer's withholding of wages). (See able 1.) Looked at individually, however, the importance of more specific labor standards areas depends somewhat upon the criterion of importance employed. For example, although problems with inadequate fringe benefits were very frequent, relatively few workers considered protection from such problems as "very important" when such problems were compared to other labor standards problems. Transportation difficulties and problems with inconvenient or excessive hours although occurring frequently, were of comparatively low severity, and relatively few workers felt it very important that they be protected against such problems. The occurrence that workers most wanted to be protected against—a work-related illness or injury—was neither the most frequent nor most severe type of problem reported. Mistreatment by employment agencies and problems with unions were among the most severe types of problems reported, yet their incidences were comparatively modest. The least frequently occurring problem, wage garnishment or assignment, was nevertheless the most severe problem. The withholding or delaying of wages by employers occurred in frequently, and when it did it was not generally reported by workers as very severe; however, a large percentage of workers regarded protection against incidences of wage loss or delay as very important to them.

TABLE 1.—RANKINGS OF LABOR STANDARDS PROBLEM AREAS

[Percent distribution]

Problem area	Percentage of all workers reporting one problem or more in each area [1]	Percentage of those reporting the problem who regarded it as sizable or great	Percentage of all workers considering protection against the problem as very important
Inadequate fringe benefits	[2] 39	43	43
Health and safety hazards	38	51	64
Transportation to and from work	35	39	39
Unpleasant physical working conditions	33	38	51
Inconvenient or excessive hours	30	38	39
Inadequate income	26	62	68
Work-related illness or injury	13	56	71
Unsteady employment	10	37	59
Occupational handicaps	9	39	39
Invasion of privacy by employer	[3] 8	28	48
Mistreatment by employment agencies (within past 3 years)	[4] 7	68	50
How democratically one's union is run	[5] 6	58	56
How well one's union is managed	[6] 5	58	56
Failure to receive wages or salary due (within past 3 years)	[7] 5	43	68
Age discrimination	5	35	48
Inadequate expense coverage during work-related illness or injury (within past 3 years)	[8] 4	39	69
Race or national origin discrimination	[9] 3	53	47
Sex discrimination	[10] 3	42	38
Wage garnishment or assignment (within past 3 years)	[11] 2	72	57

[1] The first percentages in this column are based on the full sample. Those in footnotes are based on all workers eligible to experience the problem.
[2] 45 percent of wage-and-salary workers only.
[3] 9 percent of wage-and-salary workers only.
[4] 47 percent of those who had dealt with an agency in past 3 years.
[5] 18 percent of union members only.
[6] 18 percent of union members only.
[7] 6 percent of those who at some time in past 3 years had worked for wages or salary.
[8] 68 percent of those who at some time in past 3 years had been away from work for 2 weeks or more due to a work-related illness or injury.
[9] 17 percent of blacks.
[10] 8 percent of women.
[11] 2 percent of those who at some time in past 3 years had worked for wages or salary.

OCCUPATIONAL SAFETY AND HEALTH

The high priority assigned to occupational safety and health problems by workers supports the need for vigorous administration of the Occupational Health and Safety Act. Workers reported "becoming ill or injured" as the labor standards problem against which they most wanted to be protected and "health and safety hazards" as the area involving some of their most frequent and severe difficulties. In addition, 33 percent reported working under physical conditions they felt were not necessarily hazardous, but were unpleasant or irritating. Workers reporting problems with such unpleasant physical working conditions principally complained about difficulties with heat (or lack of heat), overcrowding, unclean conditions, and inadequate, antiquated, or uncomfortable furnishings. Finally, a full 13 percent of the workers interviewed reported that they had actually experienced a work-related injury or illness in the last 3 years. Of these, 42 percent reported that the injury had kept them off work for 2 weeks or more. Furthermore, two-thirds of the latter group indicated that they had trouble meeting medical or living expenses during this period.

Not unexpectedly, more men than women (45 percent compared with 26 percent) and more blue-collar than white-collar workers (50 percent versus 25 percent) reported facing occupational hazards. More interesting, however, is the large absolute percentage of white-collar and women workers who reported occupational hazards. An examination of workers' descriptions of the hazards they faced indicated that many were respectors of neither sex nor collar color. These included physical violence or abuse from other people, communicable diseases, extremes of temperature or humidity, exposure to the elements, and dangers to which the worker was exposed while traveling as part of his job. The data suggest that increased attention should be paid to health and safety hazards occurring outside factories or other blue-collar working environments.

NEW DIRECTIONS

The survey data are still in the early stages of analysis. However, several tentative conclusions can be drawn about the problems confronting workers. These conclusions, and some of their possible implications for new directions in policies and programs, follow.

Safety and health

Occupational safety and health hazards ranked first among those problems workers wished to be protected against. Further, safety and health problems were among those most frequently reported and, when reported, workers believed they were among the most severe of all labor standards difficulties. The survey data strongly support the need for full and complete utilization of the provisions of the Federal Occupational Safety and Health Act, effective April 28, 1971.

Workmen's compensation

The labor standards problems against which most workers wanted protection were work-related illness or injury and inadequate expense coverage for such illness or injury. The need for improved protection is further substantiated by the fact that, among the workers who reported an occupational disability of 2 weeks or more, 68 percent had problems in making ends meet during disability.

About 20 percent of American workers fall outside the scope of workmen's compensation laws and, of those who are covered, few receive payments as high in protection to income as their fathers and grandfathers received. This problem is compounded by changes in our consumer credit structure—the increased availability and use of loans for the purchase of major consumer items (homes, automobiles, appliances)—which have made it increasingly difficult for workers to reduce their living expenses on short notice. Because disabled workers cannot effectively represent their own interests, our workmen's compensation system (or lack of it) has been an easy problem to dismiss. The time has come to face this issue.

No long term planning designed to improve the conditions under which people work can avoid such issues without being justifiably accused of constituting only a partial assault on the problems of the American worker. Government programs have too long avoided grappling with the less tangible aspects of working conditions, which nevertheless have a significant impact upon workers' job satisfaction, mental health, and self-development.

The difficulties entailed in the solution of such problems are immense. However, the content of workers' jobs and its impact upon their development and well being is an area too important to be ignored simply because there are too few mechanisms now available for dealing with it.

Increased attention should be directed toward two basic human concerns in the workplace: (1) Satisfaction of people with the economic and tangible returns from their efforts; and (2) self-fulfillment of individuals through their work. Although considerable progress has been made in solving the first problem, the importance of the second has barely begun to be recognized. The health of the economy is still measured solely in terms of the efficiency with which it can produce large quantities of consumer goods. A second measure—and concern—is needed: One which considers the contribution work is making to the quality of life and to the growth and happiness of the worker. Since the worker himself is the best source for such a measure, continuing surveys of the worker's attitudes will be needed.

FOOTNOTES

[1] Daniel P. Moynihan, in the Statement of of the Counsellor to the President in *Toward Balanced Growth: Quantity With Quality*, July 4, 1970, p. 9.

[2] Then Labor Secretary Willard Wirtz made this point at a 1967 meeting of State Labor Commissioners.

[3] Inquiries should be addressed either to the Workplace Standards Administration of the U.S. Department of Labor, Washington, D.C., or to Drs. Robert Quinn, Stanley Seashore, or Robert Kahn at the Survey Research Center of The University of Michigan.

[4] Alvin Bauman, "Measuring Employee Compensation in U.S. Industry," *Monthly Labor Review*, October 1970, pp. 17–24.

[5] For a discussion of some recent experimentation and a useful bibliography, see Fred K. Foulkes, *Creating More Meaningful Work* (New York, American Management Association, 1969).

TABLE II.—NATURE AND EXTENT OF ANY POTENTIAL HEALTH HAZARDS TO WHICH WORKERS WERE EXPOSED IN CHICAGO, ILL., 1968, PROJECTED FROM SURVEY

Nature of potential hazard [1]	Plants		Inplant workers at risk	
	Percent surveyed	Projected number	Percent surveyed	Projected number
Urgent	6.3	922	10.6	111,200
Serious	21.8	3,154	35.6	373,627
Well controlled	45.0	6,510	40.3	422,570
None	26.7	3,873	13.4	141,001
Total	99.8	[2] 14,459	99.9	[2] 1,048,398

[1] Urgent—Plant needs immediate industrial hygiene evaluation on survey. Serious—Plant needs visit within 1 year. Well controlled—Plant needs visit within 3 years. None—Plant does not require visit within 3 years.

[2] Totals of these columns vary from other tables due to truncation.

[From safety standards, March-April 1971]

TABLE I.—ESTIMATED NUMBER OF ESTABLISHMENTS, BY SIZE GROUP AND BY INDUSTRY; SUBJECT TO THE PROVISIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 [1]

[In thousands]

Industry	Total	Employment size group of establishments					
		1–3	4–7	8–19	20–49	50–99	100 and over
		Estimated number of establishments					
Total United States	4,152.4	2,167.4	942.5	621.0	269.3	81.8	70.4
Agriculture, forestry, and fisheries (excluding farms)	31.5	19.0	6.7	4.1	1.3	0.3	0.1
Farms	417.0	240.0	158.0	[2] 19.0			
Contract construction	308.0	157.1	65.5	51.9	22.8	6.9	3.8
Manufacturing	299.2	70.3	47.7	66.0	52.2	26.7	36.3
Transportation	44.9	15.1	8.6	10.3	5.8	2.5	2.6
Wholesale trade	298.4	113.6	67.3	71.3	33.5	8.7	4.0
Retail trade	1,197.5	597.3	293.4	199.4	83.9	16.5	7.0
Finance, insurance, and real estate	395.1	242.6	75.4	53.5	15.8	4.4	3.4
Services	1,073.0	652.8	204.3	135.7	51.2	15.8	13.2
Unclassified	87.8	59.6	15.6	9.8	2.8		

[1] Data relate to March 1969.

[2] The 19,000 farms shown in the 8–19 size group actually extend through the 100 and over size group.

Source: U.S. Department of Labor.

TABLE II.—ESTIMATED NUMBER OF EMPLOYEES, BY ESTABLISHMENT SIZE GROUP AND BY INDUSTRY, SUBJECT TO THE PROVISIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 [1]

[In thousands]

Industry	Total	Employment size group of establishments					
		1–3	4–7	8–19	20–49	50–99	100 and over
		Estimated number of employees					
Total, United States	57,011	3,715	4,955	7,673	8,393	5,766	26,509
Agriculture, forestry, and fisheries (excluding farms)	228	40	42	58	45	21	22
Farms	1,315	300	750	[2] 265			
Contract construction	3,500	299	373	677	756	514	881
Manufacturing	19,512	126	245	799	1,583	1,795	14,964
Transportation	2,166	28	47	131	184	175	1,601
Wholesale trade	3,869	203	351	852	992	580	891
Retail trade	11,067	1,127	1,569	2,414	2,552	1,149	2,256
Finance, insurance, and real estate	3,695	423	432	709	539	338	1,254
Services	11,659	1,169	1,146	1,768	1,742	1,194	4,640

[1] Data relate to September 1970.

[2] The 256,000 farm employees in 8–10 size group actually extend through the 100 and over group.

Source: U.S. Department of Labor.

Note: These tables exclude certain industry groups and their employees, pending final determination of the extent of coverage of the act.

APPENDIX IV: STATEMENT OF JEROME B. GORDON, EXECUTIVE VICE PRESIDENT, HALDI ASSOCIATES, INC.

INTRODUCTION

On April 28, 1971, the Occupational Safety and Health Act of 1970 went into effect with less than $11 Million in appropriated funds to implement it. Both the House and Senate Labor Committees and the Nixon Administration were caught completely unprepared with strong fiscal counter-proposals with which to present to both the House Appropriations and Senate Finance Committees. As a result, the programs at both H.E.W. and Labor, as well as those in the states are crippled and workers are unprotected.

In order that all parties concerned might be better prepared for the current appropriations hearings on the Act for Fiscal Year 1972, I have prepared a five year program budget to meet the basic goals of the Act: protecting those on the job and cleaning up the nation's industrial environment. The proposed budget is motivated by the following facts unearthed during the tumultous debates that led to the Act's passage:

15,000 lives lost on the job.

Half a million workers disabled by occupational diseases.

25 million serious injuries sustained by American workers annually.

16 million workers with serious hearing loss resulting from the ravages of industrial noise.

8 to 10 million workers with no protection under the law.

If we can resolve to spend $40 billion to reach the moon; $1.1 billion annually to clean up our rivers and streams, then we can spend $2.2 billion to clean up the nation's workplaces and cease the unseemly toll of human lives and misery.

PROGRAM BUDGET OBJECTIVES

To assure clean and healthful workplaces for all workers covered under PL 91–596 by 1976.

To enforce PL 91–596 through a unified national system of federal and state compliance and technical assistance.

To accelerate development of federal standards for effective enforcement of PL 91–596.

To monitor and determine the extent of hazards in the nation's industrial environment and the health status of workers on the job.

To acquire basic knowledge about the hazards of the work environment and translate it into systems and devices for combatting and correcting them.

To develop the basic human resources through the nation's universities, research centers, industrial and labor organizations to man occupational safety and health programs.

To procure the pre-requisite facilities, systems and devices to protect the workers on the job.

THE BUDGET IN BRIEF

To meet the primary objective of assuring clean and healthful workplaces for all workers by 1976 will require the cumulative expenditure of over $2.2 billion dollars over the next five fiscal years. The breakdown by major program is as follows:

Program	Cumulative 5 year spending (amounts in mils. of constant dollars)	Percent distribution
Standards development	$116	5.2
Compliance and technical assistance	838	37.9
Hazard and health surveillance	60	2.7
Research and development	344	15.6
Resource development	119	5.4
Procurement	733	33.2
Total	2,210	100.0

Slightly less than two-fifths (37.6 percent or $833 Million) of the budget is allocated to mandated state programs and projects requiring 100 percent federal funding. The U.S. Departments of Labor and Health, Education and Welfare receive, respectively, 24.4 percent or $536.0 Millions and 37.6 percent or $841.0 Millions over the five year budget period.

At its peak, fiscal year 1976, an average of over $10.27 per worker would be expended to provide program services for an estimated 63.1 million covered by the Act.

Almost half of the cost of the proposed program ($980 Millions) could be financed through the establishment of a 5% levy on employer workmen's compensation premiums. The yield would be earmarked for application to the complete support of national, regional and state compliance and technical

assistance and related program operations. This simple, yet equitable system of taxation is already used by such states as Michigan and Oklahoma in funding occupational safety and health programs. To adopt this useful measure for the nation would require an amendment of PL 91–596.

Among some of the applications of the proposed budget among major programs are:

Production of an estimated backlog of over 20,000 new and revised occupational safety and health standards required by the Act.

Establishment of a unified national occupational safety and health service comprised of a federal and state compliance and technical assistance field force of over 17,000 specialists in safety engineering, industrial hygiene, industrial medicine and other disciplines.

Construction of a national network of regional occupational safety and health laboratories.

Providing institutional grants to implement training for production of professional and technical manpower to man the program in both government and industry.

Establishing training programs for the development of "in-plant monitoring" personnel.

Conduct of an annual national survey of worker health.

Funding systems development competitions for the design, construction and operation of less hazardous industrial processes, machinery, chemicals and facilities.

Tables 1 and 2 display the time phasing and relative distribution of the cost of the program over the next five fiscal years. Table 3 depicts the relative federal and state shares of the program budget. Table 4 contains the estimated annual yield from the proposed 5% levy on workmen's compensation premiums.

PROGRAM DETAILS

The following is a description of the major activities and outputs of each program category:

Standards development

Development and production of an estimated backlog of 10–12,000 new and revised job "system" safety standards.

Development and production of an estimated backlog of 8–10,000 occupational health standards and Threshold Limit Values (TLVs).

Initiating and Completing the activities of the mandated National Workmen's Compensation Commission to establish a uniform national system.

Compliance and technical assistance

Creation of up to 7,000 national and regional field force positions.

Creation and funding of up to 10,000 state field force positions.

Hazard and health surveillance

Expansion and Operation of the National Survey of Work Injury by the U.S.B.L.S. and co-operating states.

Expansion and funding of the National Occupational Safety and Health Hazards Survey of in plant conditions by U.S. H.E.W. and co-operating states.

Creation and funding of a National Survey of Worker Health to be operated by U.S. H.E.W.

Research and development

Establishment and funding of the basic program of the National Institute of Occupational Safety and Health (N.I.O.S.H.) mandated by the Act.

Establishment and funding of a contract and grant program of Basic Research and Systems Development to acquire basic knowledge and hardware for controlling and abating job safety and health hazards.

Resource development

Creation of a continuing program of institutional grants for the production of industrial hygienists, safety engineers, industrial physicians and for conversion of underemployed aerospace industry professionals to these disciplines.

Creation of continuing program of grants and contracts for training of in-plant monitoring personnel.

Procurement

Construction of up to 40 regional and satellite occupational safety and health laboratories.

Procurement of work hazard detection and monitoring devices and systems.

System procurement of less hazardous industrial machinery, processes, chemicals and facilities.

$2.2 Billion is a cheap investment in the best form of preventive health care—eliminating the health hazards and diseases that daily ravage 80 million workingmen and women each year. How can we do less than this over the next five years, when the cost of not controlling the workplace environment is over $20 Billions each year.

TABLE 1.—A 5-YEAR PROGRAM BUDGET FOR OCCUPATIONAL SAFETY AND HEALTH

[Millions of constant dollars]

Program	Fiscal year— 1972	1973	1974	1975	1976
Standards development	$14.0	$26.0	$30.0	$24.0	$22.0
Compliance and technical assistance	98.0	131.0	168.0	203.0	238.0
Hazard and health surveillance	6.0	9.0	15.0	15.0	15.0
Research and development	41.0	54.0	68.0	83.0	98.0
Resource development	7.0	14.0	28.0	35.0	35.0
Procurement	70.0	100.0	138.0	185.0	240.0
Total	236.0	334.0	447.0	545.0	648.0
Cost per worker	4.22	5.77	7.51	8.89	10.27
Covered employment (in millions)	56.0	57.8	59.5	61.3	63.1

TABLE 2.—5-YEAR PROGRAM BUDGET FOR OCCUPATIONAL SAFETY AND HEALTH

[Percent distribution]

Program	Fiscal year— 1972	1973	1974	1975	1976
Standards development	5.9	7.8	6.7	4.4	3.4
Compliance and technical assistance	41.5	39.2	37.6	37.2	36.8
Hazard and health surveillance	2.5	2.7	3.4	2.8	2.3
Research and development	17.4	16.2	15.2	15.2	15.3
Resource development	3.0	4.2	6.3	6.4	5.4
Procurement	29.7	29.9	30.8	34.0	36.8
Total	100.0	100.0	100.0	100.0	100.0

TABLE 3.—5-YEAR PROGRAM BUDGET FOR OCCUPATIONAL SAFETY AND HEALTH—FEDERAL/STATE SHARES

	Percent distribution 1972	1973	1974	1975	1976
Federal:					
Health, Education, and Welfare	42.8	40.3	37.6	36.5	36.6
Department of Labor	22.5	23.2	24.4	24.8	25.2
Total	65.3	63.5	62.0	61.3	61.8
State	34.7	36.5	38.0	38.7	38.2
Total	100.0	100.0	100.0	100.0	100.0

TABLE 4.—ESTIMATED YIELD FROM 5-PERCENT TAX ON WORKMEN'S COMPENSATION PREMIUMS

Fiscal year	Estimated national workmen's compensation premiums (in billions)	Tax yield (in millions)
1972	$3.2	$160
1973	3.5	175
1974	3.9	195
1975	4.3	215
1976	4.7	235

SACB: A 20-YEAR EXERCISE IN FUTILITY

Mr. PROXMIRE. Mr. President, on Monday the Senate will take up the State-Justice-Commerce appropriations bill, H.R. 9272. Included within that bill is an appropriation of $450,000 for the Subversive Activities Control Board. I intend to offer an amendment to delete this appropriation, and will discuss my reasons in detail at that time.

However, so that my colleagues may have an opportunity to appraise for themselves in advance the history of futility and do-nothingness that this Board represents, I offer for the RECORD now a 20-year summary of all of the Board's activities. This summary was compiled from the 20 annual reports that the Board is required to submit pursuant to title 50, United States Code, section 791(c).

The total number of registrations resulting from the SACB's orders—individuals or organizations—is zero. The total number of final orders determining an individual to be a member of a Communist action organization is zero. The total number of final orders determining an organization to be a Communist infiltrated organization is zero. In exactly one case, the Board succeeded in determining an organization to be a Communist-action organization. And finally, there have been a grand total of 7 cases in which final orders were issued determining organizations to be Communist fronts. In neither of these last two categories, of course, did the Board ever succeed in having the organizations register.

The total cost of all this pencil pushing and paper shuffling: $5,958,000. And what do we have to show for it?

Mr. President, I ask unanimous consent that the summary of SACB Action, 1950–70 be printed in the RECORD.

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

Summary of SACB action, 1950–70

Number of final orders determining an organization to be a Communist-action organization	1
Number of final orders determining an organization to be a Communist front	7
Number of final orders determining individuals to be members of a Communist action organization (such determination declared unconstitutional by the Supreme Court)	0
Number of final orders determining an organization to be a Communist-infiltrated organization	0
Number of registrations resulting from SACB's orders	0

Yearly expenditures

Fiscal year 1951	$160,000	Fiscal year 1958	$325,000	Fiscal year 1966	$426,000
Fiscal year 1952	204,000	Fiscal year 1959	325,000	Fiscal year 1967	280,000
Fiscal year 1953	229,000	Fiscal year 1960	285,000	Fiscal year 1968	247,000
Fiscal year 1954	236,000	Fiscal year 1961	320,000	Fiscal year 1969	274,000
Fiscal year 1955	269,000	Fiscal year 1962	339,000	Fiscal year 1970	375,000
Fiscal year 1956	279,000	Fiscal year 1963	336,000		
Fiscal year 1957	315,000	Fiscal year 1964	325,000	Total	5,958,000
		Fiscal year 1965	409,000		

SUBVERSIVE ACTIVITIES CONTROL BOARD, 1950-71

Fiscal year	Attorney General action	Subsequent Board action	Final Board determination
1951	Nov. 22, 1950: Petition that Board determine Communist Party of the United States a Communist-action organization and require it to register.	Apr. 23, 1951: Hearings commenced	None.
1952	Communist Party case carried over	June 9, 1952: Hearings concluded	Found that the Communist Party is a Communist-action organization within the meaning of the act and ordered it to register with the Attorney General. (The Communist Party never registered.)
1953	Apr. 22, 1953: Petition that the Board determine the following organizations Communist fronts and require them to register: American Committee for Protection of Foreign Born. American Slav Congress. Civil Rights Congress. Committee for a Democratic Far Eastern Policy. Council on African Affairs, Inc. International Workers Orders, Inc. Jefferson School of Social Science. Joint Anti-Fascist Refugee Committee. Labor Youth League. National Council of American-Soviet Friendship, Inc. United May Day Committee. Veterans of the Abraham Lincoln Brigade.	Board ruled that all motions from organizations be filed by June 8, 1953.	None.
1954	Consideration of cases carried over	(a) Nov. 25 1953–June 15 1954: Hearings on Jefferson School of Social Science.	Do.
		(b) Nov. 30 1953–Apr. 9 1954: Hearings on Labor Youth League.	Do.
		(c) May 10 1954: Hearings commenced on National Council of American-Soviet Friendship Inc.	Do.
		(d) May 3 1954: Hearings commenced on Veterans of the Abraham Lincoln Brigade.	Do.
		(e) January 14 1954: Representatives of International Workers Orders Inc. failed to appear at hearing.	Do.
1955	do	(a) Dropped case against International Workers Orders, Inc.	
		(b) Dropped case against American Slav Congress.	
		(c) Dropped case against Committee for a Democratic Far Eastern Policy.	
		(d) Dropped case against Joint Anti-Fascist Refugee Committee.	
		(e) Hearings on Veterans of the Abraham Lincoln Brigade	Do.
		(f) Hearings on Civil Rights Congress	Do.
	Petition that Board determine the following organizations Communist front organizations: Washington Pension Union California Labor School, Inc.	None	Do.
1956	Consideration of cases carried over	(a) Considered recommendation of presiding member concerning hearings on Veterans of the Abraham Lincoln Brigade, National Council of American-Soviet Friendship, and United May Day Committee.	Ordered that organizations register as Communist fronts. (The organizations never registered. In fiscal year 1963 the U.S. Court of Appeals ordered the Board to vacate its order in respect to the National Council of American-Soviet Friendship, ruling that evidence presented by the Government was not proved by sufficient objective criteria. On Apr. 20, 1966, the Board also vacated its order against Veterans of the Abraham Lincoln Brigade.)
		(b) Dropped case against Council on African Affairs, Inc.	
	Petition that Board determine the following organizations Communist fronts: American Peace Crusade National Negro Labor Council	Hearings on American Peace Crusade	None.
	Petition that Board determine the following organizations Communist-infiltrated: International Union of Mine, Mill, and Smelter Workers of America. United Electrical, Radio, and Machine Workers of America.	None	Do.
1957	Consideration of cases carried over	(a) Adopted recommendation of presiding member in hearings on California Labor School, Inc.	Ordered organization to register as a Communist front. (Organization never registered.)
		(b) Hearings commenced on International Union of Mine, Mill, and Smelter Workers and United Electrical, Radio, and Machine Workers of America.	None.
	Petition that Board determine the following organizations Communist fronts: Colorado Committee to Protect Civil Liberties. Connecticut Volunteers for Civil Rights. Save our Sons Committee. California Emergency Defense Committee. Committee To End Sedition Laws.	Hearings on California Emergency Defense Committee and Connecticut Volunteers for Civil Rights.	Do.
1958	Consideration of cases carried over	a. Determined that Civil Rights Congress and American Peace Crusade were Communist fronts.	Ordered both organizations to register with Attorney General. (Organizations never registered.)
		b. Dropped cases against Save Our Sons Committee, National Negro Labor Council, and Committee to End Sedition Laws.	
		c. Hearings on American Committee for Protection of Foreign Born, California Emergency Defense Committee, Colorado Committee to Protect Civil Liberties, Connecticut Volunteers for Civil Rights, and Washington Pension Union.	None.
		d. Hearings commenced on International Union of Mine, Mill, and Smelter Workers, United Electrical, Radio, and Machine Workers of America, and Communist Party (2d remand).	Do.
1959		a. Dropped case against United Electrical, Radio, and Machine Workers.	
		b. Reconsideration of Communist Party case	Do.

SUBVERSIVE ACTIVITIES CONTROL BOARD, 1950–71—Continued

Fiscal year	Attorney General action	Subsequent Board action	Final Board determination
1960		(a) Feb. 9, 1959: Issued report affirming its earlier determination in Communist Party case.	
		(b) Concluded hearings on American Committee for Protection of Foreign Born.	Ordered organization to register as Communist front. (Organization never registered. On Apr. 6, 1966, the Board ordered this registration order vacated and the petition dismissed.)
		(c) Hearings continued on International Union of Mine, Mill, and Smelter Workers.	None.
1961		Concluded hearings on International Mine, Mill, and Smelter Workers.	Do.
1962	Petition that Board deliver an order to register as provided by the Subversive Activities Control Act to 10 individuals.	(a) May 4, 1962: Issued report determining International Union of Mine, Mill, and Smelter Workers a Communist-infiltrated organization.	Do.
		(b) Issued notice of a prehearing conference to 10 individuals	Do.
		(c) Hearings to determine whether following organizations had undergone alleged dissolution: American Peace Crusade. California Labor School, Inc. Civil Rights Congress. Colorado Commission to Protect Civil Liberties. Jefferson School of Social Science. Labor Youth League. Washington Pension Union.	Do.
1963	Carry over of individual Party membership cases; petition filed for additional 17 individuals.	(a) Heard 19 individuals' case to determine whether or not they were Communist.	Board determined that 14 individuals were members of party and should register. (Individuals never registered; order was later declared unconstitutional.)
		(b) Hearings to determine whether following organizations had undergone alleged dissolution: Civil Rights Congress. American Peace Crusade. Connecticut Committee to Protect Civil Liberties.	Board determined that Civil Rights Congress did not meet burden of proof; that the APC had truly dissolved; and that the Connecticut Committee should take its appeal to court.
		(c) Hearings on request for removal of International Union of Mine, Mill, and Smelter Workers from Communist-infiltrated organization list.	None.
	Jan. 10, 1963: Petition that Board determine Advance an Organization of Progressive Youth a Communist-front organization	Set and then granted postponement for hearing date on Advance.	Do.
1964	Carryover of previous cases	22 evidentiary hearings on alleged members of Communist party.	14 individuals were determined to be Communists and ordered to register. (The individuals never registered; order was later declared unconstitutional.)
		Evidentiary hearing on advance	None.
		Reviewed International Union of Mine, Mill, and Smelter Workers request to be removed from Communist-infiltrated organization list.	Denied petition. On June 13, 1966, however, the Board vacated its determination as to the Union and dismissed the original petition.
1965	do	Evidentiary hearings on 16 individuals alleged to be Communists.	7 individuals were determined to be Communists and ordered to register. (Individuals never registered; order was later declared unconstitutional.)
		Hearing concluded on advance	None.
1966	Mar. 4, 1966: Petition that Board determine WEB DuBois Clubs of America a Communist front organization and order it to register.	None	None.
1967	do		Do.
1968	do		Do.
1969	Petition that Board determine 12 individuals members of a Communist action organization.	Evidentiary hearings held on 8 of these individuals	4 individuals were determined to be members of the Communist Party. (This determination was vacated after the Supreme Court ruled it unconstitutional.)
1970	Petition that Board determine 10 individuals members of the Communist party.	Evidentiary hearings held on 5 individuals	5 individuals were determined to be members of the Communist Party. (The order making this determination was vacated after the Supreme Court ruled it unconstitutional.)
		Board dismissed all individual membership petitions pending before it.	
1971	Petition that Board determine Center for Marxist Studies and Young Workers Liberation League Communist front organizations.	Evidentiary hearings	

BIRTHDAY OF CONGRESSMAN JACK KEMP

Mr. THURMOND. Mr. President, I would like to take this opportunity to wish a happy birthday to Congressman JACK KEMP. This former outstanding quarterback now represents the 39th District of New York, having been elected as a nominee of the Republican and Conservative Parties. This distinguished young man is president of the 92d Club which consists of the 23 freshman Republican Congressmen. He also serves on the President's Conference on Physical Fitness and Sports.

I would call to the attention of my colleagues the fact that Mr. KEMP will appear on national television Friday, July 16, at 8:30 p.m. He will meet Congressman PAUL MCCLOSKEY on the David Frost Show in a debate on the President's Vietnam program.

Congressman KEMP already has demonstrated a deep insight and understanding of our foreign affairs, and he is to be commended for representing the President's program before this national audience.

WELFARE REFORM

Mr. BAYH. Mr. President, the House of Representatives passed H.R. 1 on June 22, 1971. Approval of this measure, which is similar in many ways to President Nixon's original family assistance plan, would establish an income floor of $2,400 a year for a family of four. By any standard, the $2,400 floor is grossly inadequate, particularly when viewed as the keystone of so-called welfare reform.

A Federal floor of $2,400 is far short of what is necessary to provide the basic needs of a family of four. The minimum adequate income for a nonfarm family of four, according to recent Labor Department figures, is $6,963.

H.R. 1 is not completely without merit but many repressive features remain. Rather than being an incentive for work, it is quite possible that, without revision, the bill could serve as an incentive for family breakup and reduction or termination of benefits for many recipients, including the working poor.

Additionally, H.R. 1 does not provide minimum wage protection; mothers of children age 3 and over will be forced out of the home; and recipient heads of households will be forced to accept employment without regard to suitability of working conditions.

On December 8, 1971, during the Senate debate on the original welfare reform proposal, I offered an amendment to set up a test program of income adequacy. The test would have utilized, as one measure, a minimum income of $5,500 for a family of four. This figure was chosen in the belief that "reform" based on inadequacy is a cruel hoax.

On May 13, 1971, I presented a resolution before the Democratic Policy Council which called for a national policy of welfare reform based on an adequate level of income.

The resolution, as adopted, would provide an immediate benefit floor at the prevailing poverty level, increasing over time to the adequate standard of living level as defined by the Department of Labor. It recommended Federal assumption and total responsibility for the costs and administration of welfare. This policy would insure that able-bodied men are engaged in productive work and

guarantee that those who do work receive higher benefits payments than those who do not. This policy would provide proper work incentives including compensation at no less than the prevailing or minimum wage and would offer opportunities for improving work skills. Mothers of young children would retain an option regarding employment, and comprehensive child care facilities would be provided to serve all children, the poor and nonpoor alike.

Clearly, the basic purpose of such a national policy is the elimination of hunger, poverty, and demeaning dependency.

Mr. President, it is my intention to attempt to remedy these inadequacies when the bill comes before the Senate.

I ask unanimous consent that the text of the resolution adopted by the Democratic Policy Council on May 13, 1971, be printed in the RECORD. Additionally, I ask that a timely article by Tom Wicker entitled "The Price of Reform" be printed in the RECORD following the text of my resolution.

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

RESOLUTION BY SENATOR BIRCH BAYH CONCERNING WELFARE REFORM, DEMOCRATIC POLICY COUNCIL, MAY 13, 1971

Whereas the present welfare system is totally inadequate and a tragic failure:

(a) it requires recipient families to exist on benefits substantially below the poverty level,

(b) it excludes nearly half of the needy,

(c) it discourages recipients from working by discriminating against the "working poor,"

(d) it encourages the dissolution of the family unit,

(e) it demeans the individual and perpetuates his dependency on welfare,

(f) it permits exceedingly wide variations in benefit payments,

(g) it results in a tremendous financial burden on some states and cities, creating intolerable increases in the property tax and other regressive taxes.

Whereas the President's proposed Family Assistance Plan perpetuates the problems of the present welfare system and fails to meet basic human needs,

Whereas the Administration has consistently distorted the characteristics of the problem by stressing the popular myths of welfare while ignoring the need to provide adequate assistance for the children, aged and infirm who comprise 86% of present welfare recipients.

Whereas economic conditions in the country have resulted in 5.2 million unemployed and have been primarily responsible for the increased intensity of the welfare problem.

Whereas the President has vetoed the efforts of Congress to strengthen the economy by providing public service employment so that able-bodied citizens—on or off the welfare roles—have a real opportunity to work and earn their own way.

Therefore, be it resolved by the Policy Council of the Democratic National Committee:

(1) That the present welfare system should be replaced by an income maintenance plan,

(2) That the ultimate goal of such a plan should be to eliminate hunger and poverty in the United States,

(3) That in order to meet the basic human needs of those who are unable to provide for themselves, the income maintenance plan should provide an immediate minimum benefit floor at the prevailing poverty level, increasing over time to the adequate standard of living level,

(4) That the federal government should assume total responsibility for the costs and administration of the income maintenance plan,

(5) That the income maintenance plan should be structured so as to insure that able-bodied men are engaged in productive work, to guarantee that those who do work receive higher benefit payments than those who do not, to provide proper work incentives including compensation at no less than the prevailing or minimum wage, and to offer opportunities for improving work skills.

(6) That under such a plan the mothers of young children should retain an option regarding employment,

(7) That under such a plan it is essential that comprehensive child care facilities be provided for all children, and

(8) That in order to relieve such an income maintenance system of the burdens of growing numbers of unemployed who have exhausted their unemployment compensation benefits, the economy should be stimulated and additional employment created:

(a) by the release of $12 billion in federal funds, vitally needed for urban and social programs, but impounded by the Administration,

(b) by the immediate acceleration of important public works construction,

(c) by the passage of emergency public service employment legislation, vetoed by the President in 1970, providing immediate employment opportunities for at least 500,000 workers, and

(d) by providing an additional 13 weeks of federally financed unemployment compensation for workers who have exhausted their benefits.

THE PRICE OF REFORM

(By Tom Wicker)

WASHINGTON.—The price of reform in America has always been high, frequently so high that it costs more than it is worth. Powerful interests, impregnable institutions, entrenched members of Congress—by the time all have exacted their concessions and protected their positions, the most powerful reform movements in the worthiest causes are likely to find themselves with less than half a loaf of stale bread.

That may not be precisely the case with H.R. 1, the welfare reform bill that has passed the House under the joint stewardship of the Nixon Administration and Representative Wilbur D. Mills. Still, this is a measure that yields so much in return for the reform it seeks that it has to be asked whether the price is not too high.

The basic reforms pursued by H.R. 1 are highly laudable. It would establish an income floor of $2,400 a year for dependent families of four, extend this aid to the "working poor" as well as the indigent, and provide some financial relief for hard-pressed states.

But aside from the fact that $2,400 is grossly inadequate in most areas, H.R. 1 has been pushed through the House Ways and Means Committee and the House itself only at considerable cost. For instance:

Forty-five states and the District of Columbia now provide more than $2,400 a year in cash and food stamps (which will not be available to recipients under H.R. 1) and 22 states pay more than $2,400 in cash. Yet, there is nothing in H.R. 1 that would require states to supplement the Federal payment so that no recipient would lose money or benefits, and no Federal incentive to lure states into such supplementation.

H.R. 1 also would impose more stringent work requirements on welfare recipients, including the mothers of fatherless children, without adequate provision for their day care. It would force these persons to accept work at $1.20 an hour instead of at the legal minimum wage, a provision that makes it all too likely that well-intended welfare reform might in some cases be warped into a source of cheap forced labor.

At the same time, where are the jobs for the adults among the 10.6 million current recipients of aid for dependent children? Unemployment is already at about 6 per cent, and Mr. Nixon has just vetoed a public works bill that was intended to provide emergency jobs. Are the 200,000 temporary public service jobs to be provided by H.R. 1 and the 200,000 more to be provided by a separate emergency employment act sufficient even for welfare recipients, let alone the other unemployed?

H.R. 1 also would stiffen eligibility requirements, notably by disqualifying any person who during the previous nine months had earned an amount of income that, if earned regularly, would make him ineligible for assistance. For many persons otherwise eligible, this will impose a nine-month waiting period for aid—in contrast to the "current need" standard of assistance that now prevails. Other persons—many seasonal and migrant workers, for instance—will be made permanently ineligible by this provision.

H.R. 1 also would impose numerous harassing regulations—for instance, one that would discourage recipients from seeking a hearing before their grants could be terminated, even though in 1970 the Supreme Court ruled that recipients were entitled to such hearings. The bill also would rule out any system of certifying eligibility by the prospective recipient's affidavit of need and force an investigation of all applicants.

Such provisions as these tend to negate two of the major aims of most welfare reformers—to permit a higher degree of dignity and privacy to poor people who need help, and to reduce the vast, costly bureaucratic machinery now needed to administer and "police" the program.

There are those who argue resignedly that this is only the price that has to be paid for serious welfare reform. But the real question is whether there can be serious welfare reform when provisions such as these are imposed upon it; for "income maintenance" and "aid to the working poor" become only a different, perhaps marginally better, means of doing what we are already doing if welfare continues to be demeaning to its recipients, inadequate to their needs, bogged down in red tape and suspicion, punitive in spirit and insufficient to break the cycle of dependency.

Those are qualities that will have to be eliminated by any welfare reform worthy of the name, and worthy of the supposed generosity of the American people. Unfortunately, the Senate Finance Committee, to which H.R. 1 now has been delivered, turns a meaner eye and a flintier heart on the poor than does the Ways and Means Committee, if that is possible; so the likelihood is that an even higher price will yet be exacted for the sad remnants of reform.

TIME FOR AN EXPLANATION

Mr. EAGLETON. Mr. President, in today's New York Times, Ambassador Averell Harriman, the former U.S. negotiator in Paris, wrote of the need to seriously consider the recent Paris peace proposal.

Mr. Harriman correctly states that—

The Administration has previously justified its refusal to negotiate a definite date for withdrawal of all American forces on three grounds—the safety of our faces, the release of our prisoners of war and giving the South Vietnamese "a reasonable chance."

Mrs. Binh's seven point proposal satisfies the first two reasons. The Administration should now explain what it means by giving

South Vietnam "a reasoinable chance" and what American vital interests are involved.

Mr. President, I could not agree more with Ambassador Harriman. The American people deserve an explanation of why American boys continue to die in Vietnam.

Ambassador Harriman concludes, as the Mondale-Eagleton resolution does, that—

There is no reason to delay negotiations until the election (the South Vietnamese Presidential Election in October) which can hardly be a meaningful democratic expression. Moreover, the frustration pervading our country requires negotiations for our prompt withdrawal from the war.

Mr. President, I ask unanimous consent that Ambassador Harriman's article be printed in the RECORD.

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

[From the New York Times, July 15, 1971]

A REASONABLE CHANCE

(By W. Averell Harriman)

WASHINGTON.—Publication of the Pentagon Papers has increased a widespread feeling that the public has not been adequately informed of United States intentions in Vietnam. The credibility of the Government was already at low point. To restore confidence it is essential that the Administration now clarify its aims in Vietnam.

The Administration has previously justified its refusal to negotiate a definite date for withdrawal of all American forces on three grounds—the safety of our faces, the release of our prisoners of war and giving the South Vietnamese "a reasonable chance."

Mrs. Binh's seven-point proposal satisfies the first two reasons. The Administration should now explain what it means by giving South Vietnam "a reasonable chance," and what American vital interests are involved. There are certain factors that already appear clear.

One that should be understood is that we have been fighting North Vietnam, a strongly nationalist Communist state which does not want to be dominated by China. It is supported, of course, by both China and the Soviet Union. During my months of talks in Paris, Hanoi's historic desire for independence was apparent. They were gratified that they were able to establish normal relations with the French and wished to have similar relations with us. Like Tito, they understand to avoid domination by the Communist giants they must have relations with the West and particularly the United States. We must recognize this and no longer blindly follow the concept that we are fighting Communist China.

Another factor is that the majority of the South Vietnamese clearly desire peace and prefer a non-Vietcong-controlled government. During recent years we have helped strengthen the Saigon Government militarily to Vietnamize the war, but not politically to expand its base to permit negotiations for a compromise settlement and to succeed in the political competition which would ensue. A political settlement worked out by the South Vietnamese themselves could give a "chance" for the South Vietnamese while experience indicates continued attempts to achieve a military solution can only mean endless fighting [with no settlement in sight].

In South Vietnam there are no effective political parties but there are groups representing the non-Communist elements in the country—Buddhists, Catholics, Cao Dai, Hoa Hao, and the labor unions. It is not too late for President Thieu to rally these forces and bring their representatives into a peace cabinet or a negotiating committee. Conditions must be agreed to with the National Liberation Front under which a national election can be held from which would evolve a new constitution and a new government. As the front has proposed, provision should be made for guarantees against reprisals, and release of political prisoners.

There is increasing evidence that the other side would agree to an independent neutral South Vietnam for a period of years. The front, made up of people who are themselves southerners, evidently wants the South to be independent of the North until such time as a merger can be negotiated between equals.

Evidence indicates a willingness to agree to a non-Communist South. In fact Le Duc Tho has stated this in a New York Times interview. Furthermore, the Chinese, for the first time are not publicly supporting a peaceful settlement, and speak of the four countries of Indochina, including both North and South Vietnam. They may wish to keep Indochina Balkanized and not unified under Hanoi.

After the settlement Hanoi must be induced to leave its neighbors alone and that can best be done by long-term cooperative arrangements for the reconstruction and development of North and South Vietnam, Laos, Cambodia and Thailand. The United States should be generous in its financial contribution but must leave the management to an international agency.

Under these circumstances there is no reason to delay negotiations until the election which can hardly be a meaningful democratic expression. Moreover, the frustration pervading our country requires negotiations for our prompt withdrawal from the war.

CURRENT JUDICIAL PROBLEMS—AN ANALYSIS

Mr. BURDICK. Mr. President, many of the bills introduced thus far in this session of Congress and referred to the Judiciary Committee propose one solution or another to some of the current problems with which our courts, both Federal and State, must contend. The problem areas, without attempting to exhaust the subject, may be listed as follows: Crowded calendars, increase in the number of criminal trials, increased filings of new cases, judicial ethics and disqualification, and delays before and during trial.

The Judges' Journal for July 1971, published by the American Bar Association, carried a short article by one of our distinguished Federal judges, Judge Irving R. Kaufman, of the U.S. Court of Appeals, Second Circuit, which in my judgment expresses a brief, but well-stated, analysis of some of these current problems. This article merits the thoughtful attention of all Members of Congress who are concerned with what many in the media call a crisis in our courts. I do not personally subscribe to the crisis theory but I do believe that many of these problems of our courts must receive attention by this Congress.

I ask unanimous consent that Judge Kaufman's article be printed in the RECORD.

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

COURT CRISIS: A MATTER OF VOLUME AND OF MONEY

(By Judge Irving R. Kaufman)

We have recently witnessed a series of harsh attacks on the judiciary, and some equally strident replies. At the risk of appearing in the self-serving role of the sick patient offering a cure for his own disease, I suggest that frustrations over the failure to solve serious problems in the administration of justice are grievously displaced when they are expressed primarily in hostility against judges.

The present tendency to visit the sins of an antiquated system on the heads of the judges who inherited that system looks more toward the ancient practice of abusing the bearer of bad tidings than toward constructive reform.

What happens, of course, is that the public sees the system laboring and tends to blame the character and dedication of judges rather than the system under which they work. If judges are not dishonest, then they are in all events lazy.

The major premise—that ethics and industry are twin pillars of swift, even-handed justice—is not open to dispute. It is too easy to delude oneself, however, into believing that the problems will disappear if judges work 20 hours a day under ethical standards that would test the probity of a saint.

That is not to say that we may avoid meeting the task of insuring dedication and high moral purpose in the judiciary. The American Bar Assn. Special Committee on Judicial Standards, of which the writer is a member, has been entrusted with the task of redrafting the 50-year-old Canons of Judicial Ethics.

Since the subsidence of the furore over the resignation of former Associate Justice Abe Fortas, we have had a year's time to deliberate and reflect. I hope that the new departures we have suggested, such as filing of extra-judicial compensation and requiring compulsory disqualification for any interest of a judge in a case that comes before him for adjudication, will not divert the public eye from what I view as the primary goal of any set of judicial canons: to maintain the impartiality of the judiciary, certainly, but to do so without sacrificing its independence.

We shall seek to draft ethical precepts that will contribute to a dialog between the moral sense of a good judge and a perceived level of community standards.

If we are to secure judicial independence against misguided pressure, however, it is imperative that responsible officials take more seriously their obligation to elucidate and inform the public about the nature of what has rightly been termed the "crisis" in judicial administration.

Those familiar with the encrustations that cause our system of justice to groan so audibly will not in good conscience blame court delays on the occasionally lazy judge. The unhappy plight of the courts did not suddenly come about. The conditions resulting in delays have been chronic.

Legislators, federal and state, and other officials holding the purse strings have been most profligate in their condemnation of delay but they tend to be rather penurious when it comes to providing the funds and facilities necessary to sustain first-class justice to all.

We have the Chief Justice, Warren Burger, to credit for the instructive comparison that the entire cost of the federal judicial system, about $128 million last year, would have paid two-thirds the price of a single C–5A airplane. An eminent lawyer—and former jurist—Bernard Botein, observes that between 1965 and 1967 the federal government distributed $20.6 million to aid state and local governments under the Law Enforcement Assistance Program. Of this sum, about

one-quarter of one percent, or $50,000, trickled into court administration.

We must do better for justice than that. The growth in the volume of business surging into the federal district courts, for example, seems, like inflation to some economists, to be increasing at an accelerating rate. Criminal filings in those courts in fiscal 1970 showed the greatest one-year increase since the mid 1950's.

The total number of such filings exceeded two-and-one-half times the figure of a decade ago. In the federal courts of appeals, the volume of cases filed has tripled in that same brief span.

Each year more criminal defendants quite properly insist on exercising the full panoply of their constitutionally guaranteed rights by not pleading guilty to criminal charges lodged against them and instead electing to be tried by jury. To administer a criminal jury trial takes at least two-and-one-half times as long, at more than 10 times the cost, than to process a defendant who pleads guilty.

Similarly availing themselves of newly recognized federal rights, 27% more state prisoners demanded federal court review of the legality of their imprisonment last year than did the year before. These cases now comprise a startling 20% of all civil cases that enter the federal district courts, as compared with 4% in 1963. Their number has increased more than six times since 1950.

Courts cannot do the same justice to fundamental rights if society continues to expect them to handle the same or a greater volume of "traffic accident" litigation and the like as in the past with the same tools. Nor can we as a nation afford to dispose of messy and embarrassing breakdowns of social or individual order—narcotics addiction, alcoholism and prostitution are prime examples—by dumping them onto staggering criminal dockets as we have sewage into the rivers and oceans.

On the civil side, if we wish to rely heavily on the courts to help redress the ecological imbalance or encourage social programs like the proposed class actions in federal courts for consumers cheated by sellers, we must be prepared to devote the resources and tax dollars that will be necessary to meet the inevitable increase in judicial business, or remove something from already overburdened courts.

We must remember that the judicial system has its ecological balance too. The "externalities" of otherwise desirable social programs in terms of their impact on the judicial system will fall on all who seek efficient justice—the consumer himself, as well as the indigent and oppressed—unless we face squarely that the volume of cases, criminal and civil, pouring into the courts annually is just too great to handle as the 51 court systems are now constituted.

Some seem to forget in the current debate that we *are* talking about justice. If we are concerned with true and equal justice for all, we must either increase the capacity of the judicial machinery, or lighten its load so that the process can be working in an atmosphere that appears to be fundamentally fair.

Few speak of that essential ingredient of adjudication without which justice miscarries. I refer to the time for reflection *before* the judge makes his decision. Assembly-line operation is the antithesis of a fair hearing and a considered judgment.

As one of many needed reforms, I have suggested the appointment of para-judges to deal with the enormous mass of pretrial hearings, motions and administration of court calendars, all of which now take a major portion of a judge's time. Other professions—medicine and teaching come quickly to mind—have discovered that applying modern management techniques and employing para-professionals or technicians wherever possible, can bring real gains in improving services.

A heart surgeon should not have to take his patient's temperature during surgery. I submit that a well-trained para-professional will cope with calendar control, not merely as well, but perhaps better than a judge who is highly trained to apply and interpret the law, but not trained to employ flow charts or systems analyses to eliminate bottlenecks.

If we do not radically revise our assumptions and expectations about the proper functions and capacities of our courts; if we do not introduce our judicial system to the cybernetic age; if we do not confront the crises of the 1980's today; if we insist on scapegoating, I foresee a bleak future for our independent judiciary.

Like liberty, we may not know its worth until we have lost it, and then it may never be regained.

UNDERGROUND NUCLEAR EXPLOSIONS

Mr. COOPER. Mr. President, since early this year, the Senate has benefited from efforts by Senator CASE to obtain the full facts pertaining to recent scientific advances in the detection and identification of underground nuclear explosions and to make the conclusions available to the public. The Senator from New Jersey (Mr. CASE) has maintained that this information is of extreme importance in view of its bearing upon the feasibility of an underground nuclear test ban, a subject which will be the subject of hearings by the Arms Control Subcommittee of the Senate Foreign Relations Committee on July 22 and 23.

I ask unanimous consent that the Washington Post article of June 13, 1971, which spurred Senator CASE to go into a detailed study of the available scientific evidence, and subsequent articles on the feasibility of an underground nuclear test ban be printed in the RECORD.

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

[From the Washington Post, June 13, 1971]

U.S. SOFTENS CLAIMS ON A-DETECTION

(By Marilyn Berger)

The Pentagon has rewritten the summary of a scientific paper which reported substantial improvements in the ability to differentiate between underground nuclear tests and earthquakes. The effect of the change is to weaken the report's conclusions.

The findings of the original report appeared virtually to eliminate the need for on-site inspection to check suspicious earth vibrations and therefore to improve significantly the prospects for negotiating a ban on underground nuclear testing, given a political decision to do so. The revised summary in effect undercuts the scientific strides that had been reported less definitive.

The original report stated that with appropriate instrumentation, earthquakes registering 4 on the Richter Scale could be differentiated with accuracy from underground nuclear tests of an equivalent magnitude—meaning as low as one to two kilotons. That would cover just about every weapons test by the Soviet Union and the United States since atmospheric testing was banned in 1963.

The revised summary says it is only possible to distinguish earthquakes from underground tests below a Richter magnitude of 4.5.

That is equivalent to approximately 5 to 10 kilotons.

The original report grew out of a conference held at Woods Hole last summer, sponsored by the Pentagon's Advanced Research Projects Agency (ARPA). A scientist in ARPA explained the revisions in the report's summary by saying the original failed to reflect a "consensus" of the conference but instead represented the views of only one unnamed man.

BASED ON MEASUREMENTS

The technique for discriminating between earthquakes and underground tests discussed at the conference was based on measurements of two kinds of waves that are produced both by explosions and earthquakes: those that pass along the surface (surface ban on the underground nuclear . . . through the body of the earth (body waves).

In more than 400 seismic events measured, it had been observed that at least down to a certain level of magnitude, an earthquake will almost always produce substantially more surface waves relative to its body waves than will a nuclear explosion.

The original report showed a 20-fold gain over what scientists were able to do five years ago in differentiating explosions from earthquakes. When the question of a ban on underground nuclear testing was discussed 10 years ago U.S. scientists could detect underground tests in the Soviet Union equivalent in earthquake force to 4.75 on the Richter scale, which is about equal to a 20-kiloton explosion.

Since many tests were below this magnitude the United States felt on-site inspections were necessary for an underground test ban to be reliable. The Soviet Union rejected on-site inspection, although at one point offered to accept three inspections annually.

Sen. Clifford P. Case (R-N.J.) said recently that the gains reported in the ARPA paper should make it possible to monitor a ban on underground testing with the number of inspections Moscow was at one time prepared to accept.

WITHIN COMPETENCE

And former arms control director William C. Foster said last February that "it is fully within our scientific competence to monitor adequately . . . a total test ban."

While there are a number of differences between the original summary in the ARPA report and the newly revised summary that was cleared for publication on May 24, the critical divergence is in the magnitude of explosion that may be differentiated by the seismic discrimination technique.

When The Washington Post on April 11 carried an article on the scientific findings based on the full two-volume report and the original summary, a number of senators and foreign embassies requested copies from the Pentagon.

The Pentagon's sensitivity to the report was apparent to Case, who said that the volumes he received had the summary ripped out. Only after he sent a telegram to Defense Secretary Melvin R. Laird did he get the original summary. He later received the revised summary.

One diplomat from a country allied with the United States says he got a run-a-round from the Pentagon and even had one man tell him that the report did not exist. When he finally got the two hefty volumes he received a copy of the revised summary. When reached Friday he said he was unaware that an earlier version existed.

CALLED INCOMPLETED

A Pentagon spokesman, asked about the alterations in the summary, said: "The original summary had not been cleared for open publication. Apparently, the original summary was done by a man who had chaired only about half of the meeting so it was not complete."

The spokesman said the revised summary

contains "everything that is essential" in the original summary plus the substance of another summary from the person who chaired the other half of the meeting.

Informed that the whole thrust of the revised summary was different from the original, the spokesman allowed a scientist for ARPA to try to explain the discrepancies.

This scientist, who declined to be identified, essentially repeated the spokesman's words but added that the new summary reflects the "consensus" of the entire meeting while the original reflected the views of one man. He declined to say whether that one man was on the staff of ARPA.

The scientist acknowledge that the major difference was in the ability to discriminate explosions of a magnitude as low as 4 as in the original or 4.5 as in the revised summary.

The ARPA scientist said: "The difference between 4 and 4.5 is the difference between an enthusiastic scientific sort of feeling and a considered Department of Defense opinion that reflects what we think is possible in real world conditions. Everything we can do in the laboratory can't be done in real life."

400 QUAKES COVERED

The report, however, showed that experiments were carried on in the last four years in the "real world." According to the report, seismometer arrays in Norway and in four States in the United States were used to study the seismic motions of more than 400 earthquakes, many of them outside the United States and at least 20 of them inside the Soviet Union.

At the same time, the seismometers measured more than 50 underground explosions at all five United States and Soviet sites, the two in Nevada, one at Amchitka Island in Alaska, at Semipalitinski in Siberia and Novaya Zemlya Island in the Arctic Ocean.

When the existence of the report was disclosed, Sen. Edmund S. Muskie (D-Maine), chairman of the Senate subcommittee on arms control, said he would schedule hearings on the matter. Case said it should now be possible to enter into a treaty prohibiting all nuclear tests.

[From the Washington Post, June 29, 1971]

UNDERGROUND TEST RESULTS MANIPULATED, CASE CLAIMS

(By Marilyn Burger)

Charging that the Pentagon is manipulating and suppressing scientific data showing significant gains in the ability to detect underground nuclear tests Sen. Clifford P. Case (R–N.J.) is releasing letters from six seismologists which he says "clearly underscore the advances which have been made."

In a speech prepared for delivery before the Senate today, Case said that he was concerned not only because the Pentagon's Advanced Research Projects Agency (ARPA) had suppressed scientific data, but because ARPA's director would be on the U.S. delegation to the disarmament talks starting Wednesday in Geneva. "I am concerned that the U.S. representatives . . . might not be as forthcoming as they might be," Case said.

His allegations grow out of the disclosure that ARPA rewrote the summary of a report on a mid-1970 conference at Woods Hole, Mass., where seismologists discussed the ability to distinguish underground tests from earthquakes. The new version substantially undercut the reported scientific strides discussed at the ARPA-sponsored symposium.

In the advance text of his spech Case said, "It has come to my attention that ARPA is explicitly representing its version of the summary as reflecting the judgment of the scientists who attended the conference. In a Washington Post article of June 13, an ARPA representative, attempting to explain his agency's actions, stated that the original summary failed to reflect a 'consensus' of the conference but, instead, represented the views of only one unnamed man."

He added: "This I have confirmed to be simply not true. ARPA apparently did not even bother to get in touch with the Woods Hole participants before issuing its own version of the proceedings."

The original summary had stated that with appropriate instrumentation, earthquakes registering 4 on the Richter scale could be accurately distinguished from underground nuclear tests of an equivalent magnitude, meaning as small as one or two kilotons. The revised version which the Pentagon cleared for release says it is possible to differentiate "below" a Richter magnitude of 4.5 equivalent to about 5 to 10 kilotons.

In a letter Case has released, three seismologists from the University of California at San Diego, who saw both summaries, said, "We feel that the original summary more adequately represents our views as to the present status of the discrimination problem."

They continued, "One paragraph in the modified statement with which we strongly disagree is the statement that 'a major result of the meeting was a clear impression that much research has yet to be done . . .' On the contrary, we feel that the discrimination problem has essentially been solved down to magnitude 4.0 . . ."

The letter was signed by Professors Barry Block, James Brune and Freeman Gilbert. Another letter from three seismologists at the Lamont-Doherty Observatory at Columbia University who contributed papers to the Woods Hole symposium, said: "Our reaction to the original summary was that it adequately reported the many recent advances in seismic techniques for detection and discrimination and that it expressed our impression of what was said at Woods Hole." It was signed by Peter Molnar, Peter L. Ward and Max Wyss.

Case noted that it is "not an uncommon occurrence for scientific findings to be strongly resisted by government bureaucracies, especially when such findings conflict with entrenched interests or cause the government embarrassment. When such bureaucratic resistance is translated into overt manipulation or suppression of the frank opinion of scientists, however, it becomes an abuse of authority which cannot be tolerated."

[From the New York Times, June 29, 1971]

A PENTAGON CURB CHARGED BY CASE—OPINION OF SEISMIC DATA SUPPRESSED, HE SAYS

WASHINGTON.—Senator Clifford P. Case accused the Pentagon today of manipulation and suppression of scientific opinion on the feasibility of detecting underground nuclear explosions.

The charge by the New Jersey Republican prompted by a revised summary that the Pentagon's Advanced Research Projects Agency had attached to a report on a scientific conference on test detection held at Woods Hole, Mass., in July 1970.

The original summary said the conference, in which leading seismologists took part had come to the conclusion that scientific advances had greatly eased the problem of detecting underground explosions and distinguishing them from earthquakes.

As a result of these advances, the summary said, it should now be possible to identify underground tests down to 4 on the Richter scale, which is the seismic magnitude of a one- or two-kiloton explosion in granite. A kiloton explosion is equivalent to 1,000 tons of TNT.

AGENCY REVISED SUMMARY

On the basis of that summary, Senator Case, a member of the Senate Foreign Relations Subcommittee on Disarmament, raised the possibility that it might now be possible to enter into a treaty banning underground tests without requiring the on-site inspections that the United States has sought—a demand that has blocked such a treaty in the past.

Subsequent to that statement by Mr. Case, the Advanced Research Project Agency, which sponsored the conference, decided it disagreed with the summary and proceeded to write its own summary of the findings of the conference.

The revised summary concluded that it was only possible to distinguish explosions from earthquakes down to 4.5 on the Richter scale, which is the equivalent of about a 20-kiloton explosion in hard rock. The new summary also found that "a major result of the metering was a clear impression that much research has yet to be done to resolve the discrimination problems" between explosions and earthquakes.

A Defense Department spokesman said that the Advance Research Projects Agency had decided to do its own summary because the unidentified scientist who prepared the original summary had been "so far off base scientifically" and did not reflect the consensus of the conference.

As a result, he said, the agency drafted a summary "which reflected a true consensus rather than consensus presented originally, which was based on just a few of the papers."

In rebuttal, Senator Case made public letters from six seismologists who attended the conference stating in effect that the original summary accurately had reflected the views of the conference and disagreeing with the conclusions in the new summary.

Senator Case suggested in a statement that the "management" of scientific opinions was part of "bureaucratic resistance" to extending the treaty banning nuclear test in the air, underwater and in space to cover underground.

Senator Case also complained that agency, rather than issuing a separate statement in disagreement with the original findings, "withdrew" the original summary from publication and "classified this previously unclassified product of an unclassified 'for official use only'."

A NEW TEST BAN TREATY?

If the globally threatening arms race is ever to be halted, an essential step will be an agreement between the United States and the Soviet Union to cease underground nuclear tests, as well as the atmospheric, space and underwater tests which were banned by a 1963 treaty.

On the eve of Senate disarmament subcommittee hearings on possible arms control steps, Senator Clifford P. Case of New Jersey, the ranking Republican in the group, has revealed that scientists at a conference sponsored by the Defense Department last year concluded that so much progress had been made in identifying seismic disturbances that it is now much easier than in 1963 to distinguish earthquakes from underground nuclear explosions. Senator Case thinks it should now be possible to monitor a ban on underground tests with two or three onsite inspections a year, as the Russians proposed in 1962.

Although the Russians are now saying it should be possible to police a ban wholly through detection systems operated by each country, progress in seismic technology suggests that the subject of a total ban on tests should be reopened, with each country being given a chance to re-examine its position.

[From the Hackensack (N.J.) Record, May 17, 1971]

WHY FROM SENATOR CASE?

It is alarming that Sen. Case of New Jersey is the source of word that scientists can now distinguish so well between earthquakes and underground nuclear tests that a ban of all such testing has become feasible.

And it is further alarming that persons at the Pentagon ripped out of the report sub-

mitted to Sen. Case a section dealing with these advances in seismic detection. The report concerned a conference last summer at Woods Hole, Mass., called by the Pentagon's Advanced Research Projects Agency. Mr. Case consulted some of the authorities who attended the conference, and he was able to get the sense of the elided portion of the report.

One would have hoped that the Pentagon would have welcomed such a finding, would have publicized it, and would have used it to re-examine the United States position in relation to nuclear testing. Nothing of the kind has taken place. President Nixon stands exactly where President Johnson and President Kennedy stood before the new technology was developed.

Sen. Case says that the new discoveries make possible an agreement calling for only two or three on-site inspections a year, which was the proposal of the Soviet Union before the 1963 ban on nuclear tests in the atmosphere. The United States then demanded seven inspections a year.

The Soviet Union has since withdrawn its proposal for two or three inspections, but certainly the subject should be reopened and carefully explored.

The Senate Foreign Relations subcommittee on disarmament is about to begin hearings that will include the possibility of a comprehensive test ban treaty. The hearings and the subcommittee's later report should help to create pressure that President Nixon will find himself able to respond to. Nuclear war is nothing to play politics with. The national advantage of every nation and the individual advantage of every person in the world depends on eliminating any possibility of it from human affairs.

[From the Hackensack (N.J.) Record, July 6, 1971]

DON'T TELL OURSELVES

(By William A. Caldwell)

Even as the courts were still trying to make up their mind whether the government has a right to withhold the truth from the people, the superbly cantankerous Sen. Case of New Jersey hauled into the public domain a grotesque new question involving a further dimension of the right to know:

Does the government have a right to lie to the government?

The information being withheld this time is esoteric. It has to do with the detection of underground nuclear tests.

But it is relevant to the United Nations conference on disarmament which began yesterday in Geneva. It is relevant to the survival of mankind. It is relevant to the government's pledge to pursue disarmament negotiations in good faith and to President Nixon's noblest aspiration—to bring about a generation at least of peace in the world.

Clifford P. Case's exasperation is understandable.

Like the rest of us, he has grown accustomed to government bureaucracies' resistance to the dissemination of findings that are inconvenient to entrenched interests or embarrassing to the government.

"When such bureaucratic resistance is translated into overt manipulation or suppression of the frank opinion of scientists, however," he said in a statement his office distributed Tuesday, "it becomes an abuse of authority which cannot be tolerated."

See for yourself whether it's tolerable.

For 20 years the hang-up in nuclear disarmament negotiations has been this country's insistence that compliance be policed through on-site inspection and the Soviet Union's somewhat neurotic insistence that it will never consent to what it considers a form of espionage.

Early this year Mr. Case heard that at a conference of American seismologists at Woods Hole, evidence had been presented of a twentyfold gain in our ability to detect and evaluate underground nuclear explosions inside the Soviet Union. The technology is sensitive enough to identify tests involving one- or two-kiloton devices. The Model T bomb used on Hiroshima yielded 20 kilotons. To Sen. Case it looked as if the United States could go into negotiations without prerequiring on-site inspection. He asked the Advanced Research Projects Agency in the Department of Defense for a copy of the Woods Hole report. The agency had sponsored the conference.

When he received the report in April he found its summary, the only part of it comprehensible to a layman like him, had been ripped out. He asked why. ARPA replied that it disagreed with the summary and would write its own version of what the scientists had reported.

Not content with merely preventing him from seeing the scientists' own summary, the Defense agency thereupon withdrew it from circulation in any form and classified "For Official Use Only" this thitherto unclassified report from an unclassified conference.

Then, not content with this impudence, ARPA is letting it leak out that the summary is being suppressed because it represented the opinion of but one man and is being supplanted because the ARPA version reflects the judgment of all the other scientists who attended the conference.

"This I have confirmed to be simply not true," says Sen. Case. "ARPA apparently did not even bother to get in touch with the Woods Hole participants before issuing its own version of the proceedings."

He released letters from scientists who were at Woods Hole, among them Peter L. Ward of Sparkhill and Max Wyss of Valley Cottage, vehemently contradicting the bureaucrats' doctored summary as a misrepresentation and reaffirming the accuracy of the summary now being suppressed. Three of the researchers objected specifically to the doctored version's conclusion that further study must be done before teleseismic instrumentation can be relied on.

If the publication thus far of the Pentagon papers proved anything more than the increasing distance between government and the consent of the governed, what it proved was that the decision makers in government itself are very often the captives of their sources of information. The possibility that the United States delegation at Geneva will insist now on inspection rights the national security doesn't need is what concerns Sen. Case.

He is confident that the Nixon administration want to do serious disarmament business.

"But even stated national policy can be thwarted by bureaucratic resistance," he says, and he points out coldly that the director of ARPA, the agency that disemboweled the scientists' finding of fact, will be a member of the United States delegation at the Geneva meeting.

Mr. Case has asked for hearings on the prospects, as amended, for a comprehensive nuclear test ban. Sen. Muskie of Maine, chairman of the arms control subcommittee in the Foreign Relations Committee, has scheduled hearings to start in the middle of this month. The Senators should be encouraged to go deep into the way in which governments kid themselves, in which bureaucrat A manipulates and manages the information on which bureaucrat B bases his decisions. It doesn't look as if he needs encouragement. And it doesn't look as if anybody can get a court order enjoining him to cease and desist from rocking the boat.

[From the New York Times, July 4, 1971]

THE AMCHITKA AFFAIR

Amchitka is a remote, uninhabited island more than a thousand miles west of Anchorage, Alaska. It is the site chosen by the Atomic Energy Commission for this country's biggest underground nuclear test. Intended to be the warhead for the Spartan antiballistic missile, the nuclear device when detonated will set off an explosion with the force of five million tons of TNT. That is approximately 250 times more powerful than the bomb dropped on Hiroshima.

This explosion, now scheduled for October, is potentially an ecological catastrophe. During the underground testing which the A.E.C. has conducted since the partial nuclear test ban treaty of 1963, about one in every dozen explosions accidentally produces some radioactivity which is detectable in the air away from the test site. Although the Amchitka device is to be exploded in rock at a depth of nearly 6,000 feet, there is a small but unavoidable risk that accidental venting may occur.

There is a larger and more ominous risk that radioactivity may seep through rock beneath the island's surface and reach the Bering Sea. Since the fear of mercury poisoning has already driven swordfish off the market, it would be a devastating blow to the nation's seafood industry if Alaska salmon were to become contaminated with radioactivity.

Amchitka lies in an area of the North Pacific where earthquakes frequently occur, as Alaska and Japan have learned to their sorrow. Senator Gravel of Alaska has articulated the widespread concern in his state that the nuclear explosion, which in itself will have the force equivalent to a major earthquake, will in turn "trigger" a natural earthquake with incalculable consequences.

It is not easy for laymen to weigh the ecological risks against the contention of the A.E.C. and the Defense Department that the nuclear test is necessary for national security. But there are scientific developments which argue strongly that the Amchitka tests should at least be postponed.

AND ARMS CONTROL

The consensus of scientists at a conference on test detection at Woods Hole, Mass., a year ago was that improved scientific methods now make it possible to distinguish all but the smallest underground explosions from natural earthquake activity. If that is true, the United States no longer has to insist upon on-site inspections and the way is open for a treaty banning underground nuclear tests. That would make the Amchitka test unnecessary and would close the major gap in the partial nuclear test ban treaty of 1963.

However, the Advanced Research Projects Agency of the Defense Department, which sponsored the Woods Hole conference, is reluctant to agree with this scientific judgment. The agency withdrew from publication the original summary of this meeting and subsequently issued a much more negative summary of its own which concluded that "much research has yet to be done to resolve the discrimination problems" between explosions and earthquakes.

Senator Case of New Jersey has now released letters from six leading seismologists who participated in the conference asserting that the original summary was accurate and rebutting the Defense Department's interpretation. Senator Case accuses the Pentagon bureaucracy of trying to manage and censor scientific opinion which goes counter to existing policy.

The critically important Strategic Arms Limitation Talks (SALT) with the Soviet Union are designed to bring a halt to the expensive and dangerous nuclear arms race, specifically with regard to antiballistic missiles. It would be irresponsible to run the ecological risks involved in the Amchitka test if improved scientific methods of detection put an enforceable ban on underground explosions within reach of the SALT negotiators. Such a ban would contribute far more to the security of all mankind than any

successful weapons test. A decision by President Nixon to defer the Amchitka test pending the outcome of the SALT talk would be an act of environmental as well as diplomatic prudence.

EQUAL RIGHTS FOR WOMEN

Mr. McGOVERN. Mr. President, discrimination against women is morally wrong and socially wasteful. We should move now to insure, not just encourage, equal status for women.

There are some facts that we must make known to every American. There are still too many of both sexes whose response is "I don't believe it."

The following figures are a national disgrace:

Women hold 42 percent of the jobs, but the only economic category they lead in is poverty.

A male college graduate earns about $12,000 a woman, about $7,000—about the same as a man with an 8th grade education. This, even though she may have stood higher in the class than he did.

Of those in the work force, twice as many women as men are unemployed. This figure does not take into account those who are discouraged from ever entering the work force.

For every $100 a man earns, a woman gets $60. Most shocking: compared with men, women are making less today than they did in 1955. The gap is widening.

In 1968 women were:

Nine percent of all full professors.

Seven percent of all physicians.

Three percent of all lawyers.

One percent of Federal judges.

One percent of the U.S. Senate.

In the face of facts like these, how is it that so many still say "I don't believe it?"

The barrier that restricts a woman's life is invisible, based on unspoken assumptions. It is like a glass wall. First grade readers show boys making things while their sisters watch helplessly but admiringly. Studies of the three major readers show they mention 144 adult careers for a boy to dream of, and only 24 for a girl. By the time a girl reaches the working world, she may accept that it is quite reasonable that a Phi Beta Kappa graduate of Barnard College must take a typing test to get a job. And it often does not occur to the man who hires her to consider her for the jobs that he is trying to find men to fill.

What can we do?

There are some symbolic actions one can take. For example, the coveted membership in the Gridiron Club is limited to 50 distinguished journalists, all male. It excludes all the distinguished members of the Washington Press Corps who are women. On these grounds, and at the request of many members of the press, I declined to attend their annual dinner.

However, we must take action that is more than symbolic, action that will bring measurable change to women who are not getting an equal chance.

Imagine the desperation Mrs. Ida Phillips of Orlando, Fla., must feel. She was refused an assembly trainee job by the Martin Marietta Co. because she was a woman with young children to support—which, of course, is why she needed a job. When she went to court, Judge G. Harold Carswell found in favor of Martin-Marietta. Her case is being appealed, but the burden of seeking justice is still on her. Two changes would make cases like Mrs. Phillips' obsolete.

Title VII of the 1964 Civil Rights Act forbids discrimination in employment on the basis of race, color, national origin and sex. The Equal Employment Opportunity Commission is empowered to enforce the law in respect to race, but only to advise on cases of discrimination in respect to sex.

The Equal Employment Commission must be empowered to enforce the law. A cease-and-desist order is the only way to make manifest that title VII is not to be evaded. No one should have to fight for the right to support her children.

A problem related to Mrs. Phillips' is the conflict between State laws that permit sex discrimination and the Federal law which prohibits it. Passage of the Equal Rights Amendment to the Constitution would eliminate this problem. I am a cosponsor of the amendment, and I will continue to work for its passage in the Senate. We must eliminate the bewilderment of a woman who thinks she is protected by Federal law, only to find herself stymied by her State's legislation.

And we must live up to the Constitution. Women have life, but they do not truly have freedom, and their pursuit of happiness is blocked at every turn, if they do not concede happiness to be limited to the "little woman" role.

I am concerned about another double squeeze a working woman feels. Even though she may be paid less than a man with the same job, she knows she may claim only partial tax deductions for the care of her children while she is at work. Anyone below a certain income level, male or female, who must pay for child care in order to work, should be able to deduct from gross income the full cost of a housekeeper or school for preschool children. If taxis and martinis are legitimate expenses, so is the care of children.

And when a woman goes to work, she wants to know her children will get the finest care, the most enriching experience possible. I am a cosponsor of the Comprehensive Child Development Act of 1971. This bill maintains Headstart's priority on economically disadvantaged children, but expands its health, education, nutritional, and social services to include children from families of other economic levels, especially the children of working mothers and single parents of either sex.

And how many people realize that a woman's social security benefits are 80 percent of a man's, though she has paid the same premiums? She may come out better taking benefits as a widow than as a worker. If she does that she gets nothing at all back from all the premiums she herself has paid over the years. And her family gets far less than a man's in death or disablement compensation, if something happens to her. These inequities must go.

In the middle of April, when college acceptances were mailed out, many girls were turned down. And perhaps this was the first time they had run against the glass wall. Perhaps they did not even realize how much better their chances would have been if they had been boys. And imagine the frustration of well-qualified women, who find themselves bypassed for promotion. I believe that Federal funds should not go to any institution that discriminates against women; not in admissions, not in hiring, not in promotion, not in salary.

When President Nixon took office, he commissioned the Task Force on Women's Rights and Responsibilities. Its report, rightly called "A Matter of Simple Justice," has been ignored. I am pleased to cosponsor S. 2185, the Women's Equality Act, which would implement many of the task force recommendations.

Mr. Nixon claims he is proud of his record of bringing women into his administration. In 1968, women held 1.03 percent of the Federal jobs paying over $30,000. Now they occupy 1.04 percent. It is obvious that the President has no concept of the seriousness of this problem.

But he has instructed his staff to give me any recommendations they possibly can that will bring qualified women into Government.

This reiteration of the phrase "qualified women" shows how far behind the times he is. It implies that a qualified woman is hard to find, an assumption that is not only offensive, but wrong. And it further implies that if no woman is appointed, it is because none is qualified. Certainly no one is suggesting he hire unqualified women.

There should be no glass walls in America. There should be women in the Cabinet. I see no reason why the Secretary of State, the Secretary of Defense, the Secretary of the Interior must be male. Never again should our affairs of state be an allmale concern.

There should be women in the National Security Council. Never again should the question of war or peace be an allmale decision.

There should be women on the Supreme Court. Perhaps one of you has a daughter graduating at the top of her law school class this month. It must no longer be true that she cannot rise to the top of her profession. If justice is a woman, let some of the nine Justices be women.

And beyond our Nation's boundaries, America must be represented by more women. More Ambassadors to major countries should be female. And the Ambassador to the United Nations should be a woman. We must make it clear that we are not so far behind Israel and India in recognizing what a woman can do for world peace.

All of this is not mere lip service. I had the honor of serving as chairman of the Democratic Commission on Party Structure and Delegate Selection. Under my direction, the commission has specified that a delegation must reflect the population of the State. Obviously, this means about half should be women. In 1968, as you know, 13 percent were women. Only one of the 55 delegations had a woman as chairman.

America needs every brain, every tal-

ent, every energy. And an enormous fund of that energy is lying behind the glass wall unused. Discrimination has kept women who should be executives as clerks, who should be lawyers and judges, as legal aide volunteers, and has kept many out of the work force entirely.

America needs women to make our cities safe for the unprotected, exciting for the young and curious, beautiful for us all.

America needs women to bring justice to the poor, health to the sick, learning to every eager mind.

America needs women to clean up the politics as well as the rivers, to make the system respond, so that every American can take full part in the riches of the Nation.

ANALYSIS TECHNOLOGY

Mr. HOLLINGS. Mr. President, the Washington Post of July 13 carried a most perceptive article on its editorial page by Joseph A. Califano, Jr., entitled, "The Separate But Unequal Branch: Congress Has Been Bypassed in Analysis Technology." Mr. Califano speaks from a substantial background of experience in the relationship between the executive and legislative branches and his observations are of significance.

His general theme is that Congress lacks the technical facilities for independent factfinding and analysis in many areas of national policy, and, therefore, finds itself heavily dependent on the executive branch for the raw materials of its decisions. Each of us knows examples of this practice as it affects our various spheres of interest and activity and as it tends to do violence to the constitutional concept of separate but equal bodies.

Nobody, including Mr. Califano, is attempting to assign blame for this state of affairs. Certainly, there is no suggestion that the able staff which serves the Senate performs anything less than dedicated service in the face of great limitations. One circumstance which holds part of the explanation, I believe, is that the decentralization of the legislative branch simply has not lent itself readily to some of the more sophisticated techniques of current management practices and decisionmaking.

This does not mean that nothing can be done to adapt new techniques to the special needs of Congress, including the utilization of computer technology where and when it is justified. The Committee on Rules and Administration under the chairmanship of the distinguished Senator from North Carolina (Mr. JORDAN) I know is taking steps to further the Senate's utilization of new technology in this important field. The Subcommittee on Legislative Appropriations of which I am chairman is also giving very serious consideration to this matter.

The initial efforts involve a concentration on updating the internal management of Senate services so that the efforts of Senators will be facilitated in carrying on their principal responsibilities of legislating. I am pleased to note that just this week the joint leadership has given considerable thought to this problem, particularly as it involves new Members of the Senate. The Secretary of the Senate is moving in the direction of modernizing certain procedures in the central management of the Senate. These include the automation of payroll and personnel records in the disbursing office and preliminary work on the automation of the Senate's legislative recordkeeping.

So the groundwork is being laid. There is much to be done and the process will require the thoughtful consideration of all Members on both sides of the aisle. For this reason, I commend Mr. Califano's article to the Senate, and 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:

THE SEPARATE BUT UNEQUAL BRANCH—CONGRESS HAS BEEN BYPASSED IN ANALYSIS TECHNOLOGY

(By Joseph A. Califano, Jr.)

The Congress is presently the separate but unequal branch of the federal government. Discussion in the press and on the Hill about this sorry condition has centered on the revelations in the Pentagon papers and the role of the Congress in foreign affairs. Senators rise on the floor to place blame on the Executive branch for withholding information or intentionally misleading the Congress.

The basic reason for the decline in congressional effectiveness and status, however, lies not with the Executive branch or some federal bureaucrats whose concern is often for the approbation of constituencies independent of the President or the Congress. Responsibility for its separate but unequal status rests largely with the Congress itself.

The judgments of the 535 members of the Congress, like anyone else's, can hardly be better than the information on which those judgments are based. The Congress is dependent upon the Executive branch for most of its information, with an occasional and too often superficial assist from outside experts. Of the three branches of the government, the Congress is the most inadequately staffed and least efficiently organized.

The Congress has a Legislative Reference Service which can put into statutory language virtually any idea any congressman wants drafted into a bill he desires to introduce. The General Accounting Office serves as an investigatory arm to expose waste in government contracts or office furnishings excessively luxurious for federal employees. Both organizations serve all congressmen well on their spheres of operation. Moreover, there are an increasing number of bright young staffers working on the Hill, particularly on the Senate side and in some key House committees.

But the Congress has ignored the revolution in analytical technology. As Representative John Culver of Iowa has pointed out, the Congress has only three or four computers, and those computers operate in large measure on payrolls and housekeeping matters. It has no central system analysis staff and only a scattering of such analysts among its committee staffs, many of whom left the Executive branch after the change in administrations in 1969 and have every intention of returning to the Executive should the Democrats assume control of the White House in 1973.

Contrast the Executive branch, which now has some 4,000 computers working almost entirely on substantive policy issues. Analysts and programmers of increasing sophistication hold key staff positions not only in the Office of Management and Budget and the Department of Defense, but increasingly in the domestic departments of the government. Shrewd and brilliant a legislator as he is, Chairman Mills must turn to the Department of Health, Education and Welfare and its computers (or a systems-oriented research center like the Urban Institute which is largely dependent on Executive branch contracts) when he wants detailed information on the financial impact of various welfare reform alternatives. The Pentagon, both within its own walls, as well as in its think tanks like Rand and the Institute for Defense Analysis, can war-game any number of strategic or budgetary alternatives, while the Armed Services and Foreign Affairs Committees still base most of their decisions on the work of small staffs and the gut reactions and empirical idiosyncrasies of committee members.

The impact of this congressional failure to staff itself adequately and to take advantage of the analytical tools of modern technology is at least as responsible for the second class citizenship of the Congress among the three branches of government as the seniority system or the antediluvian committee structure.

The Executive branch is by far the most significant force in the conception, development and enactment into legislation of new substantive programs. The stark fact is that neither the Congress nor any of its committees has the consistent capability—without almost total reliance on the informational and analytical resources of the Executive branch—of developing coherent, large-scale Federal programs.

When President Lyndon Johnson decided in 1967 to develop a program to close the housing gap in the United States as rapidly as possible without distorting the capital markets of the country or putting too much pressure on the construction labor force, months of computer runs and analytical work by the Council of Economic Advisers and the Department of Housing and Urban Development were necessary, first to determine the size of the gap and then to produce the 10-year program for closing it. When the Housing Act of 1968 was sent to the Congress, there was little discussion of the validity of the data base of the Executive branch or its statistical and analytical projections. The Congress and its committee staffs were simply not equipped to analyze the program intelligently in these terms. Most of the discussion in the Congress involved the parochial rivalries of interest groups that had been jousting for decades in the housing arena. The congressional debate essentially constituted a search for some means to balance the relatively narrow interests of banks, homebuilders, real estate brokers and trade unions. Congress, of course, is the proper forum for such interests to make their views known on a legislative program proposed by the Executive. But the Congress should also be a forum where Executive branch analyses and programs can be independently evaluated.

On the military side of the budget, the situation reached a point in the 1960s where the Pentagon would analyze and make decisions on the basis of program packages related to the capabilities of combination of forces from all three services to meet potential threats to our national security. This is the context in which Secretary of Defense Robert McNamara would present his annual posture statements. Yet, for appropriations purposes, largely because of the way the Congress is organized, the limited capability of congressional staffs and its old-fashioned appropriations procedures, these program packages would be retranslated into budgetary line items.

The lack of adequate staffing and analytical capability results in the kind of meat-ax approach that so often characterizes efforts to cut the defense budget. The success of a

few senators in 1969 and 1970 when they focused with sophisticated specificity on selected programs, like Sen. Walter F. Mondale's sucessful attack on the nuclear carrier program of the Navy, was in no small measure due to the expertise of former Pentagon and Budget Bureau analysts who were willing to assist the senators on the Hill and provide the data and analysis appropriate to the use of a scalpel instead of an ax on the defense budget.

The Joint Economic Committee does a remarkable job particularly when it is realized that virtually all its basic data comes from the statistical offices of the Commerce and Labor Departments, the Council of Economic Advisers and the Federal Reserve Board. Yet, think for a moment what the situation might be if that committee had the statistical and analytical capability to do their own computer runs, their own independent basic analyses and projections. I am not speaking here of duplicating the capability that exists in the Bureau of Labor Statistics or the Commerce Department's Office of Business Economics, but simply the kind of capability that exists in most of the large banks and corporations of our nation. Many of the more sophisticated members of the Joint Economic Committee, like Senator William Proxmire and Congressman Henry Reuss, were convinced at an early stage on the basis of personal experience and shrewed perception that inflation was getting out of hand in the Johnson administration and that the Nixon economic game plan would go away. But their conviction was essentially a gut reaction. Their ability to develop their own projections and economic scenarios supported by detailed analyses and statistics, was sharply limited because they lacked the staff and the computer technology to do their own analytical thing.

Finally, and this is perhaps the most difficult and sensitive area in which to urge the Congress to engage in cold self-examination, the committee structure no longer conforms to the realities of American life. Committee jurisdictional problems are a major inhibition to a functional, problem oriented analysis of our national problems. Senator Humphrey's proposal for a National Security Committee recognizes this in the foreign policy, military affairs and foreign aid area. But there is no visible recognition of this in the domestic area.

This issue is crisply drawn between the Executive branch and the Congress as a result of the President's reorganization proposals. The President has suggested that the domestic program side of the Executive branch be organized into four basic departments: Human Resources, Community Development, Economic Development and Natural Resources. The difficulties the reorganization faces stem not simply from narrow private interest groups like agriculture or business or labor, who wish to retain constituency-oriented departments. Even more important—as almost any congressman or senator will admit privately—is the impact of that reorganization on congressional committee jurisdiction. The rhetorical level of debate is filled with concerns about our farmers or our businessmen or our workingmen. The tough arguments in the Congress are more often concerned with what committees of the President's reorganization proposals. The most serious hurdle these Executive Branch reorganization proposals face may be the essentially retrogressive and parochial attitudes of substantive committees of the Congress.

In its struggle to stay abreast of the Executive Branch, the Congress may retard more efficient Executive reorganization, rather than pursue its own reorganization to come to terms with the reality of American society and its problems in the 1970s. Thus, one can hear comments that if the President's Department of Natural Resources is enacted into law, arrangements must be made to maintain the portions of the new department formerly in the Agriculture Department within the jurisdiction of the Senate and House Agriculture Committees and the portions presently in the Interior Department within the jurisdiction of the Senate and House Interior and Insular Affairs Committees—or indeed to grant both committees jurisdiction over certain areas. This is something akin to those stagecoach owners who first refused to transport rail tracks and later added a brace of stallions to the coach to compete with the railroads.

Most large institutions, like most governments, are more likely to deteriorate and crumble from within rather than without institutions, like people, tend to bring their problems on themselves. As the Congress thrashes out in frustration at its separate but unequal status among the branches of government, it must realize that its houses are made of glass. Before its members throw too many stones, they might recognize that they hold in their own hands the power to vote themselves the staff and analytical capability they need, to establish a central systems analysis and program evaluation office, to reorganize their committees and thus to assume their constitutional role as the most effective and responsive representative legislature in the history of mankind.

TRIBUTE TO MRS. HELEN VON KOLNITZ HYER

Mr. THURMOND. Mr. President, the literary accomplishments of Mrs. Helen Von Kolnitz Hyer of Charleston, S.C., is a matter in which everyone in my State, as well as throughout the country, can take great pride.

This charming lady has added to her list of achievements with the recent publication of "Danger Never Sleeps," a book of poems which reflects the wealth of experiences Mrs. Hyer has accumulated over her years of almost unparalleled adventure.

Sampling nearly 50 years work, the current volume includes many works in which the story element is foremost—brief historical romances in traditional verse forms, descriptive recreations of a religious or patriotic nature, poetic commentary on political and social events, and some pensive, tongue-in-cheek recollections of life in her native low country.

Mr. President, this talented writer was born in Charleston, S.C., where she now lives. She attended various schools there before enrolling in Ashley Hall, one of Scuth Carolina's finest schools for women. At Ashley Hall, Mrs. Hyer wrote the school song, "Pearls and Amethyst." She was one of the founders and a charter member of the Poetry Society of South Carolina. She has just been renominated for a second term as president of this society.

Her poems and stories have appeared in many different publications over the years, and children will remember her award-winning fairy tale, "The Wimp and the Woodle." Her other published works include two volumes of poetry, "Santee Songs," and "Wine Dark Sea"; two juvenile fiction books, "Hurricane Harbor," and "The Magnificent Squeak"; and two nature study supplementary readers, "On Shiny Wings," and "Stories by Seasons."

Mr. President, several newspapers carried accounts of the recent publication of "Danger Never Sleeps." One appeared in the June 24 issue of the Savannah Evening Press of Savannah, Ga.; one in the April 2 publication of the Charleston Evening Post, of Charleston, S.C.; another in June 17 issue of the Beaufort Gazette, of Beaufort, S.C.; and an article which appeared in the Moultrie News, of Mount Pleasant, S.C., on May 27.

Mr. President, I ask unanimous consent that these articles and a biographical sketch of Mrs. Hyer, which appears on the jacket cover of her new book, be printed in the RECORD.

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

[From the Savannah (Ga.) Evening Press, June 24, 1971]

GRANDMOTHER—AND POET—LIKES WRITINGS OF MANY "LONG-HAIRS"

BEAUFORT, S.C.—"My book contains poems about good things I have seen or written about in the past," said Mrs. Helen Von Kolnitz Hyer, a pretty grandmother and poet from Charleston.

An autograph party honoring Mrs. Hyer author of "Danger Never Sleeps," will be held here this afternoon from 3 to 6 p.m. at the Bank of Beaufort Historic Foundation House.

"Four decades of writing are tied up in my latest book of poetry," said Mrs. Hyer.

"I get so disturbed when I read some of the filth and the bad language that is written into poetry today. Some of this is written by adults and some by our young people.

"But just in the past year I have been amazed at some of the good poetry that is being written by our young people," said Mrs. Hyer, who is president of the South Carolina Poetry Society. "During the past year we have sponsored many forums and contests.

"When some of the long-haired and bearded young people come to our meetings to read their poems many of the members object," she continued. "But I think many of our young people have good things to say and I feel that they should be given a chance to present what they have written.

"This will be one of my main projects this year—to encourage more young people to come into our society and assist them any way we can," she added.

The author was born in Charleston and attended Ashley Hall, where she wrote the song "Pearls and Amethyst." She was one of the founders of the Poetry Society of South Carolina. Her poems have appeared in many different publications over the years and many children will remember her award-winning fairy tale "The Wimp and the Woodle."

Her new book contains several references to Beaufort in poems such as "Prologue to Freedom" and "Water Festival—Beaufort 1964".

Mrs. Hyer's daughter, Mrs. Ray Kearns, and family reside in Beaufort.

[From the Charleston (S.C.) Evening Post, April 2, 1971]

LOCAL POET'S WORK SPANS 4 DECADES

(By Jack Leland)

Danger Never Sleeps, by Helen Von Kolnitz Hyer. Wing Publications, Inc. 154 pages, $6.50.

There are four decades of writing tied up in this book of poetry by one of Charleston's great ladies of verse and yet, the more recent ones are as full of the joie de vivre as are those written when the author was just beginning her literary career.

She is a grand story teller and her longer narrative poems obviously were meant to be read aloud so that the full sweep of action and the music of language can best be tested.

Many a youngster will remember Mrs. Hyer's delightfully adventurous book "Hurricane Harbor," with Mount Pleasant and Charleston Harbor as its locale. Her earlier volumes of poetry were "Santee Songs" and "Wine Dark Sea." In addition she has published other fiction for young readers, two nature study readers and a collection of short stories.

These poems are serious, humorous, blythe, sad, energetic, lethargic, satirical and factual. There are literally poems for every mood and every taste, reflections of a versatile and exploring mind. They make a grand addition to both lovers of poetry and collectors of Caroliniana.

[From the Beaufort (S.C.) Gazette, June 17, 1971]

AUTOGRAPH PARTY TO HONOR MOTHER OF LOCAL WOMAN

An autograph party honoring Helen von Kolnitz Hyer, author of a new book of poems entitled "Danger Never Sleeps", will be held on June 24 from 3 to 6 p.m. at the Bank of Beaufort Historic Foundation House. The party will be sponsored by the Beaufort Book Shop.

Four decades of writing are tied up in the new book of poetry. Mrs. Hyer is a grand story teller and her poems are serious humorous, blythe, sad, energetic, lethargic, satirical and factual. There are poems for every mood and taste.

The author was born in Charleston and attended small private schools in Charleston and Ashley Hall, where she wrote the school song, "Pearls and Amethyst." She was one of the founders and a charter member of the Poetry Society of South Carolina, and after serving this past year as its president has been re-nominated for a second term. Her poems and stories have appeared in many different publications over the years and children will remember her award-winning fairy tale "The Whimp and the Woodle."

The new book contains reference to Beaufort in poems about the drama "Prologue To Freedom" and "Water Festival—Beaufort, 1964."

Mrs. Hyer's daughter and son-in-law, Dr. R. Ray Kearns, and grandchildren, Connie, a rising sophomore at the Beaufort Regional Campus of the University of South Carolina, Ray, Jr. a sophomore in high school, and Holly who is in the sixth grade, reside in Beaufort.

[From the Moultrie (S.C.) News, May 27, 1971]

AUTHOR PUBLISHES POETIC EFFORT OF 50 YEARS

Helen von Kolnitz Hyer, president of the Poetry Society of South Carolina and a familiar figure in Mt. Pleasant, has published a new book of poems, titled "Danger Never Sleeps."

Mrs. Hyer, whose son-in-law operates a nursery on the outskirts of Mt. Pleasant, is a writer of long standing. Her previously published books include two volumes of poetry—"Santee Songs" and "Wine Dark Sea", two juvenile fiction books, "Hurricane Harbor" and "The Magnificent Squeak", two nature study supplementary readers, "On Shiny Wings" and "Stories by Seasons", and an award-winning fairy tale, "The Wimp and Woodle," which served as the title story of a collection.

First in Charleston, then in Michigan, and now in Charleston again, Mrs. Hyer's poems and stories have appeared in many different publications. The present volume, put out by Wing Publications in Columbia, is a collection of poems encompassing her entire career to date, stretching from a classic ode to the Confederate dead recited at Magnolia Cemetery on Memorial Day, 1921, to a thought-provoking discussion of UFOs called "Bermuda Triangle," one of the poems which merited her being invited to the last two S.C. Tricentennial Writer's Conferences.

Sampling nearly fifty years work, the current volume includes many works in which the story element is foremost—brief historical romances in traditional verse forms, descriptive recreations of a religious or patriotic nature, poetic commentary on political and social events, and some pensive, tongue-in-cheek recollections of life in her native Lowcountry.

Underlying them all is Mrs. Hyer's unquenchable zest for life, her spirit of adventure, and her tender perception of love revealed and disguised. Distilling the experiences of life and literature and translating them into musical poetry, Mrs. Hyer has produced in her new book a fitting crown for her half-century of poetic endeavor.

HELEN VON KOLNITZ HYER

Helen von Kolnitz Hyer was born in Charleston, S.C. She was the daughter of Judge George Frederick von Kolnitz of Austrian descent and Sarah Conover Holmes, whose father was Francis Simmons Holmes, Professor of Geology at the College of Charleston and Chief of the Bureau of Mines for the Confederacy. In the ante-bellum years, Professor Holmes had gathered the scattered scientific collections of the city and formed the Charleston Museum about 1850.

Her early summers were spent at their vacation home on Mount Pleasant in Charleston Harbor, sailing, swimming and fishing, listening to stories from her negro fishermen neighbors and spending afternoons at her father's cotton plantation, Ryefield, to watch the weighing of the Sea Island cotton and to explore the huge, dusky workings of the cotton gin-house.

After several small private schools, she attended Ashley Hall and was graduated in the first class to complete the Upper School. While there she played tennis and basketball, took part in school plays and founded "Cerberus," the school magazine, being its first business manager and its second editor. She also wrote the school song, "Pearl and Amethyst."

As a freshman at Simmons College in Boston, she won the Poetry Prize, made the varsity basketball team and scored a running broad jump record that lasted for 20 years. She was also allowed to take advanced Junior and Senior English classes as she had had one year above college entrance requirements. World War I intervened and she chose to return to Charleston, take a business course, and then be Statistician for the War Savings Stamp Service. Incidentally, that winter she organized a Community Club for 125 University of Michigan student-sailors sent to build a Naval Rifle Range at Mount Pleasant. Here she learned to make fair scores with a rifle.

After the war, because of her inherited interest in museum work, she accepted a position as Curator of Public Instruction under Dr. Paul Rea, Director of the Charleston Museum and a year or so later, as a charter member, helped to organize the Poetry Society of South Carolina. Also for two summers she went back to Simmons for Library Science courses and visited many northern museums and classes in story-telling at the Fine Arts Museum in Boston.

In 1921 she married Edward Allen Hyer, who was also in museum work and in 1924 they moved to Grand Rapids where he made groups of large Michigan mammals and she became Associate Curator of Education at the Kent Scientific Museum, a member of the Michigan Authors Association and several literary groups and a frequent contributor of dramatic narrative verse to Adventure Magazine, then the leading man's magazine in the adventure field.

In 1929 her husband accepted a position with the Michigan Conservation Department and they moved to Lansing. Five years of interesting conservation field trips in lakes and forests followed, which resulted in a number of Michigan adventure poems.

Her published books include two volumes of poetry, "Santee Songs," and "Wine Dark Sea;" two juvenile fiction books, "Hurricane Harbor," and "The Magnificent Squeak;" two nature study supplementary readers, "On Shiny Wings," and "Stories by Seasons," and Her award-winning fairy tale "The Wimp and the Woodle," is the title story of a collection published by the Julia Ellsworth Ford Foundation for Better Juvenile Literature.

Her poetry, stories and articles have appeared in many newspapers and religious and national magazines, also in several anthologies. She has read her poem before many school groups and women's clubs.

While in Lansing she spent two and one-half years in the Department of State in Michigan and 13 months as statistician at the Michigan State Police Headquarters, (her most interesting assignment).

In 1940–41 she was Secretary to the Director of the Cranbrook Institute of Science, Bloomfield Hills, Michigan. In all three of her museum positions she worked as a lecturer and story-teller, researching and preparing exhibits and writing all newspaper publicity.

The family returned to Charleston in the fall of 1941 and during World War II she was with the Post Engineers, U.S. Army, Fort Moultrie, Sullivan's Island, S.C., in charge of payrolls and personnel for 495 per hour and 125 per annum Civil Service Employees. There, for nearly three years, she lived in the last house on the front beach behind nightly black-out curtains with a machine-gun nest in her front yard sand dune, an anti-aircraft Battery B across the road, watching convoys sail for Africa, Europe and the Pacific and occasionally the distant flames of a torpedoed tanker or a damaged aircraft carrier being towed in for repairs.

1945 found her in New York for a year, where she watched the Gripsholm bring released prisoners of war home from Japan and the Victory Parade.

Because of an invalid son this rigorous winter was followed by two years in Florida, and a return to Charleston in the fall of 1947. There for several years, because of her son, she did practically no writing. After her divorce in 1958 she was a surgical secretary for several years until her retirement, which now, she says, gives her time to start writing again.

She has four married daughters and enjoys helping with their numerous progeny.

She now claims to be Junior Partner in the Landscaping, Greenhouse, Nursery of one of her sons-in-law and her chief interests are her families, poetry, archeology, adventure stories, "UFOs" and embroidering elaborate ecclesiastical paraments.

THE AMALGAMATED'S HILTON E. HANNA

Mr. McGOVERN. Mr. President, Hilton Hanna, executive assistant to the Amalgamated Meat Cutters and Butcher Workmen of North America, long a fighter for the rights of labor and minority groups, has been featured in Butcher Workman, the publication of the Amalgamated Meat Cutters and Butcher Workmen of North America.

An international spokesman for labor's cause, he was prominent in the successful campaign in the 1950's for Federal inspection of the poultry industry to protect the consumer. Also, Mr. Hanna has recently been very active in the peace movement, serving on the national steering committee of the recent April 24 nonviolent march on Washington which

called for Congress to end the war in Indochina.

Primarily, however, Mr. Hanna is known for his exceptional work in the trade union movement in this Nation. His efforts for labor have been in the great tradition of union leaders who have been responsive to the needs of their membership, and responsive toward the interests of the entire Nation.

Mr. President, I ask unanimous consent that the article entitled "The Amalgamated's Hilton E. Hanna," published in the Butcher Workman of May/June 1971, be printed in the RECORD.

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

THE AMALGAMATED'S HILTON E. HANNA

The cover page of this issue of The Butcher Workman is a very good likeness of the Amalgamated's Hilton Hanna, the Executive Assistant to the principal officers of the International Union. He is becoming nationally known as one of the most able representatives of the trade union movement. He is in demand in all sections of the nation as a keynote speaker for many worthy causes.

THE FIRST

As a member of our Madison, Wisconsin, Local 538, a quarter of a century ago when Secretary Gorman was attending a meeting of the local union he recognized Hanna as having exceptional ability. He was asked to take a position with the International Union, and after careful consideration, he accepted. He was the first black man to hold the position of executive assistant in the history of the organization. Whatever assignment is given, Hilton Hanna does it in a commendable way. His educational background is outstanding.

Hilton first saw the light of day in 1907 on the Island of Inagua in the Bahamas. He became a naturalized American citizen. His thirst for knowledge was exceptionally keen. He graduated from Tuskegee Institute, Talladega College, and received his M.A. degree in Economics from the University of Wisconsin, where he also served as an instructor in the university's famed School for Workers.

AUTHOR

In addition to his speaking capabilities, he has authored many articles dealing with the problems of labor. In cooperation with our International Vice President Joseph Belsky, he wrote PICKET AND THE PEN—"The 'Pat' Gorman Story," an opus of some 400 pages which was completed in 1960. Many considered that this history of the International Union is perhaps the best of any published; and there were many. "Picket and the Pen" has reached more than 200 libraries in the United States and is still being used in a number of schools, colleges, and universities as a reference book in labor history and trade union administration.

Hilton's articles appearing in The Butcher Workman expressing the filth that existed in the poultry industry in the United States in the mid-fifties had considerable influence in the passage of the *Federal compulsory inspection* law for wholesomeness in poultry. To him was assigned responsibility for the research work and pamphleteering for this nationwide project of the International Union.

A HUMANITARIAN

The Amalgamated's Hanna is a humanitarian. He resents bigotry wherever it may be found. In the peace movement he is nationally known and, the recent April 24, peace march on Washington, where more than 300,000 reached our Nations Capital without incident petitioned Congress to end the war now and left without incident, is a tribute at least in part, to his exceptional organizing abilities. He was a member of the national steering committee for the event. He is a disciple of Norman Thomas, the great Socialist successor to Eugene V. Debs. He, to an extent, has patterned his life after Mahatma Gandhi and his non-violent approach to the adjustment of social problems, is nationally recognized.

ABHORS OPPRESSION

He abhors oppression and domination, whether by one individual over another, or by a government against the peoples of other lands. He continues to be found in the forefront of those working socially for bread, peace, and dignity for all regardless of creed, color, sex or national origin.

He was a close friend of Whitney Young and wept when he learned of the sudden passing of this great man far from his native land. He is a member of the Urban League and Madison Branch of the NAACP. He is Vice President of the Eugene V. Debs Foundation, and a member of the American Civil Liberties Union. The Immigrants Service League of the Travellers Aid Society several years ago designated him "Labor Man of The Year."

FAMILY MAN

A dedicated family man, Hanna was grievously affected by the death of his wife of thirty-one years, the former Lillian Elizabeth McKinney on March 20, 1969. He has two daughters. . . . Betty Ann, is the wife of Eugene A. Coats, a Professor in the School of Pharmacy at the University of Cincinnati, and Mary Kathryn, who is married to Eulogio Ortiz, a commercial artist. They reside in New York City. Betty Ann was awarded her Master's Degree in Child Development four years ago at the University of Kansas, and Mary Kathryn is completing work for her Master's Degree in Urban Planning at New York University. His special pride and joy are his grandchildren, Deborah and Christopher Coats, four and two years of age respectively.

A thoroughly union man, on several occasions Hilton has rejected offers, even from government agencies for positions outside the Amalgamated. He was once overheard saying to a "recruiter," "If I have any contribution to make to society I would like to do it as a member of the labor movement."

NINETY-FIRST BIRTHDAY OF DAVID KOHN

Mr. THURMOND. Mr. President, on July 16, 1971, an old friend and fellow alumnus of Clemson University, Mr. David Kohn, of Washington, D.C., will celebrate his 91st birthday.

David Kohn is well known throughout the country as one of the Nation's foremost stamp collectors. He was born in Orangeburg, S.C., on July 16, 1880, the son of Cpl. Theodore Kohn of the Edisto Rifles. He began collecting Confederate Covers many years ago and he has long been active in the Confederate Stamp Alliance, serving in a variety of capacities, including the presidency, and has won trophies at many stamp shows with his exhibits.

Mr. Kohn formerly lived in Greenville, S.C., and he has never missed an alumni reunion since his graduation from Clemson Agricultural College in 1902. He is also a Shriner and the oldest living member of the Hejaz Temple.

Mr. President, David Kohn has a reputation for outstanding accomplishments as a good citizen, neighbor, and member of his community. I salute him for a life full of activity and achievements and wish for him many more years of good health and happiness.

NEEDED: ANOTHER "MANHATTAN" PROJECT TO SOLVE NATION'S DRUG PROBLEM

Mr. McGOVERN. Mr. President, the problem of narcotics addiction and drug abuse commands the attention of this Nation. Our men in arms, our public and private employees, and our children in both affluent and underprivileged circumstances have all been subjected to the powerful allure and often-damaging effects of hard drugs.

An editorial by Mr. Jerry Finkelstein, publisher of the New York Law Journal, calls for a national effort on drugs equal to the "Manhattan" project efforts during World War II to unlock the power of the atom.

As Mr. Finkelstein points out, the essential concept in any evaluation of the public response to drug abuse is ignorance. For Government has ignored the problem far too long, and the society is still too ignorant about its physical and social aspects to insure serious, effective action to curtail drug abuse.

We need a great deal more knowledge about drugs than we now have about their effects, the reasons for their use, and the ways to combat their spread. And we need a firm commitment to rehabilitation of present addicts and education of those who might otherwise become future addicts.

I hope that our Nation will soon pay heed to those like Mr. Finkelstein who call for the massive Government and private effort to fight drug abuse which is the only answer to our present drug crisis.

Mr. President, I ask unanimous consent that the editorial entitled "Needed: Another 'Manhattan' Project To Solve Nation's Drug Problem," published in the New York Law Journal of July 6, 1971, be printed in the RECORD at this point.

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

NEEDED: ANOTHER "MANHATTAN" PROJECT TO SOLVE NATION'S DRUG PROBLEM

(By Jerry Finkelstein)

Attention: President Nixon, All Leaders of Government and the Bar.

During World War II a secret project whose code name was "Manhattan" tackled every conceivable angle so that the United States could produce the atom bomb. After the war, Congress established the Atomic Energy Commission whose sole function is to study and develop new uses for the atom—and these studies have been conducted on an all-encompassing basis by all academic disciplines.

Similarly, when the United States embarked upon its space program, the National Aeronautics and Space Administration was set up to oversee the program. It was charged with every aspect of the nation's program, using not only engineers, but astronomers and historians, manufacturers and others who could contribute to every minute area of study.

Drug abuse has long since become a scourge that threatens the national character and fabric. No segment of our society is immune from the impact of this deadly plague. Our children at all levels of school have been in-

fected. It is the major cause of soaring crime rates that undermine security in our homes and streets and parks. It has corroded the morale and discipline of our armed forces in Vietnam. It takes a huge toll out of the business activity in terms of absenteeism and poor employee performance. It clogs our court calendars.

It is tragic that a crisis of such magnitude has not stimulated a national response on the level of the "Manhattan Project" or NASA. If we had recognized the need for this approach three years ago, or five years ago, or ten years ago, perhaps there might not be a drug problem today. If the best brains of the nation were used to study the drug abuse problem—not only chemists, but educators, physicians, psychologists and psychiatrists, sociologists, clergy, attorneys and judges, legal enforcement agents and any other conceivable group that could shed light on the subject, perhaps today we might know whether marijuana is safe to use or not, or if it leads to the "hard stuff." If the nation had undertaken the massive response to the drug problem as it did to the atom and space, perhaps today there would not be a debate as to whether or not marijuana should be legalized. Nothing less, in our judgment, but this massive undertaking will put an end to drug addiction.

This same observation can be applied to methadone and other aspects of the drug abuse problem. Programs for treatment and rehabilitation of addicts and education programs to prevent addiction are inadequately financed and uncoordinated. But more important, we are full of half-truths and ignorance in our nimble approaches to solving the problem.

What is urgently needed is a strongly financed, well-coordinated mobilization of the nation's resources to develop a comprehensive program to put an end to this national disaster and disgrace. Such a program should accelerate our research, to telescope the work which has not been done in the past five years or ten years, so we may save our people and our nation.

The United States has attacked so many difficult problems—from polio to the atom—and found solutions through massive injections of money and talent. Drug abuse is more of a problem and should be approached in the same manner—not through some piecemeal program with miniscule funding. It requires a broad scope—from legislation to treaties with other nations—so no stone is left unturned.

The drug problem is a challenge which must be faced by the members of the American Bar Association. Drug and drug-related cases jam the courts and impede the legal profession's work. As civic and community leaders, members of the Bar can play a decisive role in prodding into action the White House, Congress, Governors and Legislatures to provide the initiative and financing needed to put an end to this major threat to our nation.

It is true that the White House has recognized the problem, and called the nation's attention to the dimensions of the national tragedy, but it has not attacked drug abuse in depth.

It is equally surprising that no "Mr. Anti-Narcotics" has emerged like a Nader in the consumer protection field.

The time is long since past for us to talk about drugs, and hope it will blow away. It won't! It could eventually lead to the destruction of the civilization we have built and come to know.

Leadership taken by the Bar in mobilizing our national resources in this effort would be in the noblest traditions of the profession.

THE ADMINISTRATION'S HOUSING POLICY

Mr. BAYH. Mr. President, the recently announced policy of the Nixon administration on housing discrimination is totally unrealistic—and administratively irresponsible—because it fails to recognize that we cannot end racial segregation in housing by continuing to ignore the impact of so-called economic segregation.

The administration has declared that it has no legal authority over "economic" exclusion in the housing field. Furthermore, it has suggested as a matter of policy that it is improper for the Federal Government to interfere with local ordinances and regulatory procedures that vitally affect the building and location of housing facilities.

During the past decade there has been much rhetoric about the need to develop housing opportunities for all of our citizens accompanied by quality education and access to meaningful employment. Eighty percent of the new jobs developed throughout the country during the past decades were developed in suburban areas. I am sure that the President would readily admit that a job is the most crucial "economic" factor in the life of a person who is physically and mentally able to be gainfully employed.

Additionally, it has been clearly demonstrated that the accessibility of employment is a key factor in both the willingness to seek employment and the ability to retain it once secured. The "economic" combination of adequate mass transportation, education, housing facilities for every income level, and of course, adequate opportunity for employment should be the balanced goal of the administration. Instead the administration pursues a policy which denies that a successful and lasting solution to our racial problems must involve the surburban areas that circle our cities.

In fact it is the "economic" determinants of continued racial exploitation and isolation that must be faced squarely by those who administer the affairs of our communities. It is my opinion that the President should pursue a policy that reflects this reality and results in programs that embrace the diversities of metropolitan America and guarantee full access to all of our citizens.

I ask unanimous consent that an article on this subject be printed in the RECORD.

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

RIGHTS LEADERS ASSAIL NIXON'S HOUSING POLICY

(By Peter Braestrup)

Civil rights leaders yesterday condemned as inadequate President Nixon's announced policy of ending "racial discrimination" in neighborhoods without forcing "economic discrimination."

Presenting the first public analysis by the 126-organization Leadership Conference on Civil Rights, Bayard Rustin, conference chairman, declared that the President had "diagnosed a cancer and prescribed aspirin as the remedy" in his long-awaited June 11 message on housing discrimination.

At the same time, Rustin said the Conference had written to Democratic presidential aspirants and Congressional leaders, asking them for on-the-record reactions to the Nixon policy.

"There has been almost total lack of reaction from people in elected political office," observed William Taylor, former Civil Rights Commission director, who joined Rustin yesterday to discuss the civil rights coalition's 13-page analysis.

"These people do not want to declare themselves on this issue," Rustin said, attributing the liberal politicians' "strange silence" to worries over a white voter backlash at the polls in 1972.

In essence, Rustin and Taylor and the Leadership coalition analysis took issue with the President's overall policy of relying on the "carrot" instead of the "carrot and stick" in opening up the suburbs and other communities to low-income housing for blacks and whites alike.

Echoing a resolution passed by the U.S. Conference of Mayors last month, the Leadership coalition urged that the administration require communities to provide for low-income housing needs or lose all federal aid, not just housing or urban renewal money.

The coalition urged that the Justice Department challenge any local zoning that barred the poor and minorities.

Richard Van Dusen, undersecretary of housing and urban development, last night echoed the administration view that Congress had yet to give the President that broad authority. Van Dusen said he saw no need for the extra power, but that the place to seek it was in Congress.

The coalition took less issue with the proposed HUD guidelines to implement the President's policy—covering housing project "site selection", "affirmative marketing", and related procedures.

The coalition argued, however, that under the HUD procedures. Black Jack, Mo., a St. Louis suburb being sued by Justice Department for allegedly racially discriminatory zoning, would not be automatically ineligible for a federal water and sewer grant.

HUD officials said this was theoretically true, but in practice that any community with a bad HUD rating on housing would find it difficult to compete with "better" communities for scarce HUD water and sewer money.

Even as the coalition assailed the President's "limited view" of his role in fighting housing discrimination, Taylor said local civil rights groups would take advantage of new HUD guidelines (under old executive orders) providing monthly data on local federally aided housing projects to all who request them.

"We will take advantage of any little bit of daylight," he said. "Our complaint is that there is not enough daylight."

Despite its attack on the President's "self-imposed limitations" the coalition statement said civil rights leaders were "not bereft of hope".

NAACP AIMS AT SUBURBAN HOUSING

(By Robert C. Maynard)

MINNEAPOLIS, July 5.—The chairman of the board of the NAACP declared tonight that the suburban housing posture of the Nixon administration has become a major target of the largest civil rights organization in the country.

Bishop Stephen G. Spottswood of Washington told the 62d convention of the association that the administration is wrong in framing its policies on housing discrimination in the surburbs so that a distinction is made between economic and racial bias.

"We will agitate and persuade, use our voting power locally and nationally—and even cuss a little—to get the Nixon administration to join us in nailing this bias in housing for what it is, a pure skin color kick," said Mr. Spottswood, Bishop of the AME Zion Church.

In its housing policy statement in early June, the administration drew a distinction between "economic" discrimination and "racial" discrimination, saying it had no legal authority over "economic" exclusion in the housing field.

"We intend to press," Mr. Spottswood told the 2,500 delegates in his keynote address, "until the federal government recognizes that in 99.44 per cent of the cases, when local governments use zoning restrictions to bar low-income housing, the reason is racial, not economic."

Mr. Spottswood noted the administration has moved in some housing discrimination cases, notably in Blackjack, Mo. The St. Louis suburbs' zoning ordinance, which excludes federally financed low-income housing, is now the target of a civil rights suit by the U.S. Department of Justice.

The NAACP's board chairman, in citing the Blackjack case, echoed statements made Sunday by Roy Wilkins, executive director of the 461,000-member organization. Wilkins said the racial stand of the administration shows "a ray of hope" since a year ago.

Regarding the administration he labeled as "anti-Negro" a year ago, Mr. Spottswood said tonight:

"The racial sky is not exactly light and clear. But it is not as murky and dark as it was a year ago. We shall continue to call the shots as we see them. . . .

"The administration", Mr. Spottswood said, "has taken certain steps and has announced policies in certain phases of the civil rights issue which have earned cautious and limited approval among black Americans."

He cited as one example the positive reaction of Defense Secretary Melvin R. Laird to NAACP proposals for easing racial tensions in the armed services.

Regarding housing, he said he was uncertain of the ultimate result, but felt encouraged to suggest that the administration's efforts may result in time in improved access to housing for blacks.

Despite these bright signs, he said:

"We need clear, positive leadership for civil rights from 1600 Pennsylvania Avenue. Twenty-three million black Americans and an unestimated number of white Americans look to the President to provide this leadership."

One clear indication of the improved relations between the Nixon administration and the NAACP is that a member of the Cabinet will appear at an association convention for the first time in two years. Secretary of Commerce Maurice Stans appeared here tonight to present an award to the association for the cooperation of its chapters in the gathering of data for the 1970 census.

Mr. Spottswood, elected Bishop of the AME Zion Church in 1952 after serving as a pastor for 34 years, came down hard in his keynote address on those who seek to achieve their political ends by establishing exclusive groups.

In remarks clearly aimed at black nationalists, Mr. Spottswood said:

"If you listen to this line of talk long enough, you will realize that what is being said is, 'I don't actually want to get together with anyone but myself, because nobody else is old enough, or young enough, or white enough, or black enough for me—except me.'"

CONSTITUTIONALITY OF THE MASSACHUSETTS NO-FAULT AUTOMOBILE INSURANCE ACT

Mr. HART. Mr. President, on June 29 there was good news from Boston for those concerned about the inhumanity, extravagant waste, and inefficiency in America's system for compensating automobile accident victims.

The Supreme Judicial Court of Massachusetts, one of the most respected high State tribunals, decided unanimously in Pinnick against Cleary that the Nation's first compulsory no-fault automobile insurance law is constitutional under both the State and Federal Constitutions.

The decision is no surprise. But it is gratifying that the specter of unconstitutionality has been laid to rest by a respected appellate court. The Massachusetts court concluded that no-fault does not take away any of a citizen's rights to recover for injuries but "merely limits the common law right in the automobile accident situation to obtain money damages on account of unintentionally inflicted pain and suffering and modifies the procedure for obtaining damages."

The court's opinion was written by one of America's most respected jurists, the Honorable Paul C. Reardon, known to many lawyers and newspaper editors as the chairman of the committees that produced solid guidelines on the issue of "Fair Trial vs. Free Press." Justice Reardon, in his opinion, dwelt on one advantage of no-fault which has not received the attention it deserves.

He wrote:

No one who has for any time been in charge of a trial court system (as was the author of this opinion for a number of years) can be unfamiliar with the devastating effect upon the administration of justice which the automobile has produced. For years, in the face of countless experiments the trial calendars of this country, particularly in metropolitan areas, have become increasingly clogged with motor vehicle tort litigation. No one as yet, notwithstanding heroic efforts in this regard, has found a satisfactory method of disentangling this morass. . . . .

The problems of society to which the courts have been called no longer permit the luxury of using them as a forum for resolving the ever increasing numbers of automobile accident claims to the extent that has obtained hitherto. . . .

Other non-American court systems, heirs with ourselves of the common law, have managed to solve this problem of the superabundance of motor vehicle tort claims in one way or another. It remains, however, a cancer to be rooted out in American Courts.

Mr. President, to demonstrate just how pervasive this cancer is, I call attention to a chart which I ask unanimous consent to have printed at the conclusion of my remarks. This shows that, as of December 31, 1970, the 10 leading auto insurers alone were defending 359,540 personal injury liability cases filed during the preceding 8 or more years. Most of these cases, of course, involved seriously injured auto accident victims seeking compensation. Yet, 57 percent of the cases filed 3 or more years ago; 40 percent filed 4 or more years ago; and 13 percent were filed 6 or more years ago. Since cases are usually filed sometime after the accident occurred—and State statutes of limitations vary from 1 to 6 years—this data actually understates the period these accident victims must wait for any possible compensation. Prompt compensation and any needed rehabilitation for these victims are indeed dim prospects. It is inhumane to perpetuate a reparations system which permits this.

The opinion of the Massachusetts court also touches upon a choice very relevant in view of the recent Supreme Court Bell and Perez decisions. These decisions make financial responsibility automobile insurance laws unworkable, and thus, force us to choose between compulsory liability insurance and compulsory no-fault insurance. Justice Reardon discussed some of the effects of the old Massachusetts law, which provided for compulsory liability insurance:

We have lived with compulsory liability insurance since January 1, 1927. In that period certain events have occurred which might well have commended themselves to the Legislature as indicia pointing toward the wisdom of change. Eleven years ago, for instance, a special commission found that on the basis of bodily injury claim frequency per 100 cars insured, the average in Massachusetts in the years 1954–1956 was 6.4% as against 5% for Maine, 3.1% for Rhode Island, 2% for Vermont, and 3.3% for Connecticut. In 1959, the year the report was filed, the claim frequently in Boston on a local basis exceeded that in New York City by more than 50%.

While we applaud the success of limited nofault in Massachusetts and salute the unanimous judicial decision on constitutionality, I would like to apprise my colleagues of a major weakness of the law and other State statutes.

First, neither the Massachusetts law, nor the recent automobile insurance statutes enacted in Delaware or Florida, nor the bills passed by the Oregon and Illinois Legislatures, will help one bit with the overloaded condition of our Federal courts in these judicial districts. The Federal courts today are required to accept jurisdiction in automobile negligence cases where the parties are of diverse citizenship and the damages claimed, including pain and suffering, exceed $10,000. The State laws eliminate none of these $10,000 cases from the tort system.

Both the President and the Chief Justice spoke of the problem of the courts at the National Conference on the Judiciary last March in Williamsburg, Va. The purpose of the conference was to "improve the process of justice."

Chief Justice Burger declared:

The public has been quiet and patient, sensing on the one hand the need to improve the quality of criminal justice but also experiencing frustration at the inability to vindicate private claims and rights. We are rapidly approaching the point where this segment of Americans will totally lose patience with the cumbersome system that makes people wait two, three, four or more years to dispose of an ordinary civil claim.

The President, himself a lawyer, issued a clarion call for innovation and initiative to improve the process of criminal justice at "both the State and Federal level." In defining "the urgent need" for improvement, Mr. Nixon declared:

More of the same is not the answer. What is needed now is genuine reform—the kind of change that requires imagination and daring, that demands a focus on ultimate goals.

Similarly, more of the same is not the answer for auto accident reparations. Genuine no-fault reform with the ultimate goal of removing most, if not all, of the auto accident cases from the courts is the answer. That those of us who are sponsoring national no-fault bills to accomplish this goal are not alone can be seen from this recent statement of Chief

Justice Burger to the New York Times (July 4, 1971, p. 24):

> Very, very good arguments can be made and have been made for taking automobile and other personal injury cases out of the courts entirely, out of all courts, and disposing of them by other means.

I should like to paraphrase Justice Reardon and apply his reasoning to the Federal courts: The problems of America to which the Federal courts have been called by the American people and the Congress no longer permit the luxury of using them as a forum for resolving automobile accident claims.

The sponsors of national nofault motor vehicle insurance legislation believe that such a law would relieve the Federal courts of much automobile accident litigation because benefits would be substantially in excess of the $10,000 jurisdictional limitation and tort suits would be eliminated, except in cases of "catastrophic harm." That alone is reason to go forward.

But there is an even more substantial reason why we in the Congress must not slacken our efforts.

Neither the Massachusetts law—nor those enacted on the other States—are consumer protection laws. They do nothing to ameliorate the difficulties of insuring fair ratemaking and claims paying by insurance companies; they do not control the possibility of excessive profits by insurers.

Mr. President, I ask that a letter containing the views of the Association of Massachusetts Consumers, Inc., in this regard be printed in the RECORD following my remarks. The Association has studied the Massachusetts law in detail. Although it is fully aware of the advantages of nofault insurance, it never endorsed the bills that became the Massachusetts no-fault law, because the association felt they did not adequately protect the interests of consumers. I am pleased to say that the group has endorsed S. 945 and H.R. 7514.

Mr. President, I ask unanimous consent that a chart, which compares the principal features of the Massachusetts law and the proposed Federal bills, be printed in the RECORD following my remarks. I ask also, Mr. President, that the Massachusetts Supreme Judicial Court's opinion in Pinnick against Cleary, and accounts of that decision in the Boston Morning and Evening Globe be included in the RECORD following my remarks.

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

AUTO PERSONAL INJURY LIABILITY CASES PENDING AS OF DEC. 31, 1970, WHICH WERE FILED, AND WHICH WERE BEING DEFENDED BY THE 10 LEADING AUTO INSURERS UNDER POLICIES ISSUED DURING THE PRECEDING 8 OR MORE YEARS

Companies	Years in which policies were issued									Total
	Prior to 1963	1963	1964	1965	1966	1967	1968	1969	1970	
State Farm	300	363	819	1,915	3,328	6,911	9,788	16,679	7,502	47,605
Allstate	2,326	1,744	2,970	5,487	9,782	16,702	14,454	31,815	14,176	99,456
Aetna Casualty	417	345	918	1,790	3,024	4,616	3,257	7,687	3,232	25,286
Travelers	903	759	1,428	2,512	5,015	8,219	8,137	11,313	4,590	42,876
Nationwide	1,026	833	1,288	1,555	2,634	4,313	5,518	6,731	3,280	27,178
Liberty Mutual	523	407	750	1,225	2,640	4,942	4,546	8,371	3,689	27,093
Hartford Accident	878	600	1,204	1,941	3,307	5,276	4,239	7,159	3,015	27,619
Government Employees	140	195	392	911	2,060	4,206	3,477	7,323	3,583	22,287
INA	588	535	1,079	1,598	2,577	3,611	2,729	3,987	1,517	18,221
Lumbermans Mutual	424	472	750	1,515	2,608	3,791	3,823	5,740	2,796	21,919
Total	7,525	6,253	11,598	20,559	36,975	62,477	59,968	106,805	47,380	359,540

Note: These 10 companies wrote approximately 40% of the personal injury liability premiums in 1970.

Source: 1970 annual statements, schedule P, part 1, filed with State insurance departments.

COMPARISON OF MASSACHUSETTS LIMITED NO-FAULT LAW WITH PROPOSED FEDERAL NO-FAULT ACTS

FEATURES	Massachusetts (Act of 1970, c.670 and 774)	Federal Acts (S. 945 and H.R. 7514)
No-Fault Benefits		
1. Rehabilitation.	Only for cost of prosthetic devices.	All such expenses reasonably and necessarily incurred.
2. Medical, Surgical Hospital and Nursing.	To a maximum limit of $2,000* (must be incurred within 2 years of accident).	All such expenses reasonably and necessarily incurred (no time limitation).
3. Lost wages and earnings.	75% to a maximum limit of $2,000*.	$1,000 a month, or 85%, whichever is lesser, up to 30 months (36 months-H.R. 7514).
4. Services victim would have performed for himself and family.	To a maximum limit of $2,000*.	All such expenses reasonably and necessarily incurred.
	(*An over-all limitation of $2,000, i.e., recovery is limited to $2,000 of expenses for all three benefits together).	
Exemption from Tort Liability.	Cases in which hospital and medical expenses are less than $500.	For all cases except "catastrophic harm", i.e., permanent and total disability, permanent and partial disability of 70% or more, permanent, irreparable and severe disfigurement, and death cases.
Subrogation Permitted	Yes.	No.
CONSUMER SAFEGUARDS		
1. Payment of benefits-protection in case of violation.	Benefits paid as loss accrues, but insurer may agree to a lump sum discharging all future liability. If unpaid for more than 30 days, claimant may sue insurer in contract.	Payments made as loss is incurred. If unpaid within 30 days, insurer must also pay claimant 2% interest per month. (If insurer fails to pay benefits and claimant sues, in court's discretion, insurer may have to pay claimant's lawyers' fees and court costs—H.R. 7514).
2. Availability of insurance.	Subject to exceptions, policies of those 65 or older, and of those under 65, entitled to merit rating discount, must be renewed.	Policy cannot be canceled, must be renewed and must be sold unless insured or applicant has no valid operator's license or has failed to pay premiums.
3. Rate regulation and policyholder classifications and policy standards.	No change.	States to continue regulating rates except that DOT, with industry and States, will set policyholder classifications and policy standards.
4. Price and Claims Practice Disclosure.	None required.	All insurers must disclose under a uniform statistical plan, data on claims and loss experience and price of policies. DOT to make analysis and make information available once every six months.

Sources: Association of Massachusetts Consumers, Inc.; U.S. Senate Antitrust and Monopoly Subcommittee

ASSOCIATION OF MASSACHUSETTS CONSUMERS, INC.,
Boston, Mass., June 9, 1971.

Statement Re: Hart-Magnuson No-Fault Automobile Insurance, S. 945.

Hon. PHILIP HART,
Senate Office Building,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: The Association of Massachusetts Consumers, Inc., composed of private citizens and interested persons in the consumer movement has long considered the problems of automobile insurance. We have avoided taking a public position on the various proposals dealing with No-Fault Auto Insurance, since serious objection was raised to various parts of all proposals which have been considered heretofore.

We have examined the experience in Massachusetts from its adoption of the variation of no-fault auto insurance. Based upon the preliminary figures, it would appear that a substantial reduction in personal injury claims will result from the adoption of the limited version of no-fault automobile insurance and ultimately, if properly enforced would lead quickly to substantial reduction in automobile insurance premiums.

There is serious criticism of the Massachusetts version arising from the following deficiencies:

First, the version of no-fault automobile insurance adopted in Massachusetts has not provided for any change in the setting of rates for premiums and, therefore, could result in a lengthy deferral of savings to the consumers of Massachusetts of reduced personal injury claims experience.

Second, the plan, in its limited scope has failed to include no-fault property damage coverage, which could result in even greater savings than personal injuries.

Many critics of no-fault have argued that the system is new and has not been fully considered. I have been interested to discover that in Volume 39, No. 1, The Massachusetts Law Quarterly, April 19, 1954, there is a discussion of various remedies for the traffic jams in the Courts, among which there is a discussion, beginning at page 6, of proposals for a no-fault system. Reference is there made to a report by Arthur Ballantine, discussed by the Massachusetts Judicial Council in 1932, in its Eighth Report, (18 M.L.Q. No. 1, November 1932, pages 23–33), in which a recommendation was made for the adoption of the system similar to that of workmen's compensation. The matter was taken under advisement by the Judicial Council for further study in 1932, and again in 1933 and surfaced again in the discussion in the 1954 Massachusetts Law Quarterly. The solution is not novel. The problem has existed for many years. The time has come for decision.

Having considered the various problems presented and being interested in the reduction of premiums to the consumers, as well as affording the consumers adequate protection for recovery of damages suffered in automobile accidents, the Association of Massachusetts Consumers, Inc. has voted to support and endorse S. 945, the Hart-Magnuson No-Fault Bill and H.R. 7514, the Moss Bill and recommends that such legislation include the provision for the coverage of property damage. The reasons for this action are based on the considerations set forth above.

The Hart-Magnuson approach would eliminate confusion between the states by adopting a uniform system of automobile insurance. By transferring control to the Federal Government, we could eliminate many of the unfair trade practices resulting from the present patchwork of State legislation. One of these could be the availability of insurance coverage on a group basis. The present system has failed to provide protection for a large segment of the public, as a result of inadequate insurance coverage, or lack of any coverage whatsoever.

Along with other complaints, Massachusetts consumers have suffered one of the highest automobile insurance rates in the country, a condition which afflicts primarily the urban dweller and is one of the causes for the distrust of state regulation.

The states have proved unable or unwilling to regulate the automobile insurance industry so as to effect savings of a substantial nature to those requiring automobile insurance coverage. Whether Federal legislation can do so depends on the system adopted.

The requirements of automobile insurance coverage are two-fold: First, to protect the owner-operator of an automobile vehicle from damage suits; and Secondly, to provide adequate compensation to those who may be injured as a result of the occasion of an automobile or motor vehicle collision or accident.

At the present time, because of the adoption of the common law system of negligence as the criterion for the payment of injury claims, large segments of the public, who are injured as a result of motor vehicle accidents are left without the possibility of recovery whatsoever because of the theories of contributory or comparative negligence. A second segment, which does recover, is penalized by long delays as a result of a costly and inefficient judicial system for the determination of liability, resulting in a reduction in benefits to those who ultimately recover. Only a minority may recover a greater amount of damage than is suffered.

As a result, the common law system fails to include within it the elements of recovery necessary to make the injured party whole for injuries suffered as a result of lost wages, medical expenses, and the economic damage which results from the motor vehicle collision or accident.

The inclusion of property damage within the no-fault concept is much more readily susceptible of coverage and should result in substantial savings to the motoring public, which is now required to carry both collision coverage for the protection of the owner of the vehicle and property damage coverage for the protection of others with whose property his vehicle may come in contact, thus requiring essentially two systems of insurance for the same damage. The elimination of a dual system of coverage and the imposition of premium levels based upon the value of the vehicle which the operator, chooses to place upon the highway as his standard for the payment of premium should result in a substantial reduction in premium for the vast majority of consumers. The elimination of the fault concept in the recovery of property damage claims would also serve to mitigate the increasing dependence upon Court action to determine the values of recovery. The cost of adjustment could therefore be reduced by providing merely for the evaluation of the damage, rather than the investigation of the liabilities involved in each situation.

The Association of Massachusetts Consumers recommends the adoption of S. 945, as it may be amended to include property damage, as a means of eliminating local jurisdictional questions of regulation; the varying standards applied by State regulatory agencies; and to provide, by Federal regulations, a meaningful and comprehensive statistical service for the determination of adequate premium rates to benefit all consumers in the purchase of automobile insurance.

The fact that persons are injured in automobile accidents has become a fact of life in modern times and the elimination of the concept of negligence from the determination of the damages would serve to integrate automobile insurance with group health and accident coverage and wage continuation plans so as to provide a comprehensive program for the individual, rather than the patchwork of multiple lines of coverage, each with its own overhead, each with its administrative costs, each with its own regulatory problems and allocations.

The Association of Massachusetts Consumers, Inc., therefore, wishes to be recorded as supporting the Hart-Magnuson Bill and urges the inclusion of property damage within the scope of such legislation.

Very truly yours,

NATHAN S. PAVEN,
Vice-President, Legislative.

SUPREME COURT UPHOLDS NO FAULT AUTO INSURANCE

(By Joseph M. Harvey, Globe Staff)

The Massachusetts Supreme Judicial Court today upheld as constitutional the state's first-in-the-nation no fault automobile insurance law.

The court's decision was unanimous. Chief Justice G. Joseph Tauro filed a 16-page concurring opinion with the 46-page majority decision written by Justice Paul C. Reardon.

The court said the law is valid under both the state and Federal constitutions. The court made its decision in a suit brought by Milton Pinnick of Sharon, a government employee who, with his wife, was involved in an accident last Jan. 3 on Blue Hill avenue, Dorchester. Their automobile was struck from the rear while they were stopped at a traffic light. Mr. and Mrs. Pinnick claimed the new insurance law took away their rights to recover for all their injuries including pain and suffering.

The no-fault law limits motorists to recovering their damages from their own insurer to the amount of their medical bills unless they sustain serious injuries such as a fracture. The new law also places a ceiling of $2000 on the amount that can be recovered in accident damages unless the motorist has medical bills in excess of $500. Pinnick and his wife had medical bills of $115.

Pinnick also claimed the new law prevents him from recovering wages he lost while absent from work recovering from the accident injuries.

The Supreme Court rejected on all points Pinnick's claims that the new law violates his constitutional rights to recover all of his alleged losses resulting from the accident.

The high court said that the nofault law does not take away any citizen's rights to recover for injuries. The law, the court says "merely limits the common law right in the automobile accident situation to obtain money damages on account of unintentionally inflicted pain and suffering and modifies the proceedure for obtaining damages."

Among the "ills" which the no-fault law was designed to remedy, the court said, is "the devastating effect upon the administration of justice which the automobile has produced."

"The problems of society to which the courts have been called no longer permit the luxury of using them as a forum for resolving the ever increasing numbers of automobile accident claims to the extent that has obtained hitherto," the court said.

The automobile accident cases, the court said, have clogged the courts, particularly in metropolitan areas "notwithstanding heroic efforts" to find a satisfactory method for disentangling the court from "this morass."

Justice Reardon noted that while he was chief justice of the Superior Court he had to try and cope with the backlog of trials caused in large part by the floor of motor vehicle accident cases. He also noted that the bulk of the automobile claims cases in the Superior Court do not "represent cases of great value." He listed statistics showing that in about 80 percent of jury trials in such cases, the verdicts for plaintiffs was less than $200.

The Supreme Court said the Legislature, in passing the no-fault law, could properly have concluded that the high cost of automobile insurance in the state had some relation to the "inefficiencies and administrative expense involved in running the traditional system" for handling claims.

"The legislature was also presumably aware of the long delays in getting financial aid to the injured persons, confronted with medical and subsistence bills during a period of no employment for him and want for his family" the Supreme Court said.

State Insurance Comr. C. Eugene Farnam, discussing the Massachusetts no-fault law before the convention of the American Assn. of Motor Vehicle Administrators at Falmouth when the decision was released, said the Bay State no-fault plan "could now prove a model for the entire nation."

Congress is currently considering a national no-fault law and is expected to enact legislation with local-option provisions permitting each state to determine whether to implement it.

FARNAM SEES 25 PERCENT CUT IN 1972 AUTO INSURANCE

(By Robert Hanron)

FALMOUTH.—State Insurance Comr. C. Eugene Farnam predicted today that Massachusetts' compulsory automobile insurance rates for next year will be reduced "by 25 percent or more" under the limited no-fault law.

He made this prediction at the 50th annual conference of the American Assn. of Motor Vehicle Administrators.

Farnam also said that a projection on statistics for the first half of 1971 indicates that the predicted increase in the number of property damage claims has failed to materialize.

In short, said Farnam, "we are on the verge of making history in Massachusetts." It had been predicted that with the ceiling on no-fault injury payments property damage claims (for damage to cars) would jump significantly. Farnam said this has not happened.

He said there is "accumulating evidence" that the injured are pleased and satisfied with the way claims are now being processed.

The prediction of a 25-percent cut in compulsory rates was hinted at by Gov. Sargent in April after the initial three months of experience under the first no-fault auto insurance law in the nation.

Farnam said his experience, as recorded by department actuaries, is standing up for the second quarter of 1971.

If this holds for the rest of the year, it appears virtually certain there will be reduction in auto insurance premium rates next year, he said.

Opponents of no-fault predicted chaos and unconstitutionality.

Farnam said "they have been found wrong in each case and are left to protest that it has worked and has cut costs but that has been done by cheapening the product.

Farnam said the no-fault critics are in one sense correct.

But the product they say has been cheapened has up to now been overpriced because it was thought that it had to include elements of coverage that the driving public as a whole really didn't need.

"Taking those unneeded elements of cost out of the system and treating accident victims is what no-fault auto insurance is really all about," the commissioner said.

Farnam said that in Massachusetts "we have restricted the right of some injured persons to recover damages for pain and suffering.

"We have done it without in any way precluding anyone who wants excess dollars if he is injured from buying voluntary coverage to give him that. In Massachusetts we have given drivers a chance to save money by choosing deductible options that may do away with their rights after an injury to recover duplicate benefits for a single cost.

"This may be cheapening the insurance product, but it is cheapening it in a way that the consuming public will accept."

AETNA LAUDS COURT RULING ON NO-FAULT

The Bay State's third largest auto insurer today applauded the Massachusetts Supreme Court's unanimous decision upholding the constitutionality of the nation's first no-fault insurance law.

Aetna Life and Casualty senior vice president William O. Bailey said, "Being the first state to advance a no-fault plan and by confirming its constitutionality, Massachusetts emerges as a pacesetter in the growing effort to bring much needed reform of the auto insurance system throughout the country.

"The Supreme Court's decision testifies to the foresight and judgment of Gov. Francis Sargent, Insurance Com. Farnam, the Legislature's Insurance Committee, and the many other individuals and organizations whose commitment to this new approach to auto insurance helped no-fault become a reality."

Aetna is pleased to have played a leading role in this pioneering effort in which in 1971 alone is saving Massachusetts motorists $76 million on the cost of their insurance premiums. Besides the monetary savings, Massachusetts motorists are benefiting from a system that now is providing prompt equitable and automatic payments of losses to auto accident victims.

"With mounting public support for no fault, and with the obvious early success it is achieving in Massachusetts, we look for its early adoption in other states. And we pledge to Massachusetts motorists Aetna's desire to work for those improvements and refinements which experience shows can make no fault serve the motoring public even better."

WHY AMERICA NEEDS LAND REFORM

Mr. McGOVERN. Mr. President, more than ever before, the Nation is beginning to recognize the folly of forcing farmers to leave the land because of low farm prices. We are now aware that these migrants come to the city ill prepared to compete in an evaporating job market. A recent study showed that a large number of the residents of our urban slums came from rural America. These rural migrants in the slums represented a greater part of the total slum residents than persons who had been born in the slums.

Because of tax provisions, large corporations are finding it exceedingly profitable to invest in agricultural land, improve it and sell out and realize huge profits under capital gains provisions. At the same time, the primary producer in this country, the family farmer, is being forced off the land at an unprecedented pace.

He is the victim of ever-increasing costs for his supplies and falling prices for his products. He is the most efficient producer the world has ever known and the best custodian of the soil. Yet his honest effort and outstanding results have been his downfall. We are losing not only an efficient form of production, but a valued and valuable way of living. The alternative is a corporate takeover of American agriculture which will not only cause food prices to skyrocket, but will destroy a valuable social fabric.

Unfortunately, the administration has failed to recognize the problems presented by the changing role of American agriculture. It has turned a deaf ear on the needs of the family farmer and succeeded in killing a measure which I authored which had the support of a majority of the Nation's farmers.

Similarly, the administration has made no meaningful provisions to halt the corporate onrush into American agriculture.

Recently, Peter Barnes wrote a series of articles in the New Republic which explained many of the problems of American agriculture. Part of this series was later printed in the Washington Post of July 11. Because these articles point to so many of the problems we as a Nation will face until we recognize the need for a sound agricultural policy, I ask unanimous consent that one article be printed in the RECORD.

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

PROBLEMS OF AMERICAN AGRICULTURE

(By Peter Barnes)

It is hard for people in cities to appreciate the need for land reform in the United States. Most of us have been so cut off from the land that, through ignorance, we accept present landholding patterns as desirable or inevitable. They are neither.

What are the advantages of giving land to the few instead of the many? Efficiency is supposed to be the main one: big farms, we're told by agribusiness spokesmen, can produce more food at less cost and thus save the consumer money.

That same thinking underlies Soviet collectives. What is overlooked is that in societies where tractors are relatively inexpensive to own or rent, economies of scale contribute to agricultural abundance only marginally. Beyond a certain point, there is nothing gained by having one vast farm in place of several smaller ones. In fact, small farms are often more productive per acre because their owners work harder and take better care of the soil.

Large farms in America are efficient at some things—they excel at tapping the federal treasury and exploiting hired labor. Take away these privileges and the small farmer looks extremely good. As for saving the consumer money, the chief reason food prices have remained relatively low is not large-scale efficiency—it is intense competition. Allow a handful of agribusiness giants to gain control of the market and prices will assuredly rise a lot more than they have.

There is, furthermore, the question of how much efficiency, and what kind, is desirable. American agriculture is, if anything, too efficient; its chronic problem is not underproduction but surpluses; it is the only industry where people are paid not to produce. The argument that ever-increasing agricultural efficiency is a desirable national goal is, therefore, unsound.

Moreover, what kind of efficiency are we talking about? When a large grower increases his profit margin by replacing farm workers with a fancy new machine, he's not doing anybody but himself a favor. The farm workers, now unemployed, drift to already overcrowded cities, where no jobs await them either. Welfare rolls and social tensions rise—transferring to society at large the ultimate cost of "efficiency" on the large farm.

COST OF ABSENTEEISM

The vitality of community life in rural America has also suffered because of maldistributed land. Main Street businesses are not appreciably aided by large absentee landowners who purchase their supplies in distant cities, or by underpaid migrants who

buy nothing, or by sharecroppers forced to shop at the company store.

A study in the 1940s by Walter Goldschmidt, a California sociologist, found that communities in small-farm areas have a more sizable middle class, more stable income patterns, better schools and more active civic groups than do communities where large landholdings predominate. A recent incident in Mendota, Calif.—a town surrounded by large farms—helps explain why. A group of citizens wanted to establish a special taxing district for construction of a hospital, the nearest one being 40 miles away. Three agribusiness giants that owned more than half the land in the proposed district opposed the plan, and killed it. Two of the companies were based in other California cities, and the third—Anderson Clayton—was headquartered in Houston.

Protection of the environment also tends to be less of a concern to large corporations than to small farmers who live on their land. Companies farming for tax or speculative reasons, for example, seek to maximize earnings over the short run. They can milk the soil, deplete the underground water supply or poison the land with pesticides, knowing full well that they will eventually sell. Resident farmers who hope to pass on their land to their offspring cannot be so careless with nature's gifts. Moreover, small-scale farming lends itself much more readily than does large-scale monoculture to biological pest control—a technique that must increasingly be adopted if we are to avoid ecological disaster.

If there's little to be said for large landholdings on social or environmental grounds, neither can it be said that they are inevitable. Land concentration in America, particularly in the South and West, is not the result of inscrutable historical forces, but of a long train of government policies, sometimes in the form of action, often of inaction.

English grants to large landholders in the colonial South, and Mexican grants in the West, could have been broken up at several convenient historical moments, but were allowed to remain intact. Vast expanses of public lands were given away in large chunks to speculators, rather than in small parcels to settlers. Tax and labor laws, reclamation projects and government-financed research, have encouraged large-scale corporate agriculture, to the detriment of independent small farmers and landless farmworkers. On top of all this have come the government's ultimate reward to big landholders: cash subsidies, mainly for being big.

Why, then, do we need land reform in America? About the only thing that can be said for large landholdings is that they exist, and in the spirit of free enterprise ought to be left untouched. This is the strongest argument in favor of leaving things as they are.

Land, however, is not like other forms of wealth in our economy, which we allow to be accumulated without limit: It is a public resource, it is finite, and it is where people live and work. Free enterprise does not merely imply the right to be big. It also implies the right to start. As corporate farms become increasingly integrated with processors and distributors, as they advance toward the technological millennium in which 10-mile-long fields are sowed and harvested by computer-controlled machines, the right to get a start in agriculture will be obliterated—as it almost is today.

Americans must decide whether they want the rich to get richer or the poor to have a chance. Agriculture is one of the few places where the poor *can* have a chance. If it is closed off, if the profits of the few are given precedence over the needs of the many, the consequences can only be unpleasant.

There are additional reasons why it's time to reform landholding patterns in the United States. Frederick Jackson Turned talked 70 years ago of the frontier as a "safety valve" for urban discontent. If ever the cities needed a safety valve, it is now. Urban problems are virtually insoluble; city residents seem on the verge of a mass psychic breakdown. The exodus from the countryside must not only be stopped, it must be dramatically reversed.

A RURAL REVIVAL

One approach to the problem of population dispersal is to build new communities on rural lands now owned by speculators. This will undoubtedly happen, but it's far from enough. It is much more important to revive existing rural communities, and to do so by enabling greater numbers of people to live decently off the land. There is no shortage of people who want to remain on the land, or return to it, if they could do so at higher than a subsistence level. Many Mexican-Americans, blacks and Indians would be among them. So would many whites who have become drained, physically and spiritually, by city living. The difficulty is that the frontier is long gone. That's why reform, as opposed to the giving away of unsettled lands, is essential.

Land reform is also needed to increase the number of people in the United States who are free. This may sound silly in a country that presumes to be a breeder of free men. Yet ever-increasing numbers of Americans are not really free to assume responsibilities or to make major decisions affecting their lives. They work for large corporations or government bureaucracies or on assembly lines. They are not their own bosses, not proud of their work, and not motivated to exercise their full rights as citizens.

Farming has traditionally been a bastion of the independent small businessman who won't take guff from anybody and who prides himself on the quality of his work. But now farming, too, is becoming computerized and corporatized. Its executives wear silk ties and share the attitudes of other wealthy executives; its workers are powerless, dispensable hirelings. If agriculture goes the way of the auto industry, where will our independent citizens come from?

American land policy should have as it highest priority the building of a society in which human beings can achieve dignity. This includes the easing of present social ills, both rural and urban, and the creation of a lasting economic base for democracy. A second priority should be to preserve the beauty of the land. Production of abundant food should be a third goal, but it need not be paramount and is not, in any case, a problem.

CHANGING THE RULES

To achieve these goals a multitude of reforms should be carried out. First and most importantly, small-scale farming must be made economically viable, so that present small farmers can survive and new ones get started. Unless it is done, there is no point in changing landholding patterns to favor smaller units.

There's no secret to making small-scale farming viable; it can be accomplished by eliminating the favors bestowed upon large farms. Federal tax laws that encourage corporate farming for tax-loss and speculative purposes should be changed, even if this means closing the capital gains loophole. Labor laws should guarantee a minimum wage to farmworkers equal to that of the other workers, and should make the knowing employment of illegal aliens a crime punishable by imprisonment. This would put an end to one of the large landholders' major competitive advantages—their ability to exploit great numbers of poor people—and allow self-employed farmers to derive more value from their own labor.

Subsidy programs, too, should be revised to the disadvantage of big growers. When farm subsidies began during the New Deal, they were intended to help the impovished small farmer. But because they were pegged to total marketings and total acreage rather than to personal income, they wound up lining the pockets of the wealthy.

If farm subsidies are continued—as they should be in order to stabilize farm income—they ought to be strongly weighted in favor of smallness. No farmer should receive subsidies for crops grown (or not grown) on land in excess of a certain acreage, and payments should be graduated downward, somewhat like an income tax in reverse. Alternatively, subsidies could be completely detached from crops and related to income instead. Farmers could sell on the open market, with federal payments making up the difference, if any, between earnings and a minimum livable income.

Also essential to the future viability of small-scale farming is some protection against conglomerates. There is no way a small farmer can compete against an oil company, or against a vertically integrated giant like Tenneco which not only farms tens of thousands of acres but also makes its own farm machinery and chemicals, and processes, packages and distributes its own foods. Such conglomerates aren't hurt by a low price for crops; what they lose in farming they can pick up in processing or distributing or, for that matter, in oil.

The small farmer, on the other hand, has no outside income and no tolerance for soft spots. What he needs is legislation that would prohibit corporations or individuals with more than $50,000, say, in nonfarming income from engaging in farming—in effect, a forceful antitrust policy for agriculture.

A HUMAN SCALE

Once small scale farming is made viable, the second major area for change involves redistribution of land—the kind of peaceful social restructuring that the United States imposed upon Japan after World War II and has urged upon dozens of other nations in Asia and Latin America.

The guiding principles behind redistribution are that land should belong to those who work and live on it, and that holdings should be of reasonable, not feudal proportions. These are not revolutionary concepts; America recognized them in the Pre-emption, Homestead and Reclamation Acts, and is merely being asked to renew that recognition.

A convenient place to start is with enforcement of the Reclamation Act of 1902, which provides that large landholders in the West who accept subsidized water must agree to sell their federally irrigated holdings in excess of 160 acres at pre-water prices within 10 years.

The Reclamation Act has never been properly enforced for a variety of reasons. One is that, through one stratagem or another, large landholders have escaped having to sell their excess lands. Another is that even in the few cases where large landowners have agreed to sell, their prices have been so high, and terms so stiff, that only the wealthy could afford to buy. Occasionally, as in parts of the San Joaquin Valley at the moment, prewater prices as approved by the Bureau of Reclamation are so out of line—higher, in fact, than prevailing market prices—that even wealthy persons have not seen fit to purchase excess lands put up for sale under the law.

To assure not only the sale of excess landholdings, but also their availability at prices that persons of limited means can afford, Reps. Robert Kastenmeier (D-Wis.), Jerome Waldie (D-Calif.) and others have introduced legislation that would authorize the federal government itself to buy up all properties in reclamation areas that are either too big or owned by absentees. The government would then resell some of these lands,

at reasonable prices and on liberal terms, to small resident farmers, and retain others as sites for new cities or as undeveloped open space.

The plan would actually earn money for the government, since the lands would be purchased at true pre-water prices and resold at a slight markup. The money thus earned could be used for education, conservation or other purposes.

Of course, land redistribution should go beyond the Western areas served by federal reclamation projects; in particular, it should reach into the South.

DISCOURAGING DEVELOPERS

Another objective toward which new policies should be directed is preserving the beauty of the land. Reforms in this area are fully consistent with a restructuring of landholding patterns. Thus, a change in local tax laws so that land is assessed in accordance with its use would benefit small farmers and penalize developers. Zoning rural land for specific uses, such as agriculture or now towns, would similarly help contain suburban sprawl and ease the pressure on small farmers to sell to developers or speculators. If as a result of new zoning laws the value of a farmer's land was decreased, he would be compensated for that loss.

An indefinite moratorium should also be placed on further reclamation projects, at least until the 160-acre and residency requirements are enforced, and even then, they ought to be closely examined for environmental impact. Schemes are kicking about to bring more water to Southern California and the Southwest from Northern California, the Columbia River and even Alaska. These plans ought to be shelved. Federal revenues that would be spent on damming America's last wild rivers could, in most cases, be more fruitfully devoted to such purposes as redistributing croplands.

Policy changes in other areas should complement the major reforms outlined above. Existing farm loan programs, for example, should be greatly expanded so that new farmers can get started in agriculture. Farming cooperatives, which can be a starting point for workers unable to afford an entire farm, should be encouraged through tax laws and credit programs. Research funds spent on developing machinery for large-scale farming should be rechanneled into extension programs for small farmers and co-ops.

A GROWING AWARENESS

It won't be easy to enact any of these reforms. Friends of large-scale agribusiness are strategically scattered throughout the Agriculture, Interior and Appropriations committees of Congress, and are equally well ensconced within the Nixon administration. Small farmer associations like the Grange, the National Farmers Union and the National Farmers Organization don't have nearly the clout of the American Farm Bureau Federation, the big grower associations and the giant corporations themselves.

Nevertheless, there are some grounds for optimism. Many citizens and public officials are coming to realize that rural America ought to be revived, cities salvaged, welfare rolls reduced, and they see that present policies aimed at achieving these objectives are now working. Environmentalists who for years have pointed to the dangers of intensive agriculture and the need for prudent rural land use, are finally getting an audience. The list of organizations that have recently urged vigorous enforcement of the 160-acre limitation includes the AFL–CIO, the Sierra Club, Common Cause, the National Education Association, the Grange and the National Farmers Union. That's not enough to sweep Congress off its feet, but it's a good start.

The ultimate political appeal of land reforms is that it places both the burden and opportunity of self-improvement upon the people themselves. It can give hundreds of thousands of Americans a place to plant roots, and a chance to work with dignity. Can we deny them that chance?

NATIONAL PETROLEUM COUNCIL

Mr. HANSEN. Mr. President, the National Petroleum Council, which was organized by President Truman to serve as an advisory group to the Federal Government, has rendered a service that has been both useful and highly objective over the past quarter century.

Currently, the Council is engaged in a study—at request of the Department of Interior—which may be its most significant to date. I refer to its continuing long-range study on the U.S. energy outlook which is scheduled to be completed in July 1972. The Council today is meeting in Washington, and at the midpoint of this significant study it has released an "initial appraisal" of the energy outlook that brings into sharp focus the urgent need for a better economic climate to stimulate development of adequate domestic supplies of oil and natural gas.

These conclusions are reinforced by the recent reprint of U.S. Bureau of Mines Bulletin 650 which estimated that oil recoverable from domestic resources is "more than enough" to meet the high range of projected demand through the year 2000. It is pertinent that the Bulletin calls attention to the fact that—

Estimates of proved and ultimate reserves of the United States are of less significance than the technological and economic factors that influence discovery of resources and conversion into proved reserves.

The domestic producing industry has the ability to assure adequate U.S. supplies of oil and natural gas. Increased prices will be required but the "cost" to the consuming public will be far less than intolerable dependency on insecure foreign sources. As recognized by the Chairman of the President's Council of Economic Advisers, energy has been "more and more a bargain relative to the prices of goods and services generally." Oil and gas will continue to be a "bargain," after reasonable price adjustments that are necessary to restore domestic petroleum exploration to adequate levels.

Any potential "gap" between future U.S. energy demands and domestic supplies would be eliminated by changes in prices which would bring supply and demand into equilibrium. The time has come—and in fact is overdue—to "let the domestic marketplace work." To make it work effectively, new incentives are needed including a peril point beyond which the Nation should not go on depending on foreign petroleum sources, and improved tax treatment to encourage domestic exploration.

It is apparent that, given a chance, the domestic oil and gas producing industry will provide at low and reasonable cost the supplies of these fuels needed to prevent overdependence on foreign supply that has been forecast only recently. This fact is made clear by the NPC's initial appraisal of the U.S. energy outlook, and this is reassuring to those of us concerned with maintaining the Nation's essential strength as to energy supplies.

ADM. THOMAS C. HART, NAVAL LEADER AND U.S. SENATOR

Mr. THURMOND. Mr. President, many distinguished men have served in the U.S. Senate but it is exceptional that an eminent naval officer who rose to high position in the regular Armed Forces should be a Senator. One such example was Adm. Thomas C. Hart who was appointed as a Senator from Connecticut on the death of Francis T. Maloney and served from February 15, 1945, to November 5, 1946. Thus only six members of the present Senate served with him.

Admiral Hart had a most distinguished naval career. He was a great patriot and deserves a prominent place among the annals of World War II. It was Admiral Hart who had the foresight to observe the gathering strength of the Japanese in 1941 and who was well aware of the import of the Japanese buildup. Just as today many people refuse to assess correctly the buildup of the Soviet strategic forces, so, too, Admiral Hart's analysis of Japanese strength was downgraded. But as a result of his precautions the subsequent history of the war in the Pacific was changed.

His service with the General Board of the Navy following return from the Southwest Pacific in 1942 was during the period when that body studied the modernization of the Panama Canal, urged the abandonment of the idea of a sea level canal across the Isthmus and recommended the full support of the Navy Department for what is known as the Terminal Lake—Third Locks Plan. He was an active participant in the formulation of that recommendation which won the approval of President Franklin D. Roosevelt as a post war project.

Mr. President, the New York Times printed a full account of this great American's rich career. It will be of interest to all Senators who knew Admiral Hart, and merits a place in the permanent RECORD of this body. Mr. President, I ask unanimous consent that the obituary of Adm. Thomas C. Hart be printed in the RECORD.

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

ADM. THOMAS C. HART IS DEAD AT 94

SHARON, CONN., July 4.—Adm. Thomas C. Hart, U.S.N., retired, Commander in Chief of the Asiatic Fleet at the time of Pearl Harbor and a former United States Senator, died today in his home at the age of 94.

HELD A TOP COMMAND

(By Farnsworth Fowle)

Admiral Hart, who entered the United States Naval Academy in 1893 and retired in 1945 to serve for two years as an appointed Senator from Connecticut, filling a vacancy, was one of the senior commanders in World War II.

He was sent to Shanghai in 1939 to take command of the Asiatic Fleet and in December, 1941, braced his small force for the Japanese onslaught on the Philippines, Dutch East Indies and Malaya. Called to Washington in February, 1942, he resumed a seat he had held on the Navy's General Board and was entrusted with compiling the Navy's report on the Pearl Harbor disaster that had beset less vigilant commanders at the Hawaiian base.

About two weeks before the aerial attack on Dec. 7, 1941, Admiral Hart, without con-

sulting Washington, had ordered his PBY-2 (Catalina) long-range flying boats to maintain a discreet surveillance on Camranh Bay on the southeast coast of Vietnam.

They found a massing of Japanese vessels in that anchorage as a portent of Japanese readiness to strike south. Admiral Hart relayed this to Washington and felt no great surprise when Washington sent a "war warning" message calling for "defensive deployment" to him and to the Pacific Fleet commander at Pearl Harbor a day or two later.

ISSUED ATTACK ORDER

Before the week-long battle of the Macassar Straits, Admiral Hart issued an order to attack that said "no vessel will leave the scene of action until it is sunk or its ammunition is exhausted."

On his return, President Franklin D. Roosevelt added a second gold star to his Distinguished Service Medal. The citation praised the admiral's "sound judgment and marked resourcefulness in dealing with the difficult military and diplomatic situation" on the eve of conflict, and for handling his fleet as well as could be done in combat.

Born in Davidson, Mich., on June 12, 1877, he was finishing his second year at Flint High School when he learned that a competitive examination for a Naval Academy appointment was being arranged by his Representative. He took the exam, came out first, and then, though just 16, passed the entrance examinations by cram studying.

As a midshipman he was coxswain of crew, at a time when he was getting his first taste of deep-sea sailing on the frigate Constellation, a sister-ship of the Constitution.

GRADUATED IN 1897

He graduated with the class of 1897, which included such future admirals as Henry E. Yarnell, Arthur J. Hepburn and William D. Leahy.

The young officer had his first taste of combat in the Spanish-American War, on the battleship Massachusetts and the ex-yacht Vixen. He ran messages from Navy to Army headquarters and occasionally accompanied Col. Theodore Roosevelt of the Rough Rider regiment when the future President came to the Vixen in search of good dinner in the officers' mess.

In World War I, Admiral Hart commanded submarine units in British and Azores waters, emerging a captain with his first Distinguished Service Medal. His work with submarine forces was credited with "making them tick" in World War II.

He commanded the battleship Mississippi for two years, but later, to the surprise of many, turned down an invitation to command the Navy's battleships, a prize post before Pearl Harbor, in favor of the challenge of the more lightly armed but speedier heavy cruisers.

Shore duties between wars included Naval War College and the course at the Army War College, where he spent a second year by Army request as an instructor in amphibious war. From 1931 to 1934 he returned to Annapolis as Superintendent. Cadets of those years remember him as strict but fair, and that he made an attempt to broaden the curriculum.

His first tour on the Navy's General Board was from 1936 to 1939, when he was sent to Shanghai with the four stars of a full admiral to command the Asiatic Fleet, of which he said: "All my ships were old enough to vote."

Reading the signs of coming conflict, he moved his headquarters to Manila. He was credited with dispositions that saved all his surface ships and more than 200,000 tons of merchant vessels in the initial Japanese attack.

In February, 1942, he was ordered home, turning over command of his fleet to the Netherlands commander of the Allied fleet. Though a year overdue for retirement, he was immediately recalled to active duty and a seat on the General Board, while Congress voted him permanent four-star rank.

One of his wartime duties was to collect depositions for the Navy's inquiry into the Pearl Harbor disaster, before memories faded. For this, he traveled extensively through the combat theaters and also spoke and wrote at home to publicize the Navy's war effort.

Admiral Hart had made the King house, a historic mansion in Sharon, Conn., his family home since 1924. In February, 1945, he accepted appointment by Gov. Raymond E. Baldwin, a Republican, as Senator to fill the vacancy caused by the death of Francis T. Maloney. It was at that time that he stepped down from the General Board.

As a Republican Senator he maintained that he was not a Navy spokesman and subsequently declined service on the Naval Affairs Committee, although he later agreed to serve on the Military Affairs Committee after being assured that the Army would welcome his presence.

He was an opponent of the merger of the armed services into a single Department of Defense. He contended that a separate Air Force would combine with the Army to diminish the Navy's role—and he also thought that the combination of air and surface forces in a single branch, as in the Navy, was more effective militarily than their separation.

Admiral Hart did not seek election in 1946.

In October, 1947, he warned that Korea probably would become the 17th Soviet Republic. "A Sovietized Eastern Asia," he said, "is fully as menacing to us as would be a Sovietized Western Europe, and the probability that it may happen is decidedly greater."

He regretted in the light of later events that the United States had sought Russian entrance into the war against Japan, saying that "Japan's China army gave up, the Russian troops were not needed at all and the estimate was wrong."

Last November, he welcomed the election of his Sharon neighbor, James L. Buckley, as Conservative Senator from New York. "I always knew Jimmy had the stuff," he said.

In Sharon, he was active in such civic enterprises as the reforestation of Sharon Mountain, the Sharon Hospital, and in establishing the Sharon Historical Museum to which he gave his collection of firearms.

Admiral Hart is survived by his widow, the former Caroline Brownson, daughter of an admiral; a son, Roswell R. of Sharon; 3 daughters, Mrs. LaVerne Baldwin of Taconic, Conn., Mrs. Dana Bergh of Rochester, and Mrs. Francis B. Sayre Jr. of Washington; 13 grandchildren and a great-grandchild.

A funeral service will be held Wednesday at noon in the First Church of Christ, Congregational, in Sharon. Burial will be in Arlington National Cemetery following a service in the chapel at Fort Myers in Arlington, Va., on Thursday at 10 A.M.

EDITOR OF CHICAGO TRIBUNE CLARIFIES NEWSPAPER'S WORLD WAR II ROLE

Mr. PERCY. Mr. President, the recent controversy which surrounded the publication of the Pentagon papers by the New York Times, the Washington Post, and other newspapers was not the first time that a national debate has been generated by a clash between the constitutional right of freedom of the press and the Government's desire to keep certain information from being publicly disclosed.

Almost 30 years ago, just prior to this country's entry into World War II in December of 1941, and later in mid-1942, the Chicago Tribune was involved in two incidents which raised issues similar to those which surfaced during the furor over the publication of the Pentagon papers.

In an article which was printed on the opposite editorial page of the New York Times on July 9, Clayton Kirkpatrick, the editor of the Tribune, reviewed the history of these incidents and eloquently defended his newspaper's right to print the controversial stories.

Mr. President, I believe Mr. Kirkpatrick's article would be of particular interest at this time; therefore, 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:

THE CHICAGO TRIBUNE

(By Clayton Kirkpatrick)

CHICAGO.—Thirty years from now historians may be recounting the story of how The New York Times obtained and printed secret Pentagon documents describing the background of the war in Vietnam.

How accurately will they tell it? More accurately, Times editors may hope, than historian Arthur Schlesinger Jr. told the story (Op-Ed page, June 24) of the Chicago Tribune's involvent in similar situations in 1941 and 1942.

The gist of this commentary is (1) that The Tribune, on Dec. 4, 1941—three days before the Pearl Harbor attack that launched the United States into World War II—printed the substance and much of the text of the U.S. plan for waging the war, and (2) that on June 7, 1942, it printed a story that disclosed that the U.S. had broken Japan's secret communications codes.

The controversy involving The Tribune was colored by the intense hostility between Col. Robert R. McCormick, editor and publisher, and President Franklin D. Roosevelt. The Tribune had bitterly opposed American participation in the war which broke out in Europe in 1939. It charged that Mr. Roosevelt was maneuvering secretly to get the United States into the war while promising publicly not to send Americans to die on foreign battlefields.

Schlesinger comments: "These were disclosures that might well have caused irreparable injury to the defense interests of the United States." Schlesinger argues that "the Roosevelt Administration could have made quite a case against The Tribune thirty years ago but in the end declined to do so. The question is what sort of case the Nixon Administration, in these far less stringent and perilous days, can bring against The Times."

Two basic assumptions underlying these assertions are unworthy of any scholar or historian:

The Tribune would knowingly print material of great strategic and military sensitivity that would put the country in danger.

The offenses were forgiven by a generous President and his Federal hierarchy.

Take the first assumption. The story published on Dec. 4, 1941, was written by Chesly Manly, a Washington correspondent now dead. In the first paragraph the story identifies the war plan report as "a confidential report," not "the secret" report as Schlesinger describes it.

Later it was identified as one of several contingency reports drafted by the Department of the Army. The planned action it described was scheduled to begin on July 1, 1943—more than 18 months away from the date of publication and of the actual entry of the U.S. into the war.

The essential substance of the story was mentioned in a Senate speech by Senator Burton K. Wheeler on Nov. 4, a month before the story appeared.

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Stephen T. Early, Presidential press secretary, rolled with the punch.

"Your right to print the news, is I think, unchallenged and unquestioned," Mr. Early told reporters. "It depends entirely on the decision of the publisher and editor whether publication is patriotic or treasonable."

The executive branch reacted much more violently to The Tribune story of June 7, 1942. This story reported in considerable detail the ships that comprised the Japanese fleet at the Battle of Midway.

Information for the story was supplied by Stanley Johnston, a war correspondent who had covered the earlier battle of the Coral Sea and had returned to Chicago to write that story.

Johnston's deductions were remarkably accurate—so accurate that Navy intelligence, which had broken the Japanese code, suspected that the Japanese would realize their messages had been decoded when they read the story.

The day after the story was printed the Bureau of Censorship notified Arthur Sears Henning. The Tribune's Washington bureau chief, that The Tribune was cited for violating censorship. He replied in writing and within hours was told that the bureau "had no further quarrel with The Tribune in this matter."

The matter rested until Aug. 7 when Attorney General Francis Biddle announced in Washington that a Federal grand jury in Chicago would investigate charges that The Tribune had published confidential information.

The grand jury met and heard the evidence including testimony from Johnston, Wayne Thomis, and J. Loy Maloney, managing editor. The jury refused to indict on Aug. 20.

The best evidence that The Tribune's story had not breached U.S. security was that the Japanese continued to use the broken code after the June 7 story.

The Tribune commented editorially that the entire episode was an attempt to attack The Tribune politically.

The Tribune has never wavered in its conviction that the controversial stories violated no law and that publication was consistent with a newspaper's privileges under the First Amendment. Only a distortion of history could support the insinuations that the newspaper violated national interests.

WOMEN IN MEDICAL EDUCATION

Mr. McGOVERN. Mr. President, I was gratified that the amendment I cosponsored with Senator HART and Senator MATHIAS designed to prohibit discrimination by medical schools on the basis of sex was yesterday incorporated in the Public Health Service Act amendments which passed the Senate.

There are two grave ills that are rectified by this legislation.

The first is that of discrimination. One-half of our populace is systematically excluded from a medical education. Many medical schools are quite overt in their policy of refusing admission to women unless they are extraordinarily highly qualified, most classes being about 10 percent female. It is entirely wrong that a young woman of intelligence and compassion should live with the knowledge that she will be unable to use these qualities in the pursuit of a medical career because of her sex.

Further, this bill will open the nursing profession to men. Many veterans, returning from Vietnam with battlefield nursing experience, should be able to use this hard-won training for peace and health, rather than only under conditions of war and destruction. It is all too easy to forget that sex discrimination is a double-edged sword, limiting men as well as women.

The second is that of waste. America needs the best possible medical care. It is a disgraceful fact, for instance, that we rank 14th among the nations of the world in infant mortality. We cannot afford to have this bill pay for the education of second-rank applicants, chosen only because they are male. We must use all our most talented people; many of these are female.

The amendment provides that no medical school shall receive Federal funds under this program without first proving assurance satisfactory to the Secretary of HEW that it will not discriminate on the basis of sex in admission of individuals to its training programs. I understand this to mean that each school will outline the specific actions it is taking to end any previous discrimination against women. Further, it is the responsibility of the Secretary to outline rigorous requirements so that no school shall be in doubt as to the standards expected of it. In addition to training the finest possible medical personnel, it will be a part of the battle to rectify the ancient injustice done women in preventing them from developing their fullest potential, in not accepting each individual at full value. Every American schoolboy is taught that his opportunity is limited only by his ability. The axiom must be made true for schoolgirls as well. As we limit our women, so do we limit our Nation.

THIRTIETH ANNIVERSARY OF THE ACT OF PROCLAMATION OF THE RESTORATION OF THE UKRAINIAN STATE

Mr. THURMOND. Mr. President, we have recently celebrated the anniversary of independence in the United States. We are so accustomed to being a strong and independent Nation that we sometimes forget the significance of what it means to be free and to live under a government of your own choosing.

In 1941, the Ukrainian nation similarly declared their own independence. In the disarray which followed upon the Nazi invasion of the Soviet empire, the people of the Ukraine attempted to seize the initiative and form a free and independent state. This was on June 30, 1941. The independence was shortlived, however, for the Soviets soon moved in to crush the provisional government. By July 12, the government had been destroyed and the members of the government arrested. The spirit of freedom however, has not yet died. In recalling this historic event, the Women's Association for the Defense of Four Freedoms for Ukraine, Inc., released a statement summarizing the events of that 2-week period. The women's association has been vigorously keeping alive the memory of this battle and is constantly looking forward to the time when the Ukrainian state may be restored to liberty.

Mr. President, I ask unanimous consent that the statement by the Women's Association for the Defense of Four Freedoms for Ukraine be printed in the RECORD.

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

STATEMENT BY MRS. ULANA CELEWYCH, PRESIDENT

On the occasion of the 30th Anniversary of the Act of Proclamation of the Restoration of the Ukrainian State, June 30, 1941, a short review of its history is warranted as a lesson to other free nations, including the United States:

The first Ukrainian National Republic flourished from 1917 until 1920, when Russia invaded the Ukraine once again, this time wearing the Red mask of Communism. Man-made famine followed during the early 1930's, along with mass murders, purges and deportations.

Thus it was that in June of 1941, when the Soviet-German war broke out, Ukraine (still under Russian occupation) again found itself a battleground. When the Reds surrendered Lviv, the capital of Western Ukraine, to the Nazis, the people took advantage of the situation to set up their own provisional government.

The Organization of Ukrainian Nationalists (OUN), a respected underground organization which had carried the brunt of the struggle for Ukrainian independence for many years, authorized the Honorable Yaroslav Stetsko to proclaim the Act of Restoration of the Ukrainian State, in Lviv, June 30, 1941, as follows:

1. By the will of the Ukrainian people, the Organization of Ukrainian Nationalists under the leadership of Stepan Bandera proclaims the restoration of the Ukrainian State, for which entire generations of the best sons of Ukraine have given their lives.

The Organization of Ukrainian Nationalists, which under the direction of its creator and leader Evhen Konovalets during the past decades of blood-stained Russian Bolshevik subjugation carried on a stubborn struggle for freedom, calls upon the entire Ukrainian people not to lay down its arms until a Sovereign Ukrainian State is formed in all the Ukrainian lands.

The sovereign Ukrainian government assures the Ukrainian people of law and order, multi-sided development of all its forces, and satisfaction of its demands.

2. In the western lands of Ukraine, a Ukrainian government is created which will be subordinated to a Ukrainian national administration to be created in the capital of Ukraine, Kiev.

3. The Ukrainian national-revolutionary army, which is being created on Ukrainian soil, will continue to fight against the Russian occupation for a Sovereign All-Ukrainian State and a new, just order in the whole world.

Long live the Sovereign Ukrainian State!

Long live the Organization of Ukrainian Nationalists!

Long live the leader of the Organization of Ukrainian Nationalists—Stepan Bandera!

The City of Lviv, June 30, 1941, 8 p.m.; Head of the National Assembly; Yarosalv Stetsko.

The Proclamation was unanimously approved by the Assembly, consisting of leading representatives of political, cultural and religious life, including His Eminence Bishop Joseph Slipyj (who later spent 18 years in Russian concentration camps before release in 1963). Both Metropolitan Andrew Sheptitsky, leader of the Ukrainian Catholic Church, and His Excellency Metropolitan Polikarp of the Ukrainian Orthodox Church also recognized the Proclamation and gave the Lviv government with its new Prime Minister, Yaroslav Stetsko, their blessing.

The country's leaders realized that the

consequences would be mass arrests and the creation of a second front against Ukraine by the Nazis-conquerors. Many members of the new government were arrested and imprisoned, including Yaroslav Stetsko and Stepan Bandera. During this Gestapo wave of terror, the OUN established the Ukrainian Insurgent Army (UPA) under the leadership and command of General Taras Chuprynka in 1942.

Hitler's brutal command to Himmler to "establish order" in the Ukraine, destroyed all possibility of future cooperation. This action was one of the deciding factors that lost the war for Germany in Eastern Europe. (Three years later, Hitler realized his error and tried to collaborate with Stetsko and Bandera for an independent Ukraine, but it was too late.)

UPA waged war against both Russia and Germany. The Ukrainian Red Cross (independent of the International Red Cross because of wartime conditions), performed near-miracles in the line of duty and deserves the highest honors. Many of its courageous women volunteers have now been in Soviet slave camps for 26 years!

In keeping with the spirit of the Proclamation contact was made with neighboring nations in their common cause. Thus in 1943 the first international conference of representatives of other captive nations was held in the Volyn Province of Ukraine. At its conclusion the international organization of the Anti-Bolshevik Bloc of Nations was founded. This vital group adapted a liberation program which remains in force today:

1. Liberation by the peoples' own forces.
2. A common front of all enslaved nations with coordinated strategy and actions.
3. Disintegration of the Russian Empire and restoration of freedom to the enslaved nations.

This 30th Anniversary of the Restoration of the Ukrainian State finds their spirits still strong. The young generation of Ukrainians who have witnessed the example of brave parents, find the slogan "An Independent Ukraine" mobilizing them to action. Workers' strikes, demonstrations, clashes with Russian forces in various cities, protests against imprisonment of intellectuals, etc. are expressions of their restlessness.

Today, around the world, Ukrainians are unified in the knowledge that for them, no price is too high and no fight too long in the cause of the final restoration of the Ukrainian Sovereign State and the guaranty of liberty and human rights once more to the people of Ukraine.

CATOCTIN IRON FURNACE

Mr. MATHIAS. Mr. President, throughout our land we are constantly faced with the danger that 20th century progress will erase important elements of our past. In Frederick County, Md., is the ruin of Catoctin Iron Furnace, a colonial ironworks which continued to operate into the 20th century. Now, the need for an improved highway through this area has raised the question of the future of what is left of Catoctin Furnance.

The dilemma presented by such a situation has been presented by an article published in the Washington Sunday Star. 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:

[From the Sunday Star, June 20, 1971]

CATOCTIN FURNACE IS THREATENED

(By Joy Aschenbach)

Catoctin Iron Furnace, a towering stone structure that supplied cannon shells for the Revolutionary War, has withstood two centuries of civilization.

It was the only Colonial ironworks in Maryland that continued to operate in the 20th century, closing down in the early 1900s. The last of its furnaces, a section of a massive stone retaining wall and two mine pits still can be found hidden off U.S. Route 15, about 10 miles north of Frederick.

Clustered nearby is the tiny community of stone and log houses where the ironworkers used to live. The historical marker says that Gov. Thomas Johnson and his brothers owned the ironworks and that 100 tons of shells used at the Battle of Yorktown were cast there.

ARCHEOLOGICAL STUDY

Now, Rte. 15 is moving in, and some people fear the highway expansion will endanger what is left of Catoctin Furnace. After a public hearing last month, the State Roads Commission called for what officials say is the first archeological study of a highway construction site in Maryland.

As planned, the 20-mile stretch of Rte. 15 from Frederick north to the Maryland line will be widened from a two-lane road to a dual highway.

At Catoctin Furnace, both the 76-foot-wide median and the second set of lanes are scheduled to go east of the existing roadway, eliminating the two mine pits and coming within 50 feet of the old ironworks.

Among those who want the highway relocated are Frank Mentzer, superintendent of the federal Catoctin Mountain Park, who spoke at the hearing, and the Catoctin Mountain Tourist Council.

"It will destroy the ore pits and come perilously close to the furnace ruins," Mentzer said. "The vibrations from the construction equipment alone will threaten the furnaces and the heavy truck traffic on the highway may destroy them."

The route's opponents also contend that the proximity of the highway will interfere with future efforts to restore the ironworks, which is now owned by the state, and open it as an official tourist center. The Maryland Historical Trust is considering having the furnace ruins and the nearby community declared a historic district.

The Roads Commission's study, being conducted by a private archeologist, was commissioned because "everyone today is conscious about the possible destruction of our heritage and we want to make sure we are on solid ground before going ahead," according to Paul Mylash, of the special services division.

ONLY LIMESTONE PITS?

A point of dispute, Mylash said, is whether the mine pits actually are ore pits that served the ironworks, as some claim, or whether they simply are limestone pits. This will be a factor in determining where the highway will go, he added.

The only option available in relocating the roadway, he said, is narrowing the grass median. Federal highway regulations require a minimum width of 40 feet for the median, which could enable the roadway to be moved 36 feet more from the ironworks, he said.

Once the state decides what to do, after the study is completed early next month, the Federal Highway Administration also must determine whether the location of the roadway endangers a historic site.

PANAMANIAN GOALS IN NEGOTIATIONS

Mr. THURMOND. Mr. President, on June 26, 1967, the Presidents of the United States and Panama jointly announced the completion of negotiations for three proposed new Panama Canal treaties to replace the 1903, 1936, and 1955 treaties. One proposed convention concerned the operations and management of the existing canal, a second the construction of a new canal of so-called sea-level design, and the third their defense.

That White House announcement evoked sharp reactions against the proposed treaties in Panama as well as in the United States and the Congress. Through the journalistic initiative of the Chicago Tribune, the texts of the three proposed agreements, which had been secret, were ferreted out and published. I had these texts printed in the CONGRESSIONAL RECORD of July 17, 21, and 27, 1967, Robert B. Anderson, a former Secretary of the Treasury, was the chief U.S. negotiator for them. Because of the strong opposition that developed in both Panama and the United States after their provisions became known, they were never signed.

Four years have now passed and representatives of Panama and the United States are again engaged in negotiations in Washington for new canal treaties with the same type of secrecy in the United States that prevailed for the discredited 1967 treaties, with Robert B. Anderson again serving as chief U.S. negotiator, John C. Mundt as his deputy, and Col. John P. Sheffey, former executive director of the 1964–70 sea level canal studies, and their active supporters in the State Department.

The negotiations for the proposed 1967 treaties were originated by the State Department as the result of the January 9–12, 1954, Red-led Panamanian mob assaults on the Canal Zone, which resulted in the loss of both United States and Panamanian lives and an appalling destruction of North American owned property in Panamanian territory. The present negotiations are apparently being started because of the desire of the current revolutionary government of Panama to remain in power by means of a dramatic success in wresting control of the U.S. owned Canal Zone from the United States.

The mass news media of our country has failed to present the current situation on the Isthmus in its stark realities but the Panamanian press, under the strict control of the revolutionary government, published nothing except that approved by the revolutionary government. Consequently, all the publications in Panama are devoted to aggressive propaganda of the strongest character against the United States in support of the revolutionary policy of driving the United States from the Isthmus and bringing about the surrender of the Canal Zone to Panama.

On the eve of the departure of the Panamanian envoys for Washington, the Panama Star and Herald, a leading Panama newspaper revealed their diplomatic objectives and instructions as follows:

Removal of the United States from sovereignty and jurisdiction over the Canal Zone.

Refusal to sign any treaty that does not surrender control over the Zone to Panama.

Taking over by Panama of all civil governmental functions of the Canal

Zone government, including the police, courts, port officers, sanitation, customs houses, schools, hospitals, commissaries, and municipal engineering.

Termination of the perpetuity clause in the present canal treaty.

Use of the Canal Zone territory by Panama for its own development.

Removal of the "causes of conflict" described as the "overwhelming presence of the United States" and having a "government within a government," and securing a larger distribution of "benefits" to Panama.

Mr. President, I ask unanimous consent that the texts of two articles from the Star and Herald be printed in the RECORD at the conclusion of my remarks as follows: "Dissatisfied Panama Seeks Zone Control," June 20, 1971; and "No Jurisdiction, No Treaty, R. P. Negotiators Say," June 26, 1971.

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

(See exhibit 1.)

Mr. THURMOND. Mr. President, as regards the complete sovereignty and jurisdiction in perpetuity over the Canal Zone now held by the United States, our country could not, and would not, have constructed the Panama Canal and subsequently maintained and operated it without the power thus to act. This power in perpetuity is not a one-sided grant but an obligation on the United States in perpetuity that assures by U.S. presence in the zone territory its continued Panamanian independence and prevention of a Communist takeover of Panama that otherwise could take place overnight and lead to U.S.S.R. dominance of all of Latin America. Furthermore, a treaty with a revolutionary government that ignores all the realities involved and is based upon false premises may prove not worth the paper on which it is written. Nor should it be overlooked that the Panama Canal forms a part of the coast line of the United States and that its protection is probably just as vital to national security as is the defense of New York harbor or of our great transportation systems.

Mr. President, through a series of foreign policy failures over the past decade, the United States has tarnished its image of greatness abroad and is now viewed as confused and vacillating. The Panama Canal is not merely a tremendous construction project but one of the world's most vital strategic centers. The entire world is watching to see what we do there. I can think of no better way to start returning our rightful image of great leadership, especially in Latin America, than to stand firm at Panama as called for by many pending resolutions in the House opposing any surrender there.

To drive the United States from the Isthmus when Cuba is under Soviet dominance and missile equipped Soviet submarines are infesting the Caribbean ready to strike in support of long sustained Soviet policy for gaining control of the Panama Canal, is a stark reality that can be disregarded only at our peril. What is taking place on the Isthmus, in which the Panama Canal is the prime objective, is just as much a part of Soviet global strategy as were the Near East and Korea, and now Vietnam.

The news stories in the Star and Herald emphasize that if unable to obtain the surrender of the Zone territory to Panama, Panama's representatives stated that they will return home without a treaty and explain the reasons why, but that they would not predict the "reactions of the Panamanian people." This, Mr. President, is political blackmail under the implied threat of violence that no respected government can accept.

In this general connection, it should be noted that since the revolutionary government of Panama retains power by the support of its National Guard under the command of Brigadier General Torrijos, he may be displaced at any time by counter revolutionaries who would discard any treaty made by his government. In any event, it is highly unwise for our administration to negotiate any treaty except with a constitutionally elected government of Panama.

That country has had many constitutional presidents and some had excellent records in their administrations. One of the most outstanding was Dr. Belisario Porras, who was elected three times and proved himself a friend of the canal enterprise and passed into history as one of the outstanding statesmen of all of Latin America.

An interesting point in one of the news stories is that Panama is prepared to negotiate only concerning the present lock-type canal. As current treaty provisions allow for expansion of existing facilities and new construction in the Canal Zone, there is nothing to negotiate on this point.

The 1939 third locks project was authorized under treaty provisions. More than $76,000,000 was expended on it before construction was suspended in May 1942, largely for excavating lock sites for larger locks for larger vessels at Gatun and Miraflores. These excavations are usable.

Current bills for the major modernization of the existing Panama Canal, S. 734, which I have introduced, and the companion bill in the House, H.R. 712 introduced by Representative DANIEL J. FLOOD, require no negotiations for the work contemplated. When enacted they will quickly end all uncertainty over the future of the Panama Canal and thus bring tranquility to the Isthmus by means of a great construction project that in the opinion of competent authorities would provide the best operational canal practicable of achievement at least cost. In view of this, such action by the Congress would win the acclaim of all major users of the canal as well as preserve and expand the economy of Panama.

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

[From the Star & Herald, Panama, R.P., June 20, 1971]

DISSATISFIED PANAMA SEEKS ZONE CONTROL

(EDITOR'S NOTE.—Charles Green, Chief of the Mexico Bureau of The Associated Press was in Panama recently. He wrote the following story on Panama-United States treaty negotiations.)

(By Charles Green)

PANAMA, June 19.—The United States will soon have to begin negotiating with this dissatisfied country on a new Panama Canal treaty.

The waterway, which cuts Panama in two, is a constant source of irritation for Panamanians who resent U.S. control of the areas adjacent to the Canal—the so-called "Zone."

Signing of a new treaty to give Panama jurisdictional control over the Canal Zone has become a current strengthening nationalism in this country.

The 1903 treaty, still in force, gives the United States jurisdiction over a strip on both sides of the waterway. Reclamation of this area gave rise to riots in 1964 which compelled the United States to agree to negotiate a new treaty to put an end to the conflict.

In 1967, a draft of a new treaty was ready but was not ratified by either government. In August last, strongman Omar Torrijos shelved this draft arguing that the main source of conflict—control of the "Zone"—was not modified.

"We must eliminate the basic cause of conflict—United States jurisdiction over the Canal Zone," Foreign Minister Juan Antonio Tack recently told a group of students. The proposed new treaty at the same time would eliminate the clause giving control of the Canal Zone in perpetuity to the United States.

Torrijos' revolutionary government has publicly adopted a hard-line for negotiations—a line which some conservative American elements in the Zone think might lead again to serious anti-U.S. feelings.

Tack and the three Panamanian negotiators—former Foreign Minister Carlos Lopez Guevara, former Minister of Commerce and Industry Fernando Manfredo and Ambassador to the U.S. Jose Antonio de la Ossa—have held a series of meetings with businessmen, workers and students, aimed at making public Panama's position in the negotiations.

Their position at those meetings has been that Panama will demand that the 1903 treaty be cancelled and Panama recover jurisdiction over the Canal Zone, with the premise that the United States would be permitted to operate the Canal under Panamanian supervision.

ASKING TOO MUCH

There are some in the Zone who believe that Torrijos' government may be asking for something the United States is not willing to grant and that it might return from Washington to Panama with something less than the people expect.

This frustration, it is said, could be explained by anti-United States elements to create a problem similar to that of 1964. One of Panama's main arguments is that the Canal Zone is the product of colonialism and that it also violates Article 103 of the Charter of the United Nations.

The United Nations Charter, Dr. Lopez Guevara says, has precedence over the 1903 treaty.

"The 1903 treaty provides that the Canal Zone must be neutral," Lopez Guevara told students, "but we have official documents showing that the United States is using its military bases in the Canal Zone as part of its strategic defense system."

"In addition, they are violating the neutrality clause of the 1903 treaty and we have the right to denounce that treaty because of that violation," he added.

"We will negotiate with the support of the people," Tack said. "This not only will be a revision of the existing treaty but negotiations to give Panama a brand new treaty with

sovereignty and total jurisdiction for Panama."

JOINT CONTROL?

The position of the United States negotiators, Robert Anderson and John Mundt, has not been made public here, but they are expected to propose some kind of joint control over the Canal Zone with U.S. majority on the controlling agency.

The Panamanian proposal would leave operation of the Canal in the hands of the Panama Canal Company, but would make of the Canal Zone an integral part of Panamanian territory, subject to the laws and courts of Panama.

The people of Panama have received many promises from the government that something will be done about the 1903 treaty, so that the revolutionary government's pledges are taken calmly by many. But nationalism is intense. Students and leftist commentators are adopting hard positions and urging the government not to back down on the question of jurisdiction.

A new treaty must be ratified by the U.S. Senate. How Panama would ratify it is a matter for debate, since Torrijos abolished the legislature when he overthrew the constitutional government of Arnulfo Arias in October, 1968.

One way could be a national plebiscite, giving the citizens the right to accept or reject the contents of the treaty.

If the negotiations fail, Tack told the students, "we will go before public opinion."' Lopez Guevara said the first step probably would be an appeal before the Organization of American States and if this too failed, then an appeal before the United Nations.

[From the Star & Herald, Panama, R.P., June 26, 1971]

NO JURISDICTION, NO TREATY, R.P. NEGOTIATORS SAY

Panama's treaty negotiators will not sign a treaty with the United States that does not give back to this country jurisdiction over the Canal Zone, now under United States control.

At a press meeting on the eve of their departure Sunday for Washington, they said if a just treaty for Panama cannot be obtained "we will return without a treaty" to tell the people why the negotiations failed.

"I cannot predict what the reaction of the Panamanian people will be," Dr. Alfredo López Guevara said. He and Fernando Manfredo will join the third member of the Panamanian negotiating team, Ambassador José Antonio de la Ossa, in Washington.

López Guevara and Manfredo reiterated at the 2-hour press conference Thursday night at the Casa del Periodista that Panama's paramount objective in the coming round of talks is full jurisdiction over the Canal Zone and that they have clear instructions to that effect. They said Panama is prepared to grant the United States administrative rights to assure the safe and efficient passage of ships through the waterway and to participate jointly with the United States in providing adequate protection to the vital installations of the waterway.

JURISDICTION FOREMOST

They stressed the question of Panamanian jurisdiction will be foremost.

Negotiator Manfredo said there has been an exchange of agendas between the two countries and that there are indications there is sufficient ground to come to an understanding. He said the United States realizes it cannot live in tranquility in the Canal Zone under the present system of American control which dates back to 1903.

On the question of jurisdiction, Dr. López Guevara recalled that until 1911, Panamanian laws were enforced in the Canal Zone through Panamanian courts. In that year, the United States unilaterally changed the system to enforce its own laws through its own courts.

Today, Manfredo pointed out, 5,500 American personnel and dependents from the Canal Zone live in Panama, under Panamanian laws, without any problem.

POLITICAL DECISION

With respect to military bases in the Zone, the negotiators said that by the United States's own admission, these are for national and hemispheric defense, not for the protection of the Panama Canal. They cited training in the Canal Zone for American military personnel assigned to Vietnam. This, they added, is a violation of the 1903 provisions on the neutrality of the canal and gives Panama grounds for denouncing the 1903 treaty. Denunciation, however, is a political decision which Panama has not yet exercised, they added.

If negotiations fail, according to Dr. López Guevara, Panama is committed with the United States before the Organization of American States to seek a peaceful solution for their conflicts and Panama would still have available such recources as denouncing the 1903 treaty or seeking its nullification.

In answer to a newsman's question, the negotiators said Panama has not withdrawn the complaint of aggression lodged against the United States with the United Nations in connection with the armed clashes between Panamanian civilians and U.S. Army troops. The 1964 crisis, they pointed out, led to the present negotiations.

CANAL IS ONLY AIM

Panama is going into these negotiations prepared to discuss only the present lock canal, but if the United States raises other questions such as a new canal, Panama will analyze the proposals, the negotiators said.

The objective of the negotiations is to eliminate the causes of conflict between the two countries—and the over-all cause is the "overwhelming presence" of the United States, the negotiators said. The immediate objective is to reduce that presence; the long-range goal is a Panamanian canal run by Panama and the complete elimination of the Canal Zone, they added.

"This will not be a revision," Dr. López Guevara said. "This will be a new treaty. We're starting from scratch."

In his opening remarks, Manfredo told newsmen Panama will seek to provide all services to the population of the Canal Zone. Revenues from taxes and from the operation of commercial activities, he added, would enable Panama to maintain the present standard of such services.

Manfredo termed Panama's position one of "fair equilibrium."

Disclosing that Panama's negotiators have toured the Canal Zone and the Panama Canal with the full cooperation of officials there, Manfredo declared he is more convinced than ever that Panama can take over responsibility for civilian activities of the Canal.

BEGAN IN 1903

Dr. López Guevara said in his opening remarks that the series of conflicts between Panama and the United States arise from the manner in which the present treaty was signed in 1903 and from the unilateral interpretation of the instrument by the United States since 1904.

As an example of the unilateral interpretation of the treaty, Dr. Guevara called attention to Article 1 of the 1903 Treaty, granting to the United States rights on a strip of land 5 miles on either side of the Canal but excluding the cities of Panama and Colon. The United States, he said, by unilateral interpretation took away La Boca and the harbor from Panama Panama City, depriving this country of its port.

He said the negotiators are leaving now for the United States for the first round of talks but will return to Panama for other discussions, for the two countries have agreed to conduct negotiations in the United States and in Panama and "wherever else it may be convenient."

POLICY CHANGE SEEN

Dr. López Guevara expressed optimism regarding a change for the better in U.S. international policy citing these recent developments:

Abrogation of the Bryan-Chamorro treaty between the United States and Nicaragua concerning a Nicaraguan canal.

The return of Okinawa to Japan.

(A newsman later challenged these two examples, saying the Nicaraguan canal never was built and that the Japanese people are unhappy because the United States will keep military bases in Okinawa.)

Pointing out that Japan fought against the United States in the last war, Dr. López Guevara remarked: "We have far more reasons than Japan to expect that we will receive justice."

He appealed for national unity and expressed confidence that students would keep high the torch in the struggle to return the Canal Zone to Panamanian jurisdiction.

Here are the answers the two negotiators gave to questions from the floor.

NEUTRALITY PROVISIONS

The United States by its own admission, has used the Panama Canal as a logistical support for their own military operations, regard the military bases in the Canal Zone as part of the national and hemisphere defense systems, and have used such bases to train American military personnel for duty in Vietnam. This is a clear violation of the neutrality provisions in the 1903 treaty of the Panama Canal, and gives the right to Panama to denounce the treaty (as the United States did with respect to the Clayton-Bulwer Treaty). Denouncing a treaty, however, is a political decision up to the government and not to the negotiators.

The 1967 treaty drafts (on the present canal, the sea-level canal and defense of the waterway) have been rejected by this government because they are not entirely fair to Panama. But there are some good provisions in those drafts. The trouble with the 1967 drafts is that they were negotiated with a revisionist mentality.

Now Panama seeks a brand new treaty that will eliminate the sources of conflict and provide a fair share of the benefits to each country, on the basis of what each furnished for the construction of the waterway—the United States, money; Panama, the land, geographical position and cheap labor.

The causes of conflict that must be eliminated are "a government within a government," the overwhelming presence of the United States, the present unfair disposition of benefits, and the perpetuity clause. Some provisions of the new treaty will be similar to those of the 1967 drafts.

TO ELIMINATE CONFLICT

The actual negotiations have not begun. There have been preliminary contacts. Panama has received an agenda proposed by the United States and in turn has proposed its own agenda. Indications are that there is sufficient ground to arrive at an understanding. This team of negotiators has clear instructions that the paramount objective for Panama is the reacquisitions of jurisdiction over the Canal Zone—meaning the enforcement of Panamanian laws through Panamanian courts.

The coming negotiators are intended to eliminate the causes of conflict originating from the present canal and the Panamanian

negotiators have been instructed to limit discussions to the present waterway. The question of a new canal does not come into the present picture.

While Panama is a signatory to the 1947 hemisphere defense treaty, it has signed no treaty with any country authorizing bases in its territory for hemisphere defense.

The Panamanian complaint of aggression against the United States, lodged with the United Nations in 1964, has not been withdrawn.

TOO MUCH IDLE LAND

Panama's objective is to put an end to the perpetuity of the present canal arrangements. The immediate goal is to reduce the physical area of the Canal Zone. There is too much land in the Canal Zone that lies idle and which Panama needs for its own development; thus, the final goal is the elimination of the Canal Zone. There is a great economic potential for Panama on the banks of the canal. The present Canal Zone area of 97,000 hectares above water must be reduced to a minimum.

There is no deadline for completing the negotiations. The 1903 treaty still is in force; Panama has not exercised so far the political decision to denounce the treaty or to invoke its nullification. Panama has an undertaking now to negotiate; if the negotiations fail, Panama can denounce the 1903 treaty or declare its nullification or pursue other steps. Panama sees full jurisdiction over the Zone, that is, that all activities there—hospitals, schools, commercial operations, etc.—now conducted by the United States government for the community be provided by Panama, either by the government or by authorized concessionaires; in other words, reducing the overwhelming presence of the United States.

PLEBISCITE FOR TREATY

Panama wants sole jurisdiction in the Canal Zone, just as it existed until 1911. Gov. George Goethals, in his 1911 annual report, praised the Panamanian laws that governed the Canal Zone then. In the years immediately following the 1903 treaty, Panamanian courts operated in the Canal Zone. Today, there are 5,500 American personnel and their dependents from the Canal Zone living in Panama, under Panamanian laws. Do they live in terror of Panamanian laws? Of course not. American residents of the Canal Zone are not prisoners there—they came into Panama daily. Every day, Americans appear before Panamian courts. There is no valid argument against the enforcement of Panamanian laws in the Canal Zone.

Any decision to break relations with the United States if the negotiations fail is a political decision outside the province of the negotiators. Panama is entering into the negotiations as a peaceful means of solving conflicts. If the direct negotiations fail, there are still other recourses under international law. We are duty-bound to exhaust those recourses.

While there is no deadline on the negotiations, this doesn't mean that Panama will be negotiating perpetually. Actually, the current round of talks goes back to 1964 and the people of Panama have shown excessive patience in awaiting results. While the negotiators are optimistic they are not losing sight of the fact that the United States has been denying Panama's aspirations since 1903. But the United States has realized now that it cannot continue with the 1903 system and live in tranquility in the Canal Zone.

Panama is prepared to negotiate only on the present lock canal. The United States, however, may purpose discussions on other issues; if so, Panama will study such proposals.

The 1903 treaty was drafted only in English. The new treaty will be drafted in English and Spanish and each text will be equally valid, so that if any discrepancy of interpretation should arise, both texts would have to be taken into account.

WHAT IS RIGHT WITH OUR NATION?—ONE YOUTH'S VIEW

Mr. MATHIAS. Mr. President, we live in a time when one hears a great deal about what is wrong in America. Often, it might seem, we forget about what is going right.

A 13-year-old Marylander, Randall Hartman, of Hagerstown, has put down on paper his view of what is right with America, and I would like to commend it to the Senate for its consideration.

I ask unanimous consent that young Mr. Hartman's essay be printed in the RECORD.

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

WHAT'S RIGHT WITH OUR NATION?

What's right with our nation? To me, just about everything that can be said is right with our nation. First, and just about the most important aspect of our nation, is that we live in a democracy, with all the freedoms. We have a Constitution, a set of laws to live by, and we are free from foreign control, unlike many other countries in the world.

Secondly, we are a much more civilized and developed country, and are very privileged in having good homes, a place to go to school and get an education so we may continue to carry on this democracy. We are also granted the medical knowledge to be able to find cures for the many diseases present today, and to bring this knowledge to the other countries in the world that have these diseases but do not have the equipment or the know how to cure or prevent these diseases in their country. We are also bringing food with this medical care to overpopulated countries that have millions that are starving.

Thirdly, we have the freedoms. These freedoms involve the ability to worship as we please, if we are suspected of a crime, we are entitled to a fair trial, we may go into business independently or go into a firm or corporation to work, and when we work in these places, we are paid an amount according to how much work we have done. Other freedoms are the freedoms of speech, of the press, and many other freedoms that all lead to our democracy and a better society.

Another thing, people are talking so much about pollution, and making it sound like the world is made up of entirely smog and chemicals. There is a great deal of pollution, but if they could see all the beautiful mountains and fields that are in our nation, I am positive some attitudes would be changed. For instance, in the Blue Ridge Mountains, the Skyline Drive runs for one-hundred five beautiful miles, offering scenic views and many trails for hiking. Also, the many National Parks of our nation is another example of how our government has been able to preserve many beautiful areas of America.

Another example of an unpolluted area in our own state of Maryland near Hagerstown is the Catoctin Mountains. This area is almost entirely wooded, and is glorious in Autumn during the changing of the leaves. Many sixth graders are given the chance to enjoy these mountains each year at Camp Misty Mount. Here many activities are planned including hikes each day. Also, a lesson in astronomy is taught.

Lastly, we have our homes and families. In these families, unlike many other countries, we can enjoy the many good things that we have: a shelter from the weather, good food, and warm clothing. Also, many of us are privileged in having some major appliances, such as washers and dryers, refrigerators, stoves, and maybe a sewing machine. And then come what you might call "pleasure" appliances: a television, a radio, or a phonograph.

All of these we greatly, but after a while, we take then for granted. When they become this way, we should think of the millions of people who have none of these, who have to wash on boards in rivers, and live in "run-down" shacks or tents. These people would give greatly, if they had something to give, for food to feed their families. This is why we are trying to help the underdeveloped countries of the world, so all may have the pleasures that we have and enjoy every day.

In conclusion, if the people in America that are always complaining about how horrible our nation is, had to live as many of the people of the world live, then they would be glad to live in America as good loyal citizens, striving to help make the other countries as prosperous as we are, and trying to give all people the chances of a good life as we have it today.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senate will proceed to the consideration of the Department of Agriculture—Environmental and Consumer Protection Appropriations Act of 1972, which the clerk will read by title.

The second assistant legislative clerk read the bill by title, as follows:

A bill (H.R. 9270) making appropriations for Agriculture—Environmental and Consumer programs for the fiscal year ending June 30, 1972, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

PRIVILEGE OF THE FLOOR

Mr. TOWER. Mr. President, I ask unanimous consent that I may have two legislative assistants on the floor during the consideration of H.R. 9270.

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

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

The PRESIDING OFFICER. The Chair will inquire on whose time.

Mr. MANSFIELD. The time not to be taken out of either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed with routine morning business for a period not to exceed 10 minutes.

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

(The remarks of Mr. GRIFFIN when he introduced S. 2285 are printed in the RECORD under "Statements on Introduced Bills and Joint Resolutions.")

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Presiding Officer (Mr. TAFT) laid before the Senate a message from the President of the United States submitting the nomination of Howard P. Mace, of Ohio, a Foreign Service Officer of class one, to the Ambassador Extraordinary and Plenipotentiary to Sierra Leone, which was referred to the Committee on Foreign Relations.

QUORUM CALL

Mr. GRIFFIN. Mr. President, I suggest the absence of a quorum, without the time being charged to either side.

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

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I be recognized outside of the time allotted to the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, because of complications which have arisen, it will not be possible to take up the appropriations bill having to do with the Departments of State, Justice, and Commerce tomorrow. It was stated that it would be taken up and that there would be possibly a rollcall vote on it. There certainly will be. But not tomorrow.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, at this time, I ask unanimous consent that after the conclusion of the morning business on Monday next, the State, Justice, and Commerce appropriations bill be laid before the Senate and made the pending business.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be 2 hours on the bill, one-half hour on all amendments thereto, with the exception of the Proxmire amendment on which there will be 1 hour, and that the agreement be in the usual form.

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

Mr. MANSFIELD. Mr. President, may I say for the information of the Senate that in 3 weeks the Senate will embark on a recess which will last about a month. We will endeavor to complete as much business as possible in the meantime. It would be the purpose of the joint leadership that, where any possible inconveniences are caused, the Senators will give the leadership of the Senate the benefit of the doubt, remain present and allow the Senate to carry on its functions in the way in which it was intended. In that way the Senate will attend to the business of the people.

As for the State, Justice, and Commerce bill, it is the only measure presently scheduled for Monday. Furthermore, it is quite possible that tomorrow, in addition to the Interior appropriations bill already scheduled, the Senate will take up Senate Resolution 100, at the request of the Veterans' Committee. This resolution has been approved by the Committee on Rules and Administration. Because of possible controversy, there very likely will be a rollcall vote on this resolution.

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

Mr. MANSFIELD. I yield.

Mr. SCOTT. That is Senate Resolution 100.

Mr. MANSFIELD. The Senator is correct.

Mr. SCOTT. Mr. President, I go along for the simple reason that there is no other business. If Senators are generally incommoded because they may wish to be heard or have amendments to offer, I would respectfully suggest that they have some other Senator protect their interests and offer the amendments.

If we do not bring up this matter and bring up other measures when they are available and ready, because we have no other measures ready, then we might as well not be meeting on Mondays and Fridays. I think we might have to go ahead even though individual Senators may wish otherwise.

Mr. MANSFIELD. Mr. President, I agree with the distinguished minority leader.

To recapitulate, the order of business on tomorrow will be H.R. 9417, the Department of Interior appropriation bill. A rollcall vote is expected on the passage of that bill.

That is to be followed by Senate Resolution 100, a resolution having to do with funds for the Veterans' Affairs Committee. That very likely will precipitate a rollcall vote as well.

On Monday, on the State, Justice, and Commerce, there will be a rollcall vote on amendments and on the final passage on the basis of the information which I have at this time.

The atomic energy bill will come up on Tuesday, after the Senate disposes of the HUD-independent offices appropriations measure.

Mr. SCOTT. Mr. President, I thank the Senator.

The unanimous-consent agreement reads as follows:

Ordered, That on Monday, July 19, 1971, following the transaction of routine morning business, the Chair lays before the Senate H.R. 9272, State, Justice, Commerce, judiciary appropriations bill for 1972, and that debate on the bill be limited to 2 hours to be equally divided and controlled by the Majority and Minority Leaders or their designees and that time on all amendments thereto be limited to 30 minutes to be equally divided and controlled by the mover of the amendment and the manager of the bill, with the exception of the amendment to be offered by the Senator from Wisconsin (Mr. PROXMIRE) on which there will be 1 hour. *Provided, further*, That time on the bill may be allotted to any amendment, motion or appeal, except a motion to table.

DEPARTMENT OF AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

The PRESIDING OFFICER. The Senator from Wyoming is recognized. How much time does the Senator yield himself?

Mr. McGEE. Mr. President, I yield myself such time as my remarks may require.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be regarded for the purpose of amendment as original text, providing that no point of order shall be waived by reason of agreement to this request.

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

The amendments agreed to en bloc, are as follows:

On page 2, line 11, after "5 U.S.C. 3109", strike out "$6,932,000" and insert "$6,912,000".

On page 3, line 6, after "5 U.S.C. 3109", strike out "$14,054,000" and insert "$14,354,000".

On page 5, line 25, after "$100", strike out "$169,532,000" and insert "$179,683,000"; and, on page 6, line 7, after "Public Law 89-502", insert a comma and "and $950,000 shall remain available until expended for plans, construction, and improvement of facilities without regard to limitations contained herein".

On page 9, at the beginning of line 15, strike out "$11,600,000" and insert "$13,350,000"; at the beginning of line 18, strike out "$1,000,000" and insert "$2,750,000"; and, on page 10, line 5, after the word "all", strike out "$82,034,000" and insert "$83,784,000".

On page 10, at the beginning of line 22,

strike out "$1,000,000" and insert "$2,850,000"; after the amendment just above stated, insert "payments for special cotton cost-cutting education work under section 3(d) of the Act, $1,000,000;"; and, on page 11, line 4, after the word "all", strike out "$163,568,000" and insert "$166,418,000".

On page 12 line 14, after the word "laws", strike out "$20,500,000" and insert "$21,430,000".

On page 13, line 14, after the word "products", strike out "$16,500,000" and insert "$16,252,000".

On page 15, line 6, after "(7 U.S.C. 1766)", strike out "$25,036,000" and insert "$26,036,000".

On page 17, line 9, after the word "regulations", strike out the colon and *"And provided further,* That none of the funds appropriated by this Act shall be used during the fiscal year ending June 30, 1972, to formulate or carry out any single 1972 crop year price support program (other than for sugar and wool) under which the total amount of payments to a person under any such program would be in excess of $20,000."

On page 19, line 19, after "(15 U.S.C. 713a–11, 713a—12)". strike out "$3,613,331,000" and insert "$4,213,331,000".

On page 21, line 16, after "(16 U.S.C. 590a–f)", strike out "$15,691,000" and insert "$25,421,000".

On page 22, line 8, after "(7 U.S.C. 901–824;", insert "Public Law 92–12".

On page 22, line 21, after the word "program", strike out "$118,200,000" and insert "$130,000,000".

On page 28, line 12, after the word "members", strike out "$425,100,000" and insert "$448,900,000".

On page 29, line 11, strike out "$50,000" and insert "$500,000".

On page 30, line 9, after the word "expended", strike out "$150,146,000" and insert "$154,734,000".

On page 32, line 13, after the word "Watershed", strike out "And Flood Prevention Operations" and insert "Works of Improvement"; in line 22, after "(16 U.S.C. 590 a–f)", strike out "and in accordance with the provisions of laws relating to the activities of the Department,"; in line 24, after the word "expended", strike out "$132,099,000 (of which not less than $26,688,000 shall be available for the watersheds authorized under the Flood Control Act, approved June 22, 1936 (33 U.S.C. 701–799, 16 U.S.C. 1006a), as amended and supplemented)," and insert "$105,411,000"; on page 33, line 5, after the word "protection", strike out "and flood prevention"; in line 9, after the word "exceed", strike out "$200,000" and insert "$100,000"; and, in line 11, after the word "That", strike out "$5,400,000" and insert "$5,000,000".

After line 13, insert:

"FLOOD PREVENTION

"For necessary expenses, in accordance with the Flood Control Act, approved June 22, 1936 (33 U.S.C. 701–709, 16 U.S.C. 1006a), as amended and supplemented, and in accordance with the provisions of laws relating to the activities of the Department, to perform works of improvement, including funds for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109, to remain available until expended; $22,188,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for flood prevention purposes: *Provided,* That $400,000 of funds in the direct loan account of the Farmers Home Administration shall be available until expended for loans."

On page 34, line 10, after "(16 U.S.C. 590p)", strike out "$16,229,000" and insert "$19,998,000".

On page 35, at the beginning of line 22, insert "(5,000 in the case of practices for the abatement of pollution by animal waste)".

On page 38, line 7, after "1971", strike out "$1,400,000, of which $450,000 shall be transferred to the Consumer Products Information Coordinating Center for necessary expenses, including services authorized by 5 U.S.C. 3109" and insert "$950,000".

On page 38, after line 10, insert:

"GENERAL SERVICES ADMINISTRATION

"SALARIES AND EXPENSES, OFFICE OF THE ADMINISTRATOR

"For expenses of a Consumer Product Information Coordinating Center, $450,000."

On page 43, line 16, after the word "journals", insert "payment of salaries and expenses for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18;".

On page 45, at the beginning of line 24, insert "Sec. 508."; and, on page 46, line 1, after the word "who", strike out "knowingly grow or permit to be grown" and insert "harvest or permit to be harvested for illegal use".

Mr. McGEE. Mr. President, H.R. 9270, the Department of Agriculture, environmental and consumer protection appropriation bill for fiscal year 1972, as reported to the Senate by the Appropriations Committee provides for $13,090,266,050 in new obligational authority. This represents an increase of $985,452,200 over the budget estimates and is $666,370,000 more than provided by the other body.

Each Senator has available to him a copy of the Senate committee report which discusses the several items in this bill in some detail and for that reason I shall not go into all of these matters in detail in my remarks today. However, some general comments are in order.

Before proceeding to a discussion of the bill, I would like to pay special tribute to the senior Senator from Nebraska and the ranking minority member of this subcommittee, Senator HRUSKA. Throughout the course of our deliberations on this bill, he has been most helpful and cooperative, and I want the Senator and the entire Senate to know that I personally appreciate his spendid assistance and cooperation. He was most diligent in both his attendance and participation during the hearing stages of our proceedings. His contributions here were invaluable. During the course of our deliberations in subcommittee and full committee following the hearings, Senator HRUSKA's expertise and knowledge—both in the fields of agriculture and fiscal matters—were extremely helpful and productive. With his efforts and cooperation, we are reporting a bill which I believe is responsive to the needs of the Nation and one which is realistic in view of the many problems and challenges facing the Nation today.

I want the entire Senate to know that the wealth of accumulative resource information and his sense of direction built up over the years has made possible wiser decisions in regard to particular measures, and now on this appropriations measure. Because this is my first year as the head of the subcommittee, it would be impossible to exaggerate how important it was to be hitched up to the experience that the Senator from Nebraska represents.

As Members of this body are aware, the jurisdiction of the Apppropriations Subcommittee, previously referred to as the Department of Agriculture and Related Agencies, was greatly expanded as a result of reorganization of subcommittee assignments and jurisdiction. In addition to those agencies which were previously funded under the Department of Agriculture and Related Agencies bill, this subcommittee assumed jurisdiction of most of the environmental and consumer protection agencies and commissions. These include the Environmental Protection Agency, the Cffice and Council on Environmental Quality, the National Commission on Materials Policy, grants for basic water and sewer facilities in the Department of Housing and Urban Development, Office of Consumer Affairs, the Consumer Product Information Coordinating Center in the General Services Administration, National Commission on Consumer Finance, Food and Drug Administration, and the Federal Trade Commission. With this additional jurisdiction, the subcommittee now is most appropriately referred to as the Subcommittee for the Department of Agriculture, Environmental and Consumer Protection, which reflects more adequately the jurisdiction and responsibility of the subcommittee.

Also, with this additional jurisdiction, the bill is broken down into five separate titles as follows:

I.—Agriculture Programs.
II.—Rural Development.
III.—Environmental Protection.
IV.—Consumer Protection and Services.
V.—General Provisions.

A further breakdown and subdivisions under these titles are contained in both the bill and the accompanying report.

By way of summary, however, the bill as recommended by the committee contains the following amount for each of the major titles:

Title I. Agriculture programs	$5,877,484,050
Title II. Rural development	954,397,000
Title III. Environmental protection	3,495,362,000
Title IV. Consumer protection and services	2,763,023,000
Total	13,090,266,050

I think it is important to separate the money items in the bill. For all too long the farmers have been blamed for very large total sums that are attribtued to the Department of Agriculture or agriculture programs and the man in the street wonders why the farmer receives sums of that magnitude. Lest the total appropriation of something over $13 billion be wrongfully reassigned to the various programs in agriculture, I will take the time to break it down. Of the $13 billion plus, less than one-half or $5.8 billion is devoted to agriculture programs; a little less than $1 million goes to rural development; almost $3.5 billion goes to environmental protection; and $2.7 billion goes to consumer protection and services.

In a bill of this magnitude, involving many, varied and complex programs, the breakdown as set forth above is not and cannot be a matter of precise or definite

determination. Some judgment is necessarily involved. This breakdown, however, will provide the public with some general understanding of the Federal financial resources which are being directed to the major programs and efforts which are the subject matter of this bill.

With reference to the bill itself, I would like to comment briefly on some of the major items and some of the major changes recommended by the Senate Appropriations Committee. As I indicated earlier, the Senate has recommended $666,370,000 more than the House. This results primarily from the action recommended by the committee in reference to one item—the full restoration of losses incurred by the Commodity Credit Corporation. The budget estimate to restore these losses in full through fiscal year 1970—or through June 30, 1970—was $4,213,331,000. The other body reduced this figure by $600,000,000 to $3,613,331,000. For many years the Senate and my predecessor as chairman of the Agriculture Appropriations Subcommittee, Senator HOLLAND, strived to bring the restoration of these losses to a current basis.

We have worked long and hard toward catching up with the obligations moneywise due the Commodity Credit Corporation. Rather than letting those obligations fall behind by several billion dollars, knowing that each in turn had to be paid, and in order to keep the books honestly and in order to represent the obligations of this body and the Government in a straightforward manner, we thought it was wise over the years to work up to the full responsibility on this account. A year ago we achieved that result. We achieved it always minus 1 year because it is never possible to tabulate the current fiscal year until the end of the year so we necessarily lag behind 1 year. But that is in contrast to the many years that this achievement was not characteristic of the past.

It would be temporarily shrewd politics to knock out the sum from year to year, pretending we were saving money but the fact is the obligation is there and we believe it is more forthright to meet that obligation by placing it directly and fully in the budget.

Thus, the Senate restored the $600 million stricken from the account by the other body.

For grants for basic water and sewer facilities, under the Department of Housing and Urban Development, the committee recommends $700,000,000 the same as provided in the House bill. No new funds were requested for this program for 1972. $350,000,000 was provided in 1971, and of this amount the Department carried over $200,000,000 for use in 1972. The House committee recommended an appropriation of $150,000,000 in addition to the $200,000,000 carryover funds, resulting in total funds available in 1972 of $350,000,000—the same amount as was available in 1971.

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

Mr. McGEE. I yield.

Mr. AIKEN. Was the amount impounded for rural water and sewage programs carried over because there was no need for it or was the expenditure enjoined by the administration?

Mr. McGEE. Those were funds that were frozen by administrative decision downtown.

Mr. AIKEN. Was there a need for these funds?

Mr. McGEE. There was a need for them. The funds were waiting to be used. The Department was waiting to use the funds but the budgetary decision in the Bureau of Management and Budget froze those funds. They are now proposing to carry that $200 million over and apply those funds in the coming year.

Mr. AIKEN. Is it agreeable to use this money, which was withheld, during the coming year?

Mr. McGEE. We had no indication from the Bureau that this was the case; that is, whether they decided to unfreeze the funds.

Mr. AIKEN. Would the liberation of these funds have any effect on the employment situation in the United States?

Mr. McGEE. I would think it would have considerable impact because it was money that was to go into several thousand relatively small communities for water and sewer facilities.

I suppose the Senator's experience has been the same as mine. We have had a great many communications and expressions at the real grass root level about the cutting off of the funds for water and sewer purposes.

Mr. AIKEN. I would say that in cutting off these funds the administration has committed a gorgeous political error, which we will probably hear more about during the next 14 months.

Mr. McGEE. Let us say it was also a grievous error in equity because of the great assistance these funds would have made possible.

Mr. AIKEN. These funds would have been multiplied many, many times over in the economic situation of this country had the work been permitted to go on as it could have gone on. I think the Senator from Wyoming knows that a dollar spent in the rural areas is turned over several times over before it comes to rest, whereas funds spent in other areas immediately disappear from the atmosphere or, at most, will be multiplied only two or three times over.

Mr. McGEE. Funds in the small areas turn over 32 times, I have been advised.

Mr. AIKEN. It has been one of the more ridiculous errors made by the administration.

Mr. McGEE. I agree.

Mr. AIKEN. I refer to withholding the money which would create so many jobs in towns and rural areas. I certainly hope they make use of the hindsight which is available to them and correct this error in the near future.

Mr. McGEE. I thank the Senator for his comments. The Senator is the ranking member of the Agriculture Committee of the Senate and his many years of wrestling with agriculture problems accentuates his judgment.

Mr. AIKEN. The people of this country do not realize that 30 percent of the gainfully employed people in this country are dependent upon agriculture for their jobs. It is true that not so many of them live on the farms, engaged in actual production. At least twice as many people in the towns are engaged in providing equipment and facilities for use on the farms and rural areas as there are people on the farms.

There are at least twice as many people engaged in processing and handling the products of the farm and rural areas as there are on the farms themselves. People just forget this. Agriculture is far and away the most important industry of this country and the whole world today.

While we hear that we must give a few hundred million dollars to this pet corporation or that pet corporation, the same people who recommend that simply forget, or are ignorant of the fact, that a small part of the money which they would like to give away to their favorite beneficiaries, if it were spent in the rural areas on soil and water programs and other programs affecting American agriculture, would result in this country being in a much better situation economically than it is today.

Mr. ERVIN. Mr. President, will the Senator yield for a question apropos what the Senator has just said?

Mr. McGEE. I yield.

Mr. ERVIN. Is it not true that a most substantial part of all the work of our industries and our industrial organizations is in processing agricultural products?

Mr. McGEE. That is true.

Mr. ERVIN. So it is not possible, is it, to overmagnify the importance of agriculture not only to the persons who are actually engaged in growing agricultural products, but also in the economic life of the United States as a whole and the economic life of the people who earn their livelihood in industrial organizations?

Mr. McGEE. The Senator has made an important point. I think we ought to harken back to one of the statements that William Jennings Bryan made very popular when he said:

> You burn down every city in the land, but they would sprout back up because of the richness of the soil and the productivity of the land which created them; but destroy the farm, and all the cities in the land would languish.

We tend to forget that in this technological age, because of the whole emphasis on the technocracy aspects of our production and economy.

Mr. AIKEN. If the Senator will yield further, the public has constantly impressed on it the tremendous importance of the petroleum industry to our economy and the Nation. It is true that it is tremendously important, but what the public is not told is that the greatest consumer of petroleum products in this country is American agriculture.

Mr. McGEE. That is another excellent point. I want to thank my colleague from Vermont for his comments.

Mr. President, I was discussing very quickly the total appropriations for water and sewer. Let me add that the House increased the money in that category to $700 million, including carryover funds, adding $350 million above the moneys that they had originally discussed, and

the Senate committee endorses the House action and that figure.

One area that the House acted upon, on the floor and not in its own committee, had to do with the limitation of payments to a person under the programs that would regulate the crop year price supports. The figure that was written in on the floor in the House debate was a $20,000 limitation. As Members of this body may recall, a year ago we held very extensive hearings on the intricacies of imposing ceilings on those payments. They were long hearings. They were in depth. This body, joined ultimately by the other body, fixed for the first time a ceiling on payments. It fixed that ceiling at $55,000. That program was enacted for a period of 3 years.

Thus, the issue that is posed for this body now is what to do with that House action, and the recommendation of the Appropriations Committee is that we rescind the House action limiting the payment to $20,000 and return to the original ceiling of $55,000 as provided in the Agriculture Act of 1970. That ceiling was arrived at deliberately, through many, many days of hearings, and for a period of 3 years, the consequence of which was that loan programs, crop programs, and the expectations in terms of plans made by individual farmers had been geared to the good faith of the enactment of that piece of legislation.

For that reason, the committee felt it would be not only inappropriate to tamper with that legislation in this form at this time, at the end of the first year of the 3-year contractual period, but that it would actually be a breaking of faith in terms of those whose economic survival hinges upon the enactment by this body in the agricultural field. Therefore, our recommendation is that we reject the House limitation.

With reference to one other provision, the House put in language that was designed to cut off payments to any person who was found to be growing marihuana on his land. The problem that this posed—and it is a real one—is that in many parts of our country, particularly the Midwest and the Great Plains, marihuana grows as a weed along highways, railroad rights-of-way, irrigation ditches or riverbeds. It is a nuisance plant, and the problem of keeping it totally down to avoid some prohibitions under the language of the House bill, we were advised by the Department, would be a considerable one. So the Senate sought to tighten the language and to make it more precise in order to make sure that innocent people might not have their payments denied them for matters over which they had no control.

So the language that the Senate committee proposes is that such payments would be denied to anyone who harvests or permits to be harvested marihuana or other objectionable drug-producing plants for an illegal use.

It is our judgment that that language would allow for the realities and still achieve the purpose, the purpose being to make it impossible, hopefully, for individuals deliberately to exploit this circumstance and harvest marihuana and move it into the drug market.

I would like to discuss just two or three other rather limited items in order to keep the record spread before us.

One has to do with moneys appropriated for the Rural Electrification Administration. The House increased the budget request considerably, by more than $200 million, raising the total to $545 million; and the Senate committee concurs in that House action.

We do so because the backlog in loans in the REA will still be very considerable.

The Senate committee also increased the money that was made available for the rural telephone loan program. The House figure was $118,200,000, or thereabouts. We increased it to $130 million. The rural telephone program can use more than that. We have also recently approved a telephone loan bank appropriation for $30 million, but it will take a little while for the activity of this bank to achieve any substantial impact. So to help bridge that gap, so the backlog becomes no worse than it is now, we felt it important that we increase the House appropriation by $11.8 million.

The Senate committee also recommends concurrence with the additional funds provided by the House for the rural environmental assistance program, resulting in a total of $195.5 million.

The Senate also recommends concurrence with the action taken by the House in providing $2,000,000,000 for the construction grants program under the Environmental Protection Agency. This item is subject to enactment of authorizing legislation which expired on June 30, 1971. This authorization, however, has been extended temporarily to September 30, 1971, at an authorized level of $500,000,000. It is expected that the $2 billion program will be authorized between now and that later date, at which time the entire $2,000,000,000 appropriation will become operative.

The House bill also added $104 million for the special school milk program, for which there was no budget request by the administration. The Senate committee recommends that the Senate concur in this item.

Another item of major significance is the food stamp program. The House bill includes $2,001,184,000, which was the full budget estimate, and the committee recommends concurrence with this appropriation. This represents an increase of $331,184,000 in obligational authority over 1971.

The committee has also recommended an increase of $10,151,000 for research within the Agricultural Research Service over the House bill.

For resource conservation and development, the committee recommends an appropriation of $25,421,000, which is $9,730,000 more than provided in the House bill.

The committee also recommends an additional appropriation or the Environmental Protection Agency of $23,800,000 over the amount in the House bill.

There are other modifications in regard to the House bill, but they are spelled out in the report, and are of such nature that they do not require singling out at this time.

Mr. President, may I ask how much time we have consumed of the allotted time interval?

The PRESIDING OFFICER. The Senator has used 28 minutes of his 60.

Mr. TALMADGE. Mr. President, will the Senator from Wyoming yield at this point?

Mr. McGEE. I yield to the Senator for just a minute.

Mr. TALMADGE. Yes, I want merely to express my congratulations to the distinguished senior Senator from Wyoming, the chairman of the Subcommittee on Agriculture, Environmental and Consumer Protection of the Appropriations Committee, on the magnificent job he has done.

I particularly wish to compliment the Senator on the increased funds for the rural electrification and the rural telephone bank programs which are badly needed and highly desirable in all rural areas, and on providing adequate funds for the Child Nutrition Program. I thank him especially for increasing the funds for research at the fruit and nut crop research center at Byron, Ga., which is working on methods of improving production and cutting production costs of crops which are important to vast sections of our country, and especially in my own area.

As an ex-officio member of the subcommittee, I did not have, of course, an opportunity to attend the hearings with great regularity, but I do know that the Senator from Wyoming was diligent, day after day and week after week, in holding hearings and inquiring fully into all requests for funds. He has done an outstanding job, and I compliment him.

Mr. McGEE. Mr. President, I thank the chairman of the legislative committee for the generosity of his remarks. He should have included in his encomiums the ranking minority member of the committee as well; this was a joint operation. We were there together during these long hearings.

Had I anticipated the generosity of the Senator's opening statement, I would not have hesitated or sought to limit the time at all that I was willing to yield for that purpose. We will replay it on my time.

Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

ORDER FOR YEAS AND NAYS ON INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. BIBLE. Mr. President, will the Senator from Wyoming yield to me for just a moment?

Mr. McGEE. I yield.

Mr. BIBLE. Mr. President, I ask for the yeas and nays on passage of H.R. 9417, the Interior Department appropriation bill, which will be the order of business tomorrow. We have just completed our committee action, and I have filed the report and the bill. It will be ready for floor action tomorrow, and I ask for the yeas and nays on passage of the Interior appropriation bill.

The yeas and nays were ordered.

Mr. BIBLE. I thank the Senator for yielding.

DEPARTMENT OF AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

Mr. HRUSKA. Mr. President, before beginning my comments on this measure, I wish to thank the Senator from Wyoming for his reference to the participation in the exercise of formulating this legislation by this Senator and others on the minority side, including our staffs.

This is the first year that the Senator from Wyoming has undertaken the task that he has performed in succeeding the illustrious and very distinguished former Senator from Florida, Mr. Holland, who served as chairman of this subcommittee for some 5 or 6 years, or perhaps longer—my memory is not entirely sharp on the matter—and the Senator from Wyoming has shown a remarkable capacity for adapting to the disciplines that are required for proper handling of this measure. I might extend that same remark to Mr. Dudley Miles, the new clerk of the subcommittee. He has succeeded Ray Schafer, who for many years performed the job Mr. Miles now has. We were certainly happy, in our respective offices, to observe the fine progress both these gentlemen have made.

As Senators may know, this bill, formerly known as the Agriculture appropriations bill, has undergone a gigantic reorganization and has a broadened base of responsibilities. The new bill is divided into five main titles:

Title I. Agriculture programs;

Title II. Rural development;

Title III. Environmental protection;

Title IV. Consumer Protection and Services; and

Title V. General Provisions.

In my opinion, the new title of the subcommittee, the Agriculture, Environmental and Consumer Protection Subcommittee, reflects the true nature of the Agriculture bill as it is and has been in the past. Even before the addition of agencies such as the Environmental Protection Agency, and "consumer oriented" commissions, the Agriculture bill was in fact an environmental protection and consumer interest bill in many respects.

For many years, several of my colleagues and I have been trying to clear up the misconception held by many that the Agriculture bill is merely a $13 billion "slush" fund which the farmers may dip into at will. Urban consumers have frequently criticized the farm bill as a gigantic subsidy program for the enrichment of the farmer, and at the expense of the rest of the populace.

The fact is the consumer is the one receiving the true subsidy.

A small percentage of the population of the United States is responsible for the production of our food. The consumer is able to go to the store and with very little time and effort buy the most nutritious and healthful food that can be provided by any nation in the world. He does this with a smaller amount of his gross income than the citizens of any other country. In fact, in 1970, only 16.7 percent of an average person's disposable income went to the purchase of food. At the same time the consumer is benefiting by low food prices, the average person on a U.S. farm had only 78.2 percent as much income after taxes as the average nonfarm person. Later in my remarks I will discuss several items of the bill which foster the interests of the consumer.

Another important aspect of the broadened base of this committee is that it will allow for increased cooperation between the agencies of Government which have the responsibility of the production of food and the protection of our environment.

U.S. agriculture has had a long tradition and history of environmental protection and consumer interest. Those activities will now proceed with greater force and efficiency.

Examples of this tradition and history are numerous:

First. The Soil Conservation Service has been one of the main programs protecting the erosion of our soil and the quality of our water. In view of the increased needs in these areas, substantial increases were made to the Soil Conservation Service budget over the 1971 level. Conservation operations were increased nearly $15 million. Conservation works of improvement were increased by $27 million. The Great Plains conservation program has been increased $3.7 million over last year, and resource conservation and development program was increased by more than $10.4 million. While these programs do benefit the farmer, their main thrust is to bring about a more wholesome, less polluted environment; and their long-range fruit is the preservation of our natural resources—land and water.

Second. Another example of a program which provides environmental and consumer protection is the Agricultural Research Service. Last year this Service expended $20 million on improved methods of controlling sedimentation, $5 million on nutrition, $18 million on quarantine inspection, and $20 million on alternative means of pest control, not to mention the millions devoted to the improvement of production and quality of our foods and fibers.

Third. Through the Extension Service, more than $50 million was spent for the nutrition aid program.

Fourth. More than $178 million is spent to implement meat inspection systems so that the consumer will have wholesome meat and poultry products. Since 1969, more than 35 States have had their inspection systems approved as being "equal to" the federal system.

In another area touched upon by the Senator from Wyoming (Mr. McGEE), in the past 2 years the United States has done more than ever before in the history of mankind to combat hunger and malnutrition among large numbers of people. When the effort was inaugurated in May 1969, with the Presidential "Hunger" message, 6.9 million needy persons were receiving food under programs administered by the Department of Agriculture. At the close of calendar year 1970, the number was 13.2 million. Included in that total are 9.5 million recipients of food stamps compared with 2.9 million in January 1969. Over the same period, the value of food stamp program coupons distributed rose from $18.6 million per month to $128.5 million per month. The total food assistance program for fiscal 1972 equals nearly $3½ billion as compared to $2.9 billion in 1971 and $1.6 billion in 1970. So in the space of 2 to 3 years, there has been, virtually, a doubling of the money amounts.

Other programs benefiting the consumer as well as the farmer include:

First. Full staffing of pesticide laboratories.

The committee agreed with the administration's budget request to fully staff pesticide research laboratories which have been completed and are not yet staffed. To do the essential job of finding healthful, nonharmful methods of controlling pests, the Senate has urged the Department to move as expeditiously as possible in funding this research.

Second. Staffing of other laboratories.

The committee concurred with the House's recommendations to increase staffing at other laboratories to carry out programs of vital interest to the consumer and farmer. Additional staff will provide more in the research in the fields of nutrition and meat production at Grand Forks, N. Dak., and Clay Center, Nebr., to mention only two.

Third. Pork research.

The sum of $1 million has been provided by the committee for research on diseases, reproduction, and quality of pork.

Fourth. Soybean production research.

Soybeans have recently become the best paying crop for the farmer and is one of the most important crops relating to our expert situation. Last year soybean supplies declined for the first time since 1963 due to a 30-percent jump in soybean usage during the 1969–70 marketing year. While usage of soybeans is increasing at a record rate, increases of production per acre are the lowest among all major farm crops. Therefore, the committee has provided $820,000 for soybean production research, in an effort to make progress in production.

Fifth. Storage of high moisture grains.

The sum of $100,000 has been provided for research to reduce losses and find improved ways of storing high-moisture feed grains on a temporary basis. In light of improved methods of harvesting and greater shortages of box cars for rail transportation, this research is essential to minimize the economic loss to farmers who must store grain temporarily while waiting for transportation to processing areas.

Sixth. Multiframe livestock service.

I commend the efforts of the Statistical Reporting Service in implementing a new program of multiframe livestock reporting. Due to the lateness of enacting the Appropriations bill last year, they were unable to have the program in full operation for the entire year. However, it is well underway now and we look forward to the benefits of these reports in the future. Accurate reporting of livestock production is essential to the farm-

er and the consumer. These reporting programs have already contributed greatly. This program will continue to be funded at last year's level which will provide for the surveys to be carried out in 16 States, containing over one-half of the U.S. cattle inventory. It is hoped that seven more States can be added next year when the results of the first year's operations are fully evaluated. Upon their inclusion, about 80 percent of the inventory will be covered. At present, about 75 percent of the hog and pig inventory is covered.

Seventh. Parity ratio studies.

The committee has provided $1.5 million to carry out a complete survey of prices paid by farm producers to update a survey made in 1955. The initial purpose of this survey is one of making the index credible. Quite aside from the relationship of parity, however, a substantial benefit would accrue from substantiating the estimates of net farm income and providing estimates of costs of agriculture inputs.

Eighth. REAP.

One provision of especial interest is to be found in the rural environmental assistance program dealing with the soil building and soil and water conserving practices, including wildlife conserving practices and pollution abatement practices. Generally speaking, no participant in a pollution abatement practice shall receive more than $25,000 as cost share. However, this limitation is $5,000 in the case of practices for the abatement of pollution by animal waste. This higher limitation would be used on farm livestock feeding operations of larger size. The problem in such cases is of such mass and volume as to require a larger cost share.

Sizable feedlot operations are a substantial cause of pollution in rivers and streams throughout the Middle West especially. Feedlot operators and farmers are willing to spend time and money to improve systems of preventing this type of pollution. A great deal of pressure to control animal waste disposal is being applied by the permit program administered by the Environmental Protection Agency. I feel that the Government has a responsibility by means of programs such as this to help these individuals in their efforts to fight pollution. It is hoped that the REAP program through its reorganization will direct its efforts to these new types of problems.

Ninth. Environmental Protection Agency.

The committee is a strong supporter of this new agency established by the President last December. In this bill, the Senate has provided $2.44 billion for the total activities of the Environmental Protection Agency. This is some $1.1 billion more than last year and indicates our clear recognition of the needs in this area and the high priority accorded them.

Tenth. Rural development.

Nearly $1 billion is included in this bill for rural development. The sum includes loans to provide electricity and telephones to our rural areas and provide operating and homeownership loans through Farmers Home Administration. Certainly, there is no better way to help fight the problems of our overcrowded cities than by revitalizing our rural areas.

There is one other point of major note in this bill that was very adequately commented upon by the Senator from Wyoming, and it has to do with the losses incurred by the Commodity Credit Corporation. The Office of Management and Budget is to be commended for its wisdom in including in its budget estimates the amount of $600 million which is sufficient to restore these losses for 1970, the latest year for which net losses have been finally determined. It has been a long hard fight on the part of the Senate committee over a period of several years to get this account and program on a current basis. This was achieved in last year's bill for Appropriations for Agriculture and related agencies. The bill before us now seeks to maintain current status by providing the $600 million referred to. I am sure we all recall the valiant and persistent efforts of the recently retired Senator from Florida, Mr. HOLLAND, in this regard.

The subject of the limitation of payments has been commented upon by the Senator from Wyoming. He has summarized very carefully and quite adequately the fundamental issue that this amendment really raises. One of these fundamental points is that this is not the time, nor is an appropriation bill the place, in which to effect the type of change which the limitation to $20,000 envisions. It is a legislative matter.

It was acted upon only 7 short months ago. When it was enacted on the basis of a $55,000 limitation per crop, it established a national policy in this area for a period of 3 years.

It seems to many of us that it would be an assault upon the integrity and consistency of Congress in a vast program such as this to try to make a change within the space of 7 short months in a program which involves approximately $3 billion in direct payments to farmers.

It is said that one amount or another will be saved by this amendment. But, Mr. President, the real issue is not so much a limitation or modification of the program as it is the survival of the program. The adoption of any limitation of this kind, hastily contrived and perhaps tinged with a great deal of popularity would operate to impair and to erode the program.

It would be a first step to destroy the entire program of direct price payments. Perhaps they should be dispensed with. Perhaps this is not the wisest course. But if that course is to be changed, it should not be changed in an offhand manner and in a somewhat cavalier fashion by a superficial and a very summary method as this.

It would be unfair to change this program now to the basis of $20,000 to any one participant in the program. It would be unfair and burdensome to the participants, and it would be harsh in its impact and its results because of the plans already made for loans, equipment, planting, and other arrangements that inhere in wise farm planning.

Mr. President, it is my hope that we can proceed on the basis that the committee has recommended, which follows, basically, the recommendations of the other body with such variations as we find necessary to comport with the very fine presentation of a number of Senators, and organizations that appeared before our committee on specific items.

Mr. President, I yield the floor, and I inquire as to how much time has been consumed on this side of the aisle.

The PRESIDING OFFICER. The Senator has used 11 minutes.

Who yields time?

Mr. McGEE. Mr. President, what are the time limitations on the bill?

The PRESIDING OFFICER. Two hours on the bill.

Mr. McGEE. One hour on each side?

The PRESIDING OFFICER. One hour on each side.

Mr. McGEE. And on the amendments?

The PRESIDING OFFICER. The amendments are limited to 30 minutes, except for the subsidy limitation amendments, which are limited to 1 hour, and one specific amendment is limited to 2 hours.

Mr. McGEE. A further inquiry: On the subsidy amendments, is that 2 hours on every subsidy limitation amendment that is offered or on the total question of subsidy limitation?

The PRESIDING OFFICER. It is 1 hour, to be equally divided, on all the subsidy amendments, except for the amendment to be offered by the Senator from Indiana, and that is 2 hours.

Mr. McGEE. The others are 1 hour each?

The PRESIDING OFFICER. That is correct.

Mr. McGEE. So that if there were seven subsidy amendments, we could have 7 hours on the subsidy question.

The PRESIDING OFFICER. That is correct.

Mr. McGEE. I thank the Chair.

Mr. STENNIS. Mr. President, I wish to congratulate the distinguished chairman of the Agriculture Appropriations Subcommittee (Mr. McGEE), the distinguished senior minority member of the subcommittee (Mr. HRUSKA), and the distinguished chairman (Mr. ELLENDER) and senior minority member (Mr. YOUNG) of the full Appropriations Committee, on reporting a fine bill in a very timely manner.

This bill encompasses some very complex problems, and they have been carefully considered, in hearings and at markup, in an exemplary manner. This has involved hard work on the part of the distinguished Senators, and as one member of the subcommittee, I wish to express my admiration for the way the preparation of the bill has been handled.

I also wish to express appreciation for the consideration given by the subcommittee and the committee to a number of matters in which I have taken a special interest, and I will comment briefly on a few of them at this time.

A special 10-year research program in cutting costs in cotton production was authorized in the Agriculture Act of 1964. This program was estimated to cost $10 million a year, and the Department of Agriculture estimates that inflation

now has raised the cost of the research to $13,750,000 annually.

In return, however, there is a realistic opportunity to lower the costs of cotton production by as much as 9 cents a pound, and this would eventuate in the savings of hundreds of millions of dollars.

This research program has never received strong support in the budget requests. The Congress has provided the funding, but continued lack of administration support has caused the program to fall far behind the approved rate of funding.

I am extremely pleased that this bill provides a substantial increase in the funding of this research. It still falls well short of the authorized level; but I hope that the difference can be handled next year as a second step, to put this essential research program on the active, healthy basis envisaged by the authorizing legislation. The potential benefits are so great that it is imprudent to forgo them any longer.

I am also gratified that the bill provides additional funds, for the Farmers Home Administration for rural water and waste systems. It will be necessary, however, if the purposes of the bill are to be attained, for the administration to release $56 million in impounded grant funds from fiscal year 1971. The bill provides $44 million more, for a total of $100 million. Also provided is an increase of $70 million in water and sewer insured loan funds, over last year, for a total of $300 million.

Even these sums are entirely inadequate, and they will have to be greatly increased in future years. The requirements of this program are very great, but they must be met at a much more rapid rate than is now the case. Over 30,000 American communities are without water and waste systems, and many others have inadequate systems. In the State of Mississippi alone there are over 200 active applications on hand for rural water and sewer loans and grants, awaiting funds.

To provide the essentials for a revitalized rural America, which would do so much to solve many national problems, the first step is to see that clean water and sanitary systems are provided. I, for one, am determined to do all I can to see that this is done.

Finally, I wish to comment on rural electric loans. This bill provides $545 million, an increase of $216 million over the budget. The amounts provided in the past have created a dangerous, hand-to-mouth situation, where loan applications have been returned in cases where reserves have been available in the amount of 8 percent or more. This is in spite of the fact that it has been well established by the Congress and REA that a proper reserve is 15 percent of the capital investment. The amount provided in the bill will assist in alleviating an unsound condition, though it does not fully alleviate it.

Mr. President, in the bill there are many other items to which I have given particular attention in committee, but I will not take further time to discuss them. I think this is a good bill. I support it, and I urge that my colleagues support it.

AMENDMENT NO. 240—AS MODIFIED

Mr. MOSS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Utah.

Mr. MOSS. Mr. President, I call up my amendment No. 240 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 44, line 17, insert the following: "SEC. 508. None of the funds appropriated by the Act may be expended for the purpose of (1) carrying out a price-support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising the sale of tobacco, (4) financing the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as amended, or (5) inspecting or grading tobacco.

"This section shall not apply to tobacco planted and in process prior to the date of this Act."

Mr. MOSS. Mr. President, we are under controlled time and I yield myself such time as I may need to explain this amendment.

This is a relatively simple amendment which has a far reaching impact. We have going on in this country, a major effort to combat the effects of cigarette smoking. We spend several hundred thousand dollars to publicize the health hazards of cigarette smoking. We spend several hundred thousand dollars to develop ways to help those who wish to stop smoking. We spend several hundred thousand dollars to create cigarettes which are less hazardous for use by those who wish to quit but find that they are unable to do so. And, we spend millions, and millions and millions of dollars supporting the growth, export, advertising, promotion, and grading of this deadly plant which will result in the deaths of more than 50,000 people during the next year from lung cancer, not to mention heart disease, other cancers, and chronic nonneoplastic lung diseases such as the dreaded crippler emphysema.

How can we face our young people and tell them of the virtues of our form of government, when the left hand and right hand are working at cross purposes?

We in the Congress are no less at fault than the executive branch. For today, we consider the agriculture appropriations bill with some $60 to $70 million which will be spent in support of tobacco, and within the next few weeks we will consider the HEW appropriations bill with some $3 or $5 million to dissuade people from smoking, develop methods to help those who wish to stop smoking, and provide funds for research on smoking.

I have been asked, "How can we terminate assistance to hard-working farmers struggling to make a decent living?" That is an important question and I have prepared amendment 241 as an answer to that problem. But in our consideration of the pending amendment, the questions must not be diverted. We must ask ourselves, "How can we afford to encourage the growth of a crop which will lead to the death of thousands of Americans?"

Now I know the arguments that will be thrown out here. First, there will be the skeptics who will say that there is no scientific evidence of the health hazards brought on by tobacco. Even if it were true, and, of course, that is a completely fallacious argument, the Congress has acted and has declared that cigarettes are a health hazard. The Congress must now go to a second step and cut off the funding for this hazard.

The second argument is that we will deprive the farmers of their livelihood. As I already stated, amendment 241 which we will consider next takes care of that problem. Additionally, I find it strange that those very individuals who decry the poverty of the tobacco farmers are the ones who supported barely 3½ months ago, the amendments to the Agricultural Adjustment Act which effectively eliminated the guaranteed minimum half-acre allotment for burley tobacco. So the poor tobacco farmer held on a pedestal by those who oppose amendment 240, has already been betrayed by his elected representatives.

Mr. President, should the United States spend between $60 and $70 million per year in support of a crop which is one of the major causes of death and disability among the people of the world? Of course not. The time has come to say "enough" and I trust that my colleagues who have the interests of all of the people will join me in support of amendment No. 240 which I introduced together with Senators BROOKE, CRANSTON, HATFIELD, KENNELY, and TUNNEY.

The amendment would preclude the use of any of the funds appropriated under the act for, first, carrying out a price support program; second, paying an export subsidy; third, advertising or promoting the sale of tobacco; fourth, financing the foreign sale of tobacco under the Agricultural Trade Development and Assistance Act of 1954; and fifth, inspecting or grading tobacco.

I think it particularly important to point out to my colleagues that no other crop save cotton is supported with free inspection. It is my understanding that the cost of the cotton inspection is more than paid back to the Government through certain other activities in the Department of Agriculture's handling of that crop.

This is a case, Mr. President, which I have called schizophrenia, in that we look in two directions. If we are taking up a health bill, we of course restrict the use of tobacco and we spend money to educate people not to use tobacco, and we spend money on research on how to deal with the disease caused by tobacco, and we spend money to develop systems to help people who have become addicted to the use of tobacco to break the habit if they wish to do so. We have come a long way down that road and we have made substantial progress.

As a matter of fact, we now prohibit by law the advertising of tobacco on television and radio. We are moving farther along to prohibit advertising in other areas. We are not alone. Canada recently adopted similar restrictions.

Many European countries have them. Tobacco has become known as one of the great killers worldwide and a great cause of disease; yet while we are doing that, we continue to support tobacco prices or to encourage farmers to plant tobacco and cure it with processors to process it in this country.

Admittedly, when the growing of tobacco in this country first began, it was not medically known that tobacco had the harmful effects it does. Therefore; we have a long history of growing tobacco and processing and selling it. But that time has passed. The time now is to withdraw our money from support of tobacco and move that money into an area that will encourage those who make their livelihoods from tobacco to shift over to some other kind of farming, or some other business, where the outcome will not be harmful to the health of the people of this country.

Mr. President, the pending amendment was presented essentially before, last year. It was not adopted. It is being introduced this year. I have made many efforts to have legislative committees consider this matter and have it made a part of authorizing legislation, but I have been unsuccessful. It seems to me that if the Senate is going to deal with this problem, it must deal with it here and now in the appropriations for the Department of Agriculture.

Mr. President, I reserve the remainder of my time.

Mr. COOK. Mr. President, will the Senator from Wyoming yield me time?

Mr. McGEE. I yield 5 minutes to the Senator from Kentucky.

The PRESIDING OFFICER (Mr. BENTSEN). The Senator from Kentucky is recognized for 5 minutes.

Mr. COOK. Mr. President, again, I find myself rising in defense of Kentucky's and the Nation's tobacco industry. For the past two decades, and particularly in my first 2½ years in the Senate, this great and valuable industry has been under a constant and vicious attack by many interests. These attacks, based more on statistical fantasy than hard, scientific fact, have contributed to a growing fear of prohibition in the tobacco States. The vast amount of so-called unequivocal evidence linking cigarette smoking to a multitude of diseases is based upon inferences drawn from statistical data.

It has been widely accepted that if certain diseases are statistically more common among cigarette smokers than nonsmokers, we can assume a cause and effect relationship. There are many ways to demonstrate that this is scientifically unsound. To take just one example, it was once thought that corn caused the disease known as pellagra. Certain population groups that subsisted on corn had an unusually high incidence of the disease. In fact, the more corn that one ate the more likely he was to develop the disease. Then it was discovered that pellagra was caused by a deficiency of niacin in the vitamin B complex. So now we know the cause of pellagra is not what people eat—it is what they do not eat. However, no one suggested abolishing the feed grain program.

This is but one example of a fallacy which results when relying upon statistical correlations as "cause and effect." Since the early 1950's we have seen reports that among men who smoked heavily there was a considerably higher incidence of lung cancer. But more and more we are finding additional factors which are inconsistent with the hypothesis that cigarette smoking causes lung cancer.

Despite the fact that they have been smoking for decades, women have less lung cancer than men, by about 6 to 1. This ratio has persisted for years.

We also see different rates among ethnic and geographical population groups which are inconsistent with smoking habits. For example, the British smoke about as many cigarettes as Americans, but exhibit almost twice the lung cancer rate. British male immigrants to South Africa and New Zealand demonstrate a significantly higher lung cancer rate than native born Caucasians in both these countries despite their cigarette consumptions being similar.

There is also an unexplained difference between urban and rural lung cancer when smoking habits are adjusted. This raises the question of air pollution and its relation to lung cancer. The veterinary literature is showing a surprising rise in the development of lung cancer in domestic and zoo kept animals. Again this suggests that air pollution may be of more importance than the anticigarette group likes to concede.

Additionally, we know from the medical literature that lung cancer was a well-documented entity before anyone smoked cigarettes. There is also sound basis for doubting that the purported rise in lung cancer within the past few decades is as real or dramatic as some claim it to be.

Mr. President, I might suggest that the American Tobacco Co. ran a survey on its employees for a 14-year period. This survey disclosed the smoking rate was about double the average rate. Let us look at their mortality rates: 29 percent below expectancy for all causes; 30 percent below normal expectancy for all forms of cancer; 29 percent below normal expectancy for lung cancer; 25 percent below normal expectancy for cardiovascular disease; 21 percent below normal expectancy for coronary artery disease.

Obviously, these findings are hard to reconcile with the claims against cigarettes. More important upon what basis were the findings purportedly statistically unsound? It could be argued that the population was not representative—it was selected according to occupation. But what could have been a more highly selected group according to occupation than the British doctors?

Concerning the statistics on lung cancer, all of that data is assembled from death certificate registrations. This does not mean that the diagnosis has been confirmed unequivocally by post mortem examination. In fact, in a study from a New York hospital over a 10-year period it was shown that of all the reported lung cancer cases which came to autopsy, 59 percent had been erroneously diagnosed as having originated in the lung. Since only 10 to 15 percent of all deaths within this country are followed by autopsy study, there may well be a significant over diagnosis of the disease. We do know that cancers of the stomach, kidney, and pancreas frequently metastasize or spread to the lung. Hence, it is quite easy to mistake shadows on chest X-rays for primary lung cancer when in fact the primary lesion originated elsewhere.

I could go on hours with other similar examples, but in the interest of time I will not.

Partly because of these antitobacco attacks, in March the Congress passed legislation stabilizing the burley tobacco program changing the quantitative control of burley from an acreage to a poundage system of control. By referendum, an overwhelming majority of burley farmers approved of this plan. And now, just a few months later the Moss amendment attempts to abolish the program completely.

Mr. President, the Congress cannot establish a new program 1 month which raises the hopes of hundreds of thousands and then abolish it the next month. In doing so the Congress not only loses credibility, but the faith of the people as well. Faith in our Government has been the bedrock of our democracy.

Mr. President, I cannot take lightly, nor should any of my colleagues, an amendment which would destroy the tobacco program that my constituents have lived under for over two decades. Tobacco accounts for approximately 40 percent of Kentucky's farm income and produces $400 million annually for some 200,000 farm families. These good, rural families are the backbone of both Kentucky and the Nation. The destruction of the tobacco program—which this amendment will accomplish—will only drive thousands more into our already overcrowded and decaying urban areas.

But, of course, tobacco is not just an asset to Kentucky, but a vital $10 billion industry to the United States. Recently, Mr. Horace Kornegy, president of the Tobacco Institute, in a speech before the Rotary Club of Chicago pointed out the importance of tobacco to the U.S. economy. He said:

About three million members of farm families earn their principal livelihood from the crop. They live in 22 states and earn about $1.4 billion a year from the leaf.

More than 100,000 workers are gainfully employed in tobacco manufacturing and collect an annual payroll of more than half-a-billion dollars.

There are more than 4,500 wholesale firms that distribute the product to literally hundreds of thousands of retail outlets that depend on cigarette sales for a substantial part of their income.

There are nearly three-quarters of a billion dollars realized from the export of tobacco and tobacco products.

The Federal, State and local governments receive $4.6 billion in taxes from the sale of tobacco products.

In all, there are 329 industries directly or indirectly involved in selling their products to the tobacco industry, ranging from cellophane and advertising to transportation and steel.

I ask unanimous consent that the speech be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. COOK. I might add, Mr. President, that the export of unmanufactured tobacco and tobacco products of $679 million makes a tremendous contribution to our balance-of-payment position. One out of six agricultural dollars earned by export is tobacco. The elimination of the export payment program under the Moss amendment would result in a loss in our tobacco exports.

Despite unreasonable health scares, the demand for tobacco and cigarettes will increase. According to the Department of Agriculture, cigarette consumption in calendar 1971 is expected to total slightly above the previous year's 536 billion. Obviously, the manufacturers will have to satisfy this demand from either U.S. or foreign producers. Contrary to the wishes of some, tobacco is a perfectly legal product. Therefore, our farmers have every right to produce tobacco leaf for the manufacturers and to receive fair prices for their product. They also have every right to expect the continuation of stable market conditions. This amendment, if passed, would destroy our domestic tobacco farmers to the benefit of foreign producers. The Department of Agriculture estimates that the elimination of the price support and adjustment programs would cause a loss of income to farmers of about $400 million per year. It would further cause a loss of about $283 million to the Commodity Credit Corporation on its existing loan stocks of tobacco.

Mr. President, what is at stake today is not just the continuation of our tobacco program—but the continuation of all agricultural commodity programs. I would remind my colleagues from non-tobacco growing States that the passage of this amendment will definitely set a precedent for the rest of the agricultural program. The tobacco program today, your program tomorrow.

EXHIBIT 1

TOBACCO: THE $10 BILLION QUESTION

(By Horace R. Kornegay)

As I travel this land of ours I am growing more and more accustomed to hearing a growing chorus of disenchantment, dissatisfaction and distrust directed at the very foundation of our American way of life. I am not talking about the Hippies and the Yippies. To give them their due, they are open in their determination to bring down society. I am talking about the self-righteous reformers of our social and economic system.

Gentlemen, let us be on guard. While our attention is riveted on the street shenanigans of the Rennie Davises and the Abby Hoffmans, let us not overlook the social and economic crusaders and their destructive work in the state house, the court house, the Congress and the federal regulatory agencies. I speak of the social engineers who would so hamstring industry and business as to virtually destroy the free enterprise system.

You don't have to smoke to see the flames or feel the heat that surrounds the cigarette controversy. It is a burning $10 billion question that no businessman should ignore. For as you contemplate it, you might well say to yourself: "There but for the grace of a zealous crusader, go I and my business."

Tobacco is a very big industry with few defenders. If the vast numbers of people who owe all or part of their living to tobacco were aware of the threat it faces, the outlook might be rosier. For example:

About three million members of farm families earn their principal livelihood from the crop. They live in 22 states and earn about $1.4 billion a year from the leaf.

More than 100,000 workers are gainfully employed in tobacco manufacturing and collect an annual payroll of more than half-a-billion dollars.

There are more than 4,500 wholesale firms that distribute the product to literally hundreds of thousands of retail outlets that depend on cigarette sales for a substantial part of their income.

There are nearly three-quarters of a billion dollars realized from the export of tobacco and tobacco products.

The Federal, State and local governments receive $4.6 billion in taxes from the sale of tobacco products.

In all, there are 329 industries directly or indirectly involved in selling their products to the tobacco industry, ranging from cellophane and advertising to transportation and steel.

Gentlemen, all of that adds up to $10 billion.

But the cigarette controversy is not important to you because of the money involved. It is important to you because of the principle. Do not misunderstand me, please, as our critics do. I am not suggesting that we balance or equate health against dollars. I am simply suggesting to you that we look at the principle and, then, decide what course is just.

And the principle involved in the cigarette controversy is simply this:

Shall we as a nation scrap the historical principle that anybody—an industry as well as an individual—is innocent until proven guilty?

Shall we impose on the business community a cruel and unusual assumption of guilt and force it to prove its innocence of all charges, however irresponsible?

If this new standard is imposed on business then we can say goodbye to the economic system as we know it. We will really see a domino theory in action. First, the tobacco industry, then the auto industry, then the drug industry, then the food industry. Banking, oil, air travel, advertising will also succumb. I can see the legislation marching on. We have had Truth in Lending and Truth in Packaging. Soon we will get Truth in Medicine, Truth in Advertising until we ultimately get the one big omnibus bill—Truth in Misery.

I exaggerate, of course. But what worries me is that I am not at all sure by how much. When the so-called Fairness Doctrine was invoked against cigarette advertising in 1967, we jokingly warned that someone was bound to demand equal time to answer the military recruiting commercial because war is a health hazard. And sure enough, the jest was seriously advanced some time later by an anti-war organization.

Another reason why I am afraid I have not exaggerated is the unrelenting nature of our oppoments—ours today, perhaps yours tomorrow. Let me give you an example.

The cigarette industry volunteered to end the broadcast advertising of its product as the only possible way to avoid reaching young people in the audience.

The cigarette industry volunteered to list the "tar" and nicotine content of the product in print and billboard advertisements.

The cigarette industry volunteered to display in all advertising the side of the package containing the health warning notice required by Congress.

Now, those are three steps recently taken toward self-regulation. They are in the best tradition of informing the public, of not hiding any facts because essentially we have nothing to hide.

But, did that satisfy our leading foe, Senator Moss of Utah? It did not. Last week, speaking to the National Better Business Bureau convention in Miami he was still on the attack. He told representatives of business that the tobacco industry is "a perfect example of self-interest rather than public interest," and cited our "failure to impose self-regulation."

I cannot remain silent when my industry is unfairly abused.

I am shocked at Senator Moss' violent attack on the tobacco industry. He appears to have almost no knowledge of history or the burden of testimony taken from scientific experts in Congressional hearings, showing the controversy about cigarettes.

The tobacco industry mounted its unprecedented smoking and health research support programs ten years before the Senator began talking about action to deal with the health question. Its decision to place the words of the Congressionally authored package warning in all of its advertising is only the latest of a constant series of voluntary actions by the industry in the smoking and health controversy.

Incredibly, within the past month Senator Moss has congratulated the tobacco industry on self-regulation. Yet now, he seems to have forgotten that.

For one who professes to promote self-regulation, Senator Moss is doing a masterful job of kicking it to death. No American industry has attempted to cooperate more with the government, or has taken more far-reaching self-regulatory action than the tobacco industry.

Well, there is a silver lining, after all. It is good for the underground war against tobacco to surface where all can see its vindictiveness.

For sixteen years, the anti-smoking forces have been waging unrelenting and undeclared war against the tobacco industry. We have long known their true intentions—while others doubted it. We have long known their dedication to the elimination of cigarette smoking—while others disbelieved. And we have long resisted their efforts to control the behavior of free citizens—while others hung back.

Now for the first time the war against tobacco is being waged in the open. For the first time the true motives of the anti-smokers have surfaced for all to see. For the first time, the American people are getting a look at its face. And it is not pleasing. The Face of Prohibition never is.

The words that follow are those of prestigious groups and individuals within the opposition ranks; but the spirit is pure Carrie Nation.

Here's what the U.S. Surgeon General said in January: "It is high time to ban smoking from all confined public places such as restaurants, theaters, airplanes, trains, and buses."

Here's what a U.N. group said a month ago: "Public smoking which is a trial for the ex-smoker and a temptation for the non-smoker should be continuously discouraged. Smoking should be an activity limited to consenting adults in private."

Here's what a committee of English doctors demanded recently: "It is necessary to challenge and change the present general acceptance of cigarette smoking . . . Public disapproval of a dangerous habit that upsets many non-smokers must be promoted."

The pattern is clear. It is one of step-by-step coercion, from control of information to actual control of behavior.

At first, the anti-smoking camp was content to inform people about an alleged hazard. Then when the public did not respond, they tried to frighten people into conformity. Still frustrated by an unsheeplike public, they escalated further to vilification, insult, and abuse so as to make

smoking—and smokers—socially unacceptable.

Now they are poised on the top rung—or should I say bottom rung—of repression. Today's slogan is "Thou shalt not smoke." It is shouted with the fervor of the fanatic who knows best what is right for his fellowman.

I for one am glad the anti-smoking forces have decided to try to impose this commandment. For it violates another commandment which is deep-rooted in most Americans. And that is: "Thou shalt not push people around."

A refreshing reaction to the Surgeon General's latest attempt to push people around has come from the press. Apparently, there is resistance to his call for a ban on smoking in public places.

A Rhode Island newspaper sees "a touch of hysteria creeping into the smoking issue," and it notes that, "fanaticism often generates a deep reaction unfavorable to the cause."

An Ohio newspaper said it would be impossible to enforce such a ban without having a "virtual army of federal agents busting people for clandestinely lighting up in public places."

A San Francisco newspaper commented that crusaders, like the Surgeon General, "who once taste blood, are not to be denied. They charge on until they fall flat on their faces or on their backsides, depending on whether they slip or are pushed."

A television commentator called the ban "the spirit of compulsion at work. The same crusading zeal that springs from a busybodiness mixed with arrogance.

Fortunately for us all, when human beings start out on a crusade, they always introduce a bit of lunacy into it. Lunacy was compounded recently in New York City when the Surgeon General's ban on public smoking was actually implemented on, of all places, the decks of Staten Island ferries. This moved a New York columnist to lament the fact that "the learned, concerned Surgeon General can't think of anything to do about the waters beneath the ferries, which are an open sewer and a potential typhoid trap, or anything to do about that haze and filth that hangs in the air above our Fun City."

And indeed the learned, concerned surgeon general is strangely reluctanct, or unable, to see any evil in anything but cigarettes. He has determined that smoking is dangerous to health. He has determined that smoking should be prohibited in public, and that it is "a dirty, smelly, foul, chronic form of suicide."

But did you also know that this hardline antismoker is a model of moderation and mildness concerning other alleged hazards? For example:

Mercury, lead, arsenic and other metallic pollution, he has determined, is not a cause for hysteria. "We are not presently faced with widespread, serious human health hazards from these substances," he says.

Herbicides, such as 2,4-D, he has determined, do not as now marketed and under current use present a hazard to public health.

Water pollution, he has determined, would be improved if smoking is reduced, "since there would be fewer cigarette butts to . . . find their way into our water sources."

Air pollution, he has determined, is a minor cause of disease compared to smoking. He makes this statement in the face of the HEW finding that death rates from lung cancer are twice as high in urban areas than in rural areas, *even after making full allowance for smoking.*

Why the hysteria? Why the shouting? Why the crusading?

The explanation, it seems to me, results from the tenacity of the cancer mystery which is a challenge to the entire nation. It is humbling to realize how little real progress has been made in solving the fundamental problem of causation. It is understandable that individuals and organizations which are morally convinced that the elimination of cigarette smoking is the simple solution to a very complex question would feel frustrated by anyone's unwillingness to accept their judgments.

Nevertheless, many eminent scientists who are skilled technicians in the field agree that the question of smoking and health is still very much a question.

And so apparently do millions of Americans who continue to smoke, despite an almost incessant campaign of fear and exhortation. It well may be that smokers have been so bombarded with propaganda that they have become immunized against it. They may be proving Marshall McLuhan right when he observed that "the price of eternal vigilance is indifference."

I look ahead hopefully to the rest of 1971 as a period of sharply reduced noise level which might accelerate the scientific resolution of the smoking and health controversy.

Over a hundred years ago, the English writer William Hazlitt put his finger on the problem. He said: "The origin of all science is in the *desire to know causes;* and the origin of all false science and imposture is in the desire to accept false causes rather than none; or which is the same thing, in the unwillingness to acknowledge our own ignorance."

A crusade is a poor way to get at scientific truth. The American people deserve better.

The American people deserve objective unbiased answers to the controversial questions concerning smoking and health—answers that must ultimately come from further scientific research and new knowledge. And they also deserve full, free, and informed public discussion of both sides of the controversy.

That is why the tobacco industry pledges to contribute to public understanding through public discussions.

That is why the tobacco industry is spending *more* money on scientific research on the smoking and health question than any other source, government or private. And we will continue to do so.

That is why the tobacco industry will continue to live each day in such a way as to meet the four-way test of truth, fairness, goodwill and benefit to all concerned.

Mr. COOK. Mr. President, may I have an additional half minute?

Mr. McGEE. Mr. President, I would be reluctant to yield further to the Senator. We have an overcommitment of the available time. The Senator may put his statement in the RECORD.

Mr. COOK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOK. Mr. President, the Senator said that amendment No. 241 would be next. I wish to raise a point of order. Would this not be legislating on an appropriation bill?

Mr. McGEE. That point will be raised by the committee at the proper time.

Mr. President, let me raise a parliamentary inquiry. What is the time limitation on the pending amendment?

The PRESIDING OFFICER. There is a time limitation of 1 hour on the pending amendment.

Mr. McGEE. There is a time limitation of 1 hour and not 30 minutes? We have been led to believe that there was a 30-minute limitation.

The PRESIDING OFFICER. Thirty minutes to the side.

Mr. McGEE. Mr. President, in that case I would be glad to yield additional time to the Senator from Kentucky.

Mr. COOK. Mr. President, I merely wanted the additional time to raise the point of order on the amendment which the Senator indicated he would raise. If I may, I will raise the point of order.

The PRESIDING OFFICER. The point of order will not be in order until the Senator from Utah has used his time.

Who yields time?

Mr. MOSS. Mr. President, I yield 2 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I am always concerned when I take issue with my friend, the distinguished colleague from the State of Kentucky. He has made an excellent case for his position. However, I tend to think that the time has come when the Federal Government should stop using taxpayers' funds to support projects that are no longer in the public interest. If we are using the full resources that we have available to us to alert the public as to the dangers of smoking or the use of tobacco, and, if representing the people, we desire to bring these hazards to the attention of the American people, we should point out that doctors universally have joined in this cause. I assume that doctors have led the list of those who have given up smoking as a result of the research carried on. I think it is time that we move away from a program in which we subsidize the production of a crop that we have deemed to be injurious to the health of our American citizens.

I therefore commend the distinguished author of the amendment and indicate to him my intention to support it.

I trust that this action will initiate other actions which will be taken to remove inconsistencies in what we do. When we take up a program, it should be consistent all the way through. We should no longer continue old programs that are no longer required.

Mr. President, I thank the Senator for yielding.

Mr. MOSS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized for 3 minutes.

Mr. MOSS. Mr. President, the Senator from Kentucky repeated many arguments that tobacco and cigarette smoking do not really cause any disease, that we do not know whether it does or not. Those arguments are far out of date. They are the arguments from 1964 when the Surgeon General submitted his first report.

The Senator from Kentucky also made the argument that many people are engaged in growing tobacco and processing tobacco, that a lot of money is invested and a lot of income comes from it and that even a lot of taxes come from it, all of which we freely admit. However, the Senator does not get down to the point. If tobacco is indeed a poisonous substance, should he then say merely because money is invested in it or comes from it that we should go on with its production as compared with our action on pesticide or DDT, substances that are

known to be harmful to a crop and causes disease.

Should we go on subsidizing and supporting production of pesticides and other poisonous materials simply because they have an economic overtone to them? If we place a value on the loss of time and illness that comes from the use of the product, we find, without consideration of the human suffering, that the economics argue in favor of the elimination of tobacco and we should not be engaged as a government in appropriating money to encourage the production; we should be placing our money into education against the use of this production.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ERVIN. Mr. President, will the Senator from Wyoming yield to me for 5 minutes?

Mr. McGEE. I yield 5 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, political doctors attack tobacco; many able medical doctors who are concerned with the treatment and elimination of disease say there is no evidence of any causal relation between smoking and disease.

The Encyclopaedia Britannica tells all that everyone knows about the cause of cancer. It states:

> Cancer is an autonomous new growth of tissue of an unknown basic cause.

That is the sum total of the knowledge of political doctors on this subject.

I would like to call attention to the statement of one of the greatest doctors of this Nation, Dr. Joseph Berkson of the Mayo Clinic. He has said on many occasions that there is no evidence whatever of any causal relation between smoking and disease.

Dr. Alvis Green stated before the Senate Committee on Commerce, and this can be duplicated in the testimony of many other doctors:

> My study of lung cancer over the past 50 years as an internist and diagnostician leads me to agree with Dr. Joseph Berkson of the Mayo Clinic that there is no proof of causal relationship between the smoking of cigarettes and lung cancer.
>
> "Without false modesty, and quite frankly, I do not know the cause of cancer. Moreover, I am going to say without the slightest fear of contradiction, that no one else does either."

Mr. President, several years ago I made a speech on this subject in which I referred to its medical aspects. In the interest of time I ask unanimous consent that the speech may be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. ERVIN. Mr. President, this amendment represents an effort to take food out of the mouths and clothes off the backs of little children of 625,000 farm families in America. It is an effort to destroy the growing of tobacco, and, Mr. President, when you destroy the growing of tobacco you are going to destroy every other farm program in the United States because these thousands of acres which are now devoted to the growing of tobacco will have to be devoted to the growing of sugarcane, sugar beets, cotton, and corn.

If we are going to restrict production of tobacco, on the grounds suggested by the able Senator from Utah, we will have to weigh the deleterious potentialities of other crops.

I do not favor that because I do not believe it is the business of the Government to tell us what we should eat, what we should wear, or what we should drink. I remind Senators that in many cases sugar beets are converted into alcohol, which is used to make intoxicating beverages, and that corn can be made into whiskey. Should we curtail the production of corn in order to take good old bourbon, which is 50 percent corn, off the market?

This amendment is not only an attack on the livelihood of 625,000 farm families, each of which has four or five dependents, but it is also an attack upon the livelihood of 75,000 to 80,000 persons who work in processing tobacco.

It would destroy one of the sources of revenue to the United States. Federal, State, and local governments get over $4.5 billion in taxes from tobacco products, principally cigarettes, each year. The Government gets $3 from taxes on tobacco and its products for every $1 which the growers of tobacco get for their investment and labor.

Not only would this bill have the effect of economic chaos on 625,000 farm families in America, but it is would be well to note that it would disable these farm families to buy automobiles from Michigan, and citrus products from California. The economic impact of the effect of this amendment would be impossible to overmagnify.

Since price supports were established for agricultural products in 1933, the Government has obtained $54 billion in taxes on tobacco and tobacco products, which is more than three times the cost of our price support programs on all agricultural products.

The cost of the tobacco program which paid this $54 billion for the benefit of taxpayers in all these years has been less than $60 million. It represents only one-fourth of 1 percent of the cost for all farm commodity price support operations.

I would like to point out to the Senate that one of the most serious problems confronting the United States today arises out of exports and the resultant deficit in our balance of payments. During the last year approximately $700 million of tobacco and tobacco products were exported to other nations. If it had not been for this we would have had that much larger deficit in our balance of payments.

I hold in my hand a document based upon reports of the Departments of Agriculture entitled "Some Facts About Tobacco." I ask unanimous consent to have the document printed in the RECORD.

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

(See exhibit 2.)

Mr. ERVIN. Mr. President, I ask unanimous consent to have printed in the RECORD another document entitled, "Tobacco—Its Economic Importance."

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

(See exhibit 3.)

Mr. ERVIN. These documents illustrate the importance of tobacco and its products in our national economic life.

The PRESIDING OFFICER. The time of the Senator has expired.

EXHIBIT 1

ERVIN REPLIES TO TOBACCO CHARGES, MAKES THREE-POINT PROPOSAL, DECEMBER 4, 1967

Today, I want to discuss an allegation which is becoming more and more frequent—that smoking is all that stands between men and immortality. This proposition is being paraded before the American people with all of the pomp and certitude of Madame Curie's discovery of radium.

When I hear these arguments, I am reminded of a prominent citizen who lived to be 96 years of age:

"On his 96th birthday the newspapers sent their reporters out to interview him. One of them asked, 'To what do you attribute your long life?'

"The old man replied, 'I attribute it to the fact that I have never taken a drink of an alcoholic beverage or smoked a cigarette in all my days.'

"At that moment they heard a noise in an adjoining room that sounded like a combined earthquake and cyclone. One of the newspaper reporters said, 'Good Lord, what is that?'

"The old man said, 'That is my old daddy in there on one of his periodic drunks.'"

Most recently, all of the assertions in support of the argument that smoking causes cancer were collected in Senator Robert F. Kennedy's address to the World Conference on Smoking and Health. When asked for my reaction to that speech, I declined on the basis that any immediate statement by me without careful study could only be superficial and unfair. Since that time, I have studied carefully the charges made by the prohibitionists.

These charges should not stand unchallenged.

In all fairness to the American people, to the tobacco industry, to hundreds of thousands of farmers and tobacco workers and their families, and to the Members of Congress who must consider proposed legislation on this subject, the record should be set straight.

This is what I propose to do today.

I have always believed in freedom of information, whether the news be good or bad.

I believe the American people have a "right to know," and in this case, they have a right to know that there is no proof that smoking causes lung cancer and heart disease. By the same token, the Government has a duty to see that the people are supplied with all of the information about this vital subject.

Now, I have no pretense to expert knowledge of cancer and its causes. Indeed, I am as lacking in information as the medical profession whose knowledge of the subject is summarized in this quotation from the Encyclopaedia Britannica:

Cancer is an autonomous new growth of tissue of an unknown basic cause.

While I do not profess to have any more knowledge of this subject than is set forth in this statement, I do have considerable experience as a lawyer and a judge in weighing the probative value of medical and scientific evidence.

And I agree with the eminent chest disease specialist, Dr. Alvis Green, who told the Senate Commerce Committee:

"My study of lung cancer over the past 50 years as an internist and diagnostician leads me to agree with Dr. Joseph Berkson of the Mayo Clinic that there is no proof of causal

relationship between the smoking of cigarettes and lung cancer."

I would say, as he does—

"Without false modesty, and quite frankly, I do not know the cause of cancer. Moreover, I am going to say without the slightest fear of contradiction, that no one else does either."

I have discussed in the past and will discuss again in the future other relevant matters including the illegality of the so-called Fairness Doctrine regulations of the Federal Trade Commission; the absurdity of labeling cigarettes as harmful, but not, for example, alcohol; and the poverty which cigarette prohibition would bring to thousands of farmers and workers, while at the same time tax income sufficient to pay for the war on poverty would be cut off.

After studying the arguments of the prohibitionists, I am convinced that they contain little more than old platitudes, new hyperbole, and blatant *non sequiturs*—all based on statistics which are either erroneous, irrelevant or statistically meaningless. Nevertheless, these statistics are cited again and again to support the thesis that smoking causes cancer.

The truth of the matter is that these people are relying on statistics, not research. And they do not understand their own figures.

Actually it would be far easier to show statistically that smoking cigarettes prolongs life:

(1) Americans are living 16 years longer today than they did in 1920.

(2) Americans smoke more cigarettes than they did in 1920.

(3) Ergo, cigarettes prolong life.

Or to cite an example: Great Britain has a higher death rate from cancer than we do. Yet, the British smoke less.

Now, this is not to say tobacco is a health food the equivalent of yogurt. What I am saying is that, from such logic as this, no valid conclusions can be drawn.

It is correct that official statistics show a dramatic increase in lung cancer in recent years. But proponents of prohibition do not mention there has been a corresponding decline in stomach cancer. Are we to assume that tobacco has cleansed the stomach while fouling the lungs? Even more strange, incidence of cancer of the larynx has remained relatively constant over the last thirty years. Yet the smoker's larynx comes in contact with the smoke sooner and more often than the lungs.

The full weight of the prohibitionists' logic seems to rest on this one paragraph from Senator Kennedy's speech:

"Death from lung cancer [is] increasing almost geometrically—from 2,500 in 1930, shortly after smoking started becoming a national habit, to 50,000 now."

This information is, of course, not a figment of someone's imagination. It is derived from federal vital statistics. But they fail to take into account changes in reporting methods, improvement in diagnosis and the aging of the population. All these have influenced the increase in numbers of deaths reported from lung cancer.

More important, there is stronger evidence from equally reputable research scientists and statisticians who reject the hypothesis that any relation between cigarette smoking and any disease has been proven. I will place in the Congressional Record expert documentation of this at the conclusion of my statement. For the moment, let me highlight the following facts:

As a "national habit," cigarette smoking among the male population dates not from 1930, but from 1883 when Washington Duke and Sons began mass producing cigarettes near Durham, North Carolina. It is true, however, that it did not become popular for women to smoke until the 1920's; and the number of adult women who smoke has been increasing since that time.

But whether we use 1930 or some earlier date as a base year, it is still clear that a sizable but undeterminable number of cases of lung cancer used to be diagnosed as tuberculosis; and the increase in deaths from lung cancer parallels the decrease in deaths from respiratory tuberculosis and pneumonia. Since 1930 diagnostic techniques and the science of pathology have developed to the point where lung cancer can be easily identified.

Dr. Joseph Berkson of the Mayo Clinic explains the apparent rise in the lung cancer rate and fall in the tuberculosis rate in two ways. He cites the 1961 English study by Dr. Willis to the effect that ". . . so many cases of unrecognized lung cancer [were found] in early records as to warrant the conclusion that there was just as much lung cancer in the past, but it wasn't recognized." Also, according to Dr. Berkson, "persons who in former times would have died at an early age, say from tuberculosis, now live to ages at which they are exposed to death from lung cancer." Incidentally, Dr. Berkson, who the *Cancer Bulletin* calls the dean of American medical statisticians, has said, "Personally, all relevant available facts considered, I think it is very doubtful that smoking causes lung cancer."

But even if we were to accept the validity of the claim of low lung cancer incidence in 1930, the argument of the anti-smoking forces seems self-contradictory on several points.

In the first place, increase in the life expectancy of Americans has gone hand in hand with the increase in cigarette consumption. In 1930 the life expectancy of Americans was 59.7 years; by 1965, it was 70.2 years.

Secondly, some people propose economic sanctions on the industry to force a larger share of the market to lower tar and nicotine cigarettes. These cigarettes already constitute a large proportion of those being sold today; however, back in that golden age of 1930 to which cigarette prohibitionists turn with such nostalgia, higher nicotine and tar content cigarettes composed almost 100% of the market, and filters were nothing more than a gleam in the eye of two of the smaller manufacturers.

In this connection, the Federal Trade Commission last week released even more statistics to confuse the public. For they have proceeded by sometimes rather dubious methods to grade cigarettes by their tar and nicotine content. Yet, there is no proof that these even affect health. Even in 1950, filter cigarettes composed only .06% of total production; ten years later over half the cigarettes manufactured had filters. Further, mention is seldom made of the fact that although cigars and pipe tobacco are held blameless by the prohibitionists, both contain considerably more tar and nicotine than the average cigarette.

Other facts which go unmentioned are far more relevant than the propaganda which is disseminated.

For instance, although the lung cancer rate among women during the last 40 years has increased slightly, it by no means has kept pace with the increase in the number of women who smoke. For reasons which no one can explain, lung cancer remains largely a disease of the male. And, according to Drs. Rosenblatt and Lisa, "If cigarette smoking is a potent carcinogenic agent it should have affected lung cancer mortality by this time, resulting in an equalization of the sex ratio which in 1964 was 6.4:1."

It is interesting that the Encyclopaedia Britannica (1966 edition) in its discussion of percentages of cancer deaths in the United States, reports that 11% of the male deaths were from lung cancer, while only 3.1% of the female cancer deaths were from lung cancer.

Also, Senator Kennedy emphasizes that people are beginning to smoke at an earlier age and are smoking more cigarettes per capita. Yet, the average age at which lung cancer occurs has remained the same. If cigarette smoking produced lung cancer, then a lowering of the age of occurrence would be expected.

It is also passing strange that, as Dr. Rheinhard has said, "The average age at which lung cancer occurs is the same for heavy smokers, light smokers and non-smokers." And Drs. Rosenblatt and Lisa note that lung cancer occurs at approximately the same age "regardless of whether smoking has been started at 6 years or at 41 years of age. Equally significant was the finding that the number of cigarettes smoked daily did not affect the age at onset, in both the light smokers and the heavy smokers the disease had developed during the same decades of life."

These same doctors, whose paper will be placed in the RECORD, carefully illustrate that lung cancer is primarily a disease of older men, and that cigarettes are therefore not the cause:

"This distinctive age distribution was noted in the nineteenth century in the absence of cigarette smoking and also in recent decades in the era of widespread cigarette consumption. The relation between longevity of the population and the incidence of lung cancer is therefore very significant . . .

"It is very evident that, regardless of any hypothetical etiologic considerations, the total number of potential subjects for lung cancer has increased by many millions during the past half century. The inherent biologic characteristic of the disease to develop in older age groups will therefore result in the occurrence of more cases in future years as proportionately more of the population reaches the later decades of life."

In other words, to reverse the increase in lung cancer, we must either reduce life expectancy or we must find the cause and cure. Cigarette prohibition is no answer.

I would add here that aging is also a primary factor in emphysema, heart disease and most of the other diseases which the prohibitionists cite as byproducts of smoking. In a most important study of male, identical twins, Dr. Ludman and his colleagues concluded that ". . . cigarette smoking is probably not associated with coronary heart disease."

A substantial number of deaths from lung cancer, especially among women, are the result of cancer spreading to the lung but originating elsewhere in the body. These deaths could not be blamed on cigarettes by the most ardent prohibitionist; yet they are counted in the statistics cited by them.

Most conspicuous of all by its absence from public speeches on this subject is any mention of air pollution or other possible factors being studied. Certainly increased pollution, both from industry and from vehicular traffic, has at least kept pace with, if not outstripped, increased cigarette consumption since 1930. In fact, it was shown that on Staten Island, in New York, lung cancer is far more likely to occur in residents where air pollution is highest. And, according to a five-year study published in the *German Journal for Cancer Research*, "The frequency of lung cancer is not influenced by cigarette smoking but there is a significant correlation between the air pollution problem and the bronchial carcinoma rate."

These facts, I believe, are sufficient in themselves to effectively rebut the hypothesis that a causal relation between cigarette smoking and cancer has been proven. I do not feel I can conclude, however, without challenging certain other allegations about tobacco and the tobacco industry.

The first is from a recent speech on the Senate floor in which it was maintained: "Between 4,000 and 5,000 children start to smoke each day." For two months, I have searched for statistics to validate this assertion, and I have failed utterly. My only

conclusion is that this number is an exaggeration of an equally dubious statement by the Surgeon General to the effect that 4,000 children begin smoking each day. The Surgeon General's statement in turn rests on a limited survey conducted in 1961 in Newton, Massachusetts. With a control group so small, it is a statistically absurd assertion which never even attempts to define the ages of the children to which it refers.

The Surgeon General and others maintain that their conclusions are based on over 5,000 studies. They do not mention that many of the studies are but rehashes of the others in popular magazines and even letters to the editor. Nor do they mention that many of the studies reached opposite conclusions from those of the Public Health Service. And Senator Kennedy then says, "No responsible health organization which has examined the problem has disagreed with these important facts." For an editorial which clearly refutes this conclusion, I suggest "Etiology by Edict" from the March, 1966, edition of the *Journal of Thoracic and Cardiovascular Surgery*.

I take strong exception to charges that "Cigarettes would have been banned years ago were it not for the tremendous economic power of their producers. . . . Nearly $300 million a year is spent in the United States alone on . . . efforts to start young people smoking and continue others in the habit."

The cigarette industry is less powerful than the liquor interests were in 1918; and prohibition of tobacco would fail as miserably as it did with alcohol. The only effect would be a bonanza for bootleggers dealing in low quality leaf. As for the statement, explicit and implicit, that the industry spends hundreds of millions enticing children to smoke, the charge is patently false.

In the first place, the industry spends no money whatsoever on institutional advertising designed to enlarge its market, as does, for instance, the brewery industry. Yet, beer commercials are as prevalent as cigarette commercials on sports programs; and it is incontrovertible that beer in the hands of an automobile driver can be a killer of young people. Certainly, the cigarette industry has made important strides in self-regulation by voluntarily limiting its advertising during programs aimed at youngsters. In addition, they have voluntarily ended all advertising on college campuses and drafted a code to police its advertising. The truth is that all cigarette advertising is brand advertising and has as its purpose gaining a larger share of the market for the manufacturer; and increasingly this advertising leads to larger markets for the lower tar and nicotine cigarettes. It is clear that human nature being what it is, an absolute ban on advertising is not the answer. In England, television advertising on cigarettes was banned, with the idea that English youth would not be encouraged to smoke. A year after the ban went into effect, however, the percentage of boys 16 to 19 years old who smoke had increased from 51% to 57%. For girls the same age, the proportion of smokers increased from 39% to 47%.

In Italy, all cigarette advertising is banned. And since the ban, cigarette use has risen steadily.

As to a charge heard at the World Conference that "The cigarette companies have demonstrated a total inattention of public responsibility," the industry has contributed $22 million to independent scientific research on health and smoking, $10 million of which has gone to an American Medical Association research project. It has spent even more in its own research. This is not to say that the manufacturers have completely altruistic motives. Indeed, it is in their own interest to discover the relationship, if any, between smoking and lung cancer so that they can eliminate that ingredient, if any, which is responsible for the disease.

In conclusion, I emphasize two points:

First, I make no claim that cigarettes are a wonder drug. I claim only that which K. A. Brownlee has said in his article in the American Statistical Review. That is, at this time the statistics do not show that cigarettes cause human disease. Or, in the language of the North Carolina South Mountains, "Figgers may not lie, but liars sure do figger." And honest men also figger when the crusading spirit burns in their hearts.

Second, it is not my position that Congress should stand idly by in the face of what appears to be mounting deaths from lung cancer. But I do object strenuously to the solutions offered by the prohibitionists. Senator Kennedy, for instance, advocates impossibly strict self-regulation of the industry. In effect, what he asks of the manufacturers is slow suicide until such time as Congress agrees to give the Federal government the tools to administer the final execution.

This course can only lead through a blind alley of economic tragedy; and I'm not talking about the several hundred executives of a few large manufacturers. I'm talking about the several hundred thousand small farmers and tobacco factory workers and their families. Where shall we send them? To the ghettos of New York where it has been estimated even by prohibitionist scientists that residents are breathing heavily-polluted air?

It baffles me that some scientists have taken up the crusade for cigarette prohibition with all the religious fervor of a Carrie Nation. How much further we might be today if all of that combined intelligence, dedication, and energy had gone into research rather than propaganda.

PROPOSALS

Which brings me to my three-point proposal for resolving this controversy.

First, I believe the Federal government should initiate, as soon as possible, a cooperative effort among industry, government, and private, nonprofit organizations to find the cause and cure for lung cancer. Dr. Salk has shown us that there is nothing which is medically impossible. If we can divert all of the financial and human resources now engaged in anti-cigarette propaganda into a coordinated effort, I am confident we could shorten greatly the time until we reach our goal.

Between now and the time Congress reconvenes in January, Representative Galifianakis and I will be discussing plans for a definite program with Senator Jordan and other members of our delegation. It has occurred to me that this may be an excellent opportunity to test Vice President Humphrey's plan to apply computer technology to medical research in order to avoid duplication of research by scientists scattered across the country. A data bank could be set up in the Research Triangle Park in North Carolina which would act as a nation-wide storehouse for all lung cancer research. As support facilities, we already have the Environmental Health Center, an IBM research facility, and the U.S. Data Processing Laboratory of the National Center for Health Statistics located in the Park. There are nationally-recognized medical schools at Duke University and the University of North Carolina at Chapel Hill. And the computer experiments being conducted at these two schools and at North Carolina State University—the three institutions which form the angles of the Triangle—could make a great contribution to the program, as could the research affiliates of the tobacco companies located nearby. Work of this nature in its embryonic stages is already being done in the area, and expansion of it could take place more easily there than at any other place in the nation. I am certain the State of North Carolina would cooperate in every way possible. Our legislature has already appropriated money for a Bio-Dynamics Laboratory at North Carolina State University for agricultural research on tobacco. Much of this research is being devoted to producing better quality leaf with lower tar and nicotine content.

Action along this line is the type which Nick Galifianakis and I feel Congress and the Surgeon General should contemplate.

Second, I urge a renewed and larger assault on air pollution. The Administration is to be congratulated for its work in this area. The landmark Air Pollution Act recently signed into law offers great hope, both in terms of research and in terms of regulation. Still, as President Johnson and Secretary Gardner have recognized, there is more Congress can do. It is true that, as with cigarette smoking, there is no proof that air pollution causes lung cancer. Yet, to the extent it may constitute a health hazard, air pollution is a more insidious threat than smoking. The latter is a voluntary risk, while the former is imposed on everyone against the wishes of everyone. Further, there are esthetic reasons as well as health reasons for an intensified war on air pollution. Until that day when all Americans can once again be assured they can look up in the morning and see the sky and look up at night and see the stars, we need to fight to lift the sick cloud of pollution which hangs so heavy across the face of America. Here again, Representative Galifianakis and I hope to offer some new ideas.

Lastly, if it is ever proven that there is a causal relation between cigarette smoking and lung cancer, then government, industry, and medicine should be prepared to begin immediately a cooperative search for a safe cigarette—not, however, through the coercive economic sanctions which have been proposed to the Senate, but rather through a program of tax incentives and joint government and industry research. Today's scientists are capable of finding better solutions to problems than by shouting them out of existence.

I'll conclude now with an editorial from the Raleigh, North Carolina, News and Observer, which contains more wisdom than all the propaganda of those who would regulate the personal habits of the American people:

"HAZARDS APLENTY

"In connection with the dire and continuous warnings given us about the supposed dangers of cigarette smoking, a physician passed along a little verse from the New England Journal of Medicine. It goes:

"'Cholesterol is poisonous, so never, never eat it.
Sugar, too, may murder you, there's no way to beat it.
Some foods were filled with vitamins till processing destroyed it.
So let your life be ordered by each documented fact
And die of malnutrition with your arteries intact.'

"And warily watch every sunny sky for bolts of lightning."

(Material for inserting in Congressional Record with Senator Ervin's speech on tobacco:)

1. A list of the major points raised by Dr. Milton B. Rosenblatt, Professor of Medicine at New York Medical College, and Dr. James R. Lisa, Consultant Pathologist, in their paper entitled "Biology, Biometry and Bronchogenic Carcinoma" from the August, 1967, edition of Medical Science, followed by the text of that article.

2. An editorial entitled "Etiology by Edict," by Dr. Hiram T. Langston from the Journal of Thoracic and Cardiovascular Surgery of March, 1966.

3. Excerpts from the study entitled "Smoking in Relation to Coronary Heart Disease and Lung Function in Twins; A Co-twin Control Study, Serum Lipids, Smoking, and

Heredity," from Acta Medica Scandinavica, 1966.

4. A news release by the National Research Council of October 26, 1967.

5. An article entitled "Surgeon General's Report is Inconclusive on Cigaret-Cancer Link, Statistician Says," from the December 13, 1965, edition of Advertising Age, and the article on which this news report is based.

6. An article, "The Influence of Cigarette Smoke on Lung Clearance," by Charles W. LaBelle, Ph. D.; Dorothea M. Bevilacqua, M.A.; and Heinrich Brieger, M.D., from the May, 1966, edition of Arch Environ Health.

7. A study, "Distribution of Mortality from Lung Cancer in the County of Los Angeles," from the June 15, 1967, edition of The Bulletin, published by the Los Angeles County Medical Association.

8. A news release entitled "Tobacco Institute Replies to RFK Charge of Industry 'Inattention to Responsibility,'" of September 11, 1967.

9. An address to the Tobacco Growers Information Committee Annual Meeting of November 6, 1967, by Addison Y. Yeaman of the Brown & Williamson Tobacco Corporation.

10. An address to the Burley and Dark Leaf Tobacco Export Association Annual Convention on October 3, 1967, by Paul D. Smith of Philip Morris, Inc.

11. Two editorials from Barron's; the first entitled "The Witch Doctors—Pseudo Science Is a Menace to U.S. Health and Welfare," in the May 9, 1966, edition; and Dangerous Lengths—The Federal Crusade Against Smoking Has Gone Too Far," in the October 2, 1967, edition.

12. A column by James J. Kilpatrick, entitled "Anti-Smoking Figures Look Flimsy," from The Washington Evening Star of September 28, 1967.

13. An article entitled "City Air Pollution Said to Cost $520 Million a Year in Damage," from the June 25, 1965, edition of the New York Times.

14. An article entitled "German Physician Denies Smoking Role in Lung Cancer; Blames Air Pollution," from the August 12, 1964, edition of the Medical Tribune.

15. An article entitled "Germans Dispute Cigaret-Cancer Link," from the March 24, 1964, edition of the Chicago American.

16. An article entitled "Smoking and Lung Cancer: An Untelevised Telecast," by Dr. Joseph Berkson of the Mayo Clinic and professor of Biometry at the University of Minnesota, from the Cancer Bulletin, May–June, 1963.

17. An article entitled "S. I. Deaths Linked to Air Pollution," by Peter Kihas, from the January 12, 1967, edition of the New York Times.

EXHIBIT 2

SOME FACTS ABOUT TOBACCO

In 1969, total U.S. consumption including overseas armed forces was:

Over 529 billion cigarettes

About 7.8 billion domestic and imported cigars and cigarillos

About 64 million pounds of smoking tobacco

Over 70 million pounds of chewing tobacco

About 27.5 million pounds of snuff

The 1969 output of cigarettes from U.S. factories was 557.6 billion.

Of the total output, 18.4 billion cigarettes were shipped to overseas forces, 3.7 billion to Puerto Rico and U.S. Islands and 25 billion to other countries.

Here are some more facts about the agriculture, manufacturing, distribution, taxation, costs and services of the tobacco industry. In the following, all figures are estimates for 1969 unless otherwise stated. Sources are noted in the last page.

TOBACCO PRODUCT EXPENDITURES

In 1969, U.S. expenditures for tobacco products totaled an estimated $10,325,000,000, an increase of $213 million over 1968 and over $1.1 billion more than in 1966.

About $9.2 billion of the total expenditures was for cigarettes, $710 million for cigars and $320 million for smoking and chewing tobacco and snuff.

WORLD TOBACCO PRODUCTION

Total world production of tobacco in 1969 is estimated at about 9.9 billion pounds, down 4.4 percent from the record high in 1967, but over 11 percent above the 5-year average 1960–64 production.

The United States produced 1,808,059,000 pounds of tobacco in 1969. Other major tobacco producing nations are: India (765,437,000 pounds), Brazil (409,202,000 pounds), Pakistan (400,000,000 pounds), Japan (389,328,000 pounds), and Turkey (321,000,000 pounds).

FARMING

Tobacco growers

Tobacco is grown in 25 of the nation's states on 432,000 farms (1966 estimate).[1] There were 530,760 allotments totaling 934,892 acres issued to grow tobacco in the U.S. in 1969. The total tobacco acreage harvested was about 925,525 with a total yield of 1,954 pounds per acre.

Tobacco growing requires a great deal of labor. A farmer and his family, with the aid of hired help, must put in about 400 man-hours of labor to raise one acre of tobacco. It takes about 8 man-hours to raise an acre of wheat.

Crops income

In 1969, tobacco was the fourth largest cash crop in the United States, behind corn, soybeans and wheat. Farmers received $1,296,000,000 for the sales of tobacco crops, representing 2.7 percent of the total for all agricultural commodities in the United States. The estimated 1969 income from tobacco crops in 16 major tobacco states was:

[In millions of dollars]

North Carolina	$516
Kentucky	301
South Carolina	99
Virginia	93
Tennessee	78
Georgia	76
Florida	32
Maryland	23
Connecticut	22
Ohio	14
Pennsylvania	11
Indiana	10
Massachusetts	9
Wisconsin	5
Missouri	3
West Virginia	2

To a lesser extent, tobacco is also grown in Alabama, Arkansas, Delaware, Illinois, Iowa, Kansas, Louisiana, Missouri and New York.

MARKETING

Auctions

95 percent of the nation's tobacco is sold at auction in 175 markets in 12 states. About 5 percent of the nation's tobacco, largely cigar leaf, is sold directly from the farms or by farmer's cooperatives.

In 1969 there were 898 warehouses at the markets in Virginia, North Carolina, South Carolina, Georgia, Florida, Maryland, Kentucky, Tennessee, West Virginia, Ohio, Indiana, and Missouri. They handle 13 types of tobacco leaf.

MANUFACTURING

Factories

In 1969 there were about 300 tobacco products factories, large and small, in 26 states. They held federal permits to manufacture cigarettes or cigars.

[1] The number of farms in a USDA estimate based on the 1964 Census of Agriculture. The allotment total is larger than the number of farms because of farms having more than one type of allotment, farms not growing tobacco in a given year and definitional differences.

There were 177 licensed export warehouses, which store cigarettes, cigars and other tobacco products before shipment to Canada, Mexico and overseas.

North Carolina leads in cigarette production. Other large producers are Virginia and Kentucky.

Employment

Tobacco manufacturers employ about 75,100 men and women.

Employees	*1969 average*
Cigarette	36,000
Cigar	19,000
Chewing, smoking	3,600
Stemming, redrying	15,900

EXPORTS

In calendar 1969, U.S. *exports of leaf tobacco and manufactured products totaled some $696 million.*

Leaf

The United States is the world's leading exporter of tobacco leaf. Exports of unmanufactured tobacco and leaf tobacco in calendar 1969 were 577 million pounds in export weight. Exports in 1968 were 599 million pounds. Value of the 1969 leaf export was $540 million, compared with $524.4 in 1968.

Products

The United States also exported $156 million worth of cigarettes and other tobacco products in calendar 1969.

About 28 billion cigarettes, valued at $129 million went to well over 50 foreign countries in 1969. Among the leading importers were Hong Kong, Spain, Paraguay, Netherlands, Antilles, Kuwait, Panama and West Germany.

Also exported in 1969 were 65 million cigars.

Exports of smoking tobacco in bulk have increased steadily in recent years; the quantity for calendar 1969 was 20.3 million pounds—up 4.4 million from 1967. In addition, the United States exported 1.8 million pounds of packaged smoking tobacco and 33,000 pounds of snuff and chewing tobacco.

TAXES

Total excises

Tobacco taxes for fiscal 1969 totaled about $4,379,390,000 for federal, state and local governments. About 98 percent of that represented taxes on cigarettes—some $4,298,059,000. Taxes on other tobacco products totaled about $81,331,000.

The federal government's share of the tax burden was $2,137,876,000, with cigarette taxes representing 97.4 percent of the total or $2,082,106,000.

State taxes on all tobacco products totaled an estimated $2,182,649,000. Local government tobacco taxes totaled $58,865,000.

In 1969, because of the increased cigarette taxes in many of the 50 states that levied such taxes, smokers paid 9.5 percent more in state cigarette taxes than in 1968.

Sources:

U.S. Department of Agriculture, Annual reports on tobacco statistics.

U.S. Department of Agriculture, The Tobacco Situation, issued quarterly.

U.S. Department of Agriculture, Foreign Agriculture Circular.

U.S. Department of Agriculture, Economic Research Service.

U.S. Department of Labor, Employment and Earnings Statistics for the United States.

U.S. Department of Treasury, IRS Tobacco Division, Alcohol and Tobacco Summary Statistics.

Tobacco Tax Council, 5407 Patterson Avenue, Richmond, Va. 23226. The Tax Burden on Tobacco.

EXHIBIT 3

TOBACCO—ITS ECONOMIC IMPORTANCE

The production of tobacco, marketing, sales of raw and manufactured tobacco products, and Federal, state and local taxes de-

rived therefrom constitute a most important part of the American farm and commercial economic foundations. In 1970, $10 billion was channeled through the American economy from this source alone, as illustrated herein. Essential to the tobacco economy since 1940 has been the Commodity Credit Corporation price support program, as promulgated by the Congress in the Agricultural Adjustment Act of 1938, as amended. Through this mechanism price supports have been guaranteed to tobacco growers who, in turn, have accepted marketing quotas designed to stabilize production.

Tax collections, fiscal 1970

Federal:	
Cigarette	$2,036,101,000
Other tobacco products	58,111,000
Total Federal	2,094,212,000
State excises:	
Cigarette	2,532,818,000
Other tobacco products	31,092,000
Total	2,463,910,000
Local excise:	
Cigarette	66,209,000
Other tobacco products	157,000
Total	66,366,000
Aggregate:	
Cigarette	4,535,128,000
Other tobacco products	89,360,000
Total taxes, fiscal 1970	4,624,488,000

Tobacco grower receipts

[*In millions*]

1965	$1,186
1966	1,211
1967	1,392
1968	1,173
1969	1,296
1970	1,406

In other words, in 1970, for example, the Federal, State and Municipal governments derived over $3 in taxes for every $1 paid to growers for their labors.

COST OF PRICE SUPPORT PROGRAM

The cost, that the Federal government has sustained in operating the tobacco price support program for tobacco from 1933 to date, has been $59.8 million or ½ of 1% of the cost for all farm commodity price support operations. This small cost is impressive when one takes into consideration the total loan made during that period:

Period: 1933 to date.

Loans to Farmers (million dollars): 3,670.

Balance outstanding February 1971 (mil. dollars): 930.6.

CONSUMER PURCHASES

During calendar year 1969, the latest reported period, U.S. consumers spent $10.3 billion on tobacco products, with taxes representing 43% of consumer expenditure for tobacco products.

EXPORTS

The U.S. is the leading tobacco exporter. In recent years about 35% of the U.S. crop has been exported, representing about ⅓ of world tobacco exports. U.S. exports of raw tobacco and tobacco products were valued at a record $679 million in 1970, thus contributing a substantial favorable trade balance.

GROWERS

About 515,000 farms in the U.S. produce annually almost 2 billion pounds of tobacco on one million acres. On many farms more than one family depends on the income from the tobacco sales. So, about 625,000 farm families share in this cash income.

PRODUCTION STABILIZATION

Over the past several years production per acre has increased markedly due to the introduction of improved fertilizers, pesticides and better production practices adopted by farmers. Cognizant of the problems of maintaining acreage controls under such improved growing conditions, growers of fluecured tobacco (the largest type grown) adopted a poundage program several years ago which is stabilizing production in that area and maintaining meaningful marketing quotas. Recently, Burley growers have adopted the poundage system by referendum which will be of immeasurable assistance in bringing production of that type into line within a reasonable period of time.

Mr. COOPER. Mr. President, will the Senator yield for 2 minutes?

Mr. McGEE. I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, I wish to emphasize that this amendment has nothing to do with health. If I may say so, and I speak with thought and consideration, it is fiction as far as health is concerned. The tobacco program is a control program. The domestic and export use of tobacco is calculated and poundage quotas are allotted to individual growers on the basis of domestic and export use, and each grower's history of production. If the amendment of the Senator from Utah should be adopted, withdrawing supports, unlimited production in this country would follow with cheap tobacco for everyone to buy, perhaps at prices of 10 cents a pack for cigarettes. We would be flooded with imported cheap tobacco.

The Senator wants to abolish Government inspection and grading. This service assures fairness to the grower, the manufacturer, the Government, and the consumer.

Mr. President, I calculate the total cost of tobacco programs to the U.S. Government to be $53.6 million for the first 11 months of fiscal year 1971. Compared to the cost, tobacco products accounted for $4.6 billion in taxes in 1970, $2.2 billion paid to the Federal Government, and $2.4 billion to State and local governments. Taxes collected amounted to three times the amount farmers received for tobacco. Compared with the cost, last year tobacco accounted for $467 million exports on the side of our balance of payments.

I would like to compare the figures for the tobacco support program with the support program for beet sugar in Utah. Utah alone received $1.248 million in support of its beets. Support for tobacco for the first 11 months of the fiscal year was $100,000.

This amendment threatens 625,000 farm families. Tobacco growers adopted by a 97-percent vote this year a new poundage program to limit production. They have planted their tobacco. The Senator's amendment, as originally drawn, disregarded this fact and would drive them to the wall eventually.

I say, with high regard for my colleague from Utah, he ought to apply the same reasoning to the products of his State as he does to tobacco States. And, if he is in earnest about stopping cigarette consumption, he should introduce a constitutional amendment to stop the production of tobacco. Of course, he will not do it. Of course, it would not be accepted by the Congress or the States. I can say that I think I know something about the production of tobacco, and tobacco programs, and the amendment is fiction as far as health is concerned.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. Mr. President, I yield 2 minutes to the Senator from Virginia (Mr. SPONG).

Mr. SPONG. Mr. President, I thank the Senator from Wyoming.

Tobacco is a major agricultural commodity upon which many thousands of Virginia farm families depend for a substantial part of their livelihood.

The migration of people from the Nation's rural areas to the cities has been causing perplexing problems for years. The pending amendment—to abolish the tobacco program—would accentuate these problems. The amendment is counterproductive. It would harm the economy of the country and of the State I have the privilege to represent, and would have no effect whatsoever on health.

The sale of tobacco is legal, and those who use the commodity are forewarned as to its possible effects. The amendment will not stop the sale of tobacco. It will drive thousands of hard-working rural people off their land and onto already overburdened welfare rolls.

The cost of the tobacco price support program is small, averaging only $4.7 million a year. Taxes collected on tobacco products amounted to $2.2 billion last year. The States collected an additional 2.4 billion. My own State of Virginia realized $13.7 million from State tobacco taxes in 1970.

Mr. President, I opposed this amendment last year, and I shall do so again today. I hope it will be defeated.

Mr. McGEE. Mr. President, I yield 2 minutes to the Senator from Tennessee (Mr. BAKER).

Mr. BAKER. I thank the distinguished manager of the bill for yielding to me so I may make these remarks in opposition to the amendment. This amendment or some variation thereof has been offered in each session since I have been in the Senate.

I think the distinguished senior Senator from Kentucky is correct, as are others who have observed that this amendment certainly has nothing to do or little to do with the health aspects of tobacco.

I would offer, however, one observation that may be at slight variance with that. One of the provisions of the amendment is to eliminate the price support program for tobacco by prohibiting the payment of subsidy prices for the limitations of controls in the tobacco crop. If that is done, it is well to bear in mind that there are two sides to the tobacco support program. One is the payment in subsidies, and one is the limitation of the size of the crop. So if we leave the tobacco support program, in effect we have created a free market situation in tobacco in the United States, and almost certainly three things will happen.

First, the amount of tobacco grown in the United States will greatly increase, because there will no longer be a limitation on the size of the crop.

The second thing is that the price of

tobacco will drop, as will the price of cigarettes, cigars, and all the other products complained of as hazards to one's health. They will be more plentiful and less costly if this amendment is adopted.

The third thing that will happen, in my humble judgment, is that there will be a great influx of tobacco from foreign countries thereby destroying our export market.

So I agree with others who observe that this prohibition has very little to do, if anything, with the health hazards of tobacco. I respecfully suggest that we cannot go about this matter piecemeal. If the Congress of the United States, by statute or by constitutional amendment, seeks to make tobacco contraband and unlawful, that is one thing; but if it does not, and as long as tobacco is lawful, as it is in the United States, it seems to me somewhat of a legislative error for us to destroy the economy of the small farmer.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. HRUSKA. Mr. President, may I have 2 minutes?

Mr. McGEE. I yield 2 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, technically this amendment qualifies in that it is not legislation within the meaning of appropriation bills. In a practical sense, it is legislation because of the terrific impact it would have on the complicated, multifaceted problem. If this is a bill for a legislative committee, it should be processed in regular fashion, through hearings and debate directed to the overall tobacco problem. Strange, unanticipated, and undesirable results will follow unless seasoned and thorough consideration is given to the problem. Here are some examples:

The Tobacco Inspection Act of 1935 specifically provides for mandatory inspection of all designated auction markets. The proposed amendment makes no provision for alternately funding tobacco inspection of all designated auction markets. Thus, the proposed amendment would make tobacco inspection inoperative, and certainly, with the continued existence of the tobacco market, we, as a legislative body, would not want to see that result.

A request was made on behalf of the committee for comment on the proposed amendment from the Department of Agriculture. I ask unanimous consent that the text of the memorandum which was furnished by that Department be included in the RECORD at the conclusion of my remarks.

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

MEMO FROM DEPARTMENT OF AGRICULTURE ON EFFECT OF MOSS AMENDMENT TO H.R. 9270

The Agricultural Act of 1949 provides mandatory price support for any crop of tobacco for which growers have not disapproved marketing quotas. Growers of most kinds of tobacco have approved marketing quotas for three-year periods with the understanding that they would receive price support. Flue-cured and burley tobacco growers have approved marketing quotas on the 1971, 1972, and 1973 crops. The proposed amendment eliminating the price support program for tobacco would make substantial program changes subsequent to the grower referendums.

The Department inaugurated in 1966 a limited export payment program designed to regain and expand foreign markets for U.S. tobacco by making our tobacco more competitive in world markets. During 1955–59, the U. S. supplied 35 percent of free world tobacco exports. Our share declined to 26 percent in 1965, but recovered to 28 percent in 1970. During the 1970 calendar year exports of U. S. unmanufactured tobacco and tobacco products were valued at $679 million. About 95 percent of these exports were dollar sales making a sizeable contribution to our balance-of-payment position. The elimination of the export payment program as proposed in the amendment would result in a loss in our tobacco exports. In this connection it is well to bear in mind that U.S. tobacco competes in world markets with countries that can offer tobacco at lower prices because of preferential duties, subsidies, bilateral trading arrangements, cheaper land and labor, etc.

The Department spends no money to advertise or promote the use of tobacco in the United States. For a number of years, the Department has been working with U.S. agricultural and trade groups to expand sales to foreign countries of U.S. farm products. For the 1972 fiscal year, the Department authorized expenditures of $160,000 (dollar equivalent in foreign currencies) for cooperative tobacco market development. This program operates only in Thailand and Austria, which have Government monopoly control of the manufacture and distribution of tobacco products. These projects were undertaken at the request of, and in cooperation with, these foreign Governments, and were designed to expand the use of U.S. grown tobacco in the products they manufacture.

Public Law 480, The Agricultural Trade Development and Assistance Act of 1954 states that "The Congress hereby declares it to be the policy of the United States to expand international trade; to develop and expand export markets for United States agricultural commodities." Expenditures for tobacco under Public Law 480 during the 1970 fiscal year totaled $22.5 million, of which $14.2 million represented the sale of leaf tobacco and tobacco products for U.S. dollars on credit terms. The remaining $8.3 million represented sales for local currencies, as no tobacco is donated under Public Law 480. Sales under this program are made to developing countries at the request of the foreign government. If this trade program were discontinued these countries would likely purchase their tobacco requirements from competing sources.

The Tobacco Inspection Act of 1935 specifically provides for free and mandatory inspection on all designated auction markets. This Act makes no provision for otherwise funding tobacco inspection on designated markets. Thus, the proposed amendment would make tobacco inspection inoperative.

Tobacco is a major agricultural commodity that several hundred thousand farm families depend on for most or a significant part of their livelihood. Although tobacco uses only 0.3 percent of the nation's cropland it is usually the 4th or 5th most valuable crop and accounts for about 7 percent of cash receipts from all U.S. crops. Farmers received about $1.4 billion from the sale of the 1970 tobacco crop.

U.S. consumers spent about $11.7 billion on tobacco products during the 1970 calendar year. About $4.7 billion of this expenditure were received by Federal, State, and local governments as excise taxes. The demand for tobacco by many millions of people in this country and abroad will continue even though confronted with health issues and other repressive influences. Manufacturers will obviously strive to satisfy this demand and will obtain their tobacco requirements either from U.S. producers or from suppliers of foreign grown leaf. U.S. producers naturally feel they have every right to continue to earn their livelihood by producing tobacco to supply this demand and to receive fair prices for their product. It is estimated that elimination of government price support and adjustment programs would reduce producer income from tobacco by about $400 million annually and cause a loss of about $283 million to Commodity Credit Corporation on its existing loan stocks of tobacco.

The PRESIDING OFFICER. Who yields time?

Mr. MOSS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. MOSS. Mr. President, the Senator from Nebraska said that this is a legislative matter in effect, and therefore it should have been presented to a legislative committee; but I must remind this body that this has been a bill put before the legislative committee not only in this Congress but in the previous Congress. Because I could never get the legislative committee even to hold a hearing, even to talk about it, I had to present it last year as an amendment to the appropriation bill. We went to a rollcall vote, and we did not succeed.

This year I introduced it again early, saying we would go the same route. I told them in advance that we were going to have the matter on the floor when the appropriation bill came up for consideration unless the legislative committee held hearings and proceeded to process my legislation. For some reason the legislative committee does not want to act, and therefore we must deal with the proposal in the only logical way left to us, and that is to withhold the funds that are being expended for the promotion of the growing of tobacco.

Some argument was made that this was really a control measure respecting the amount of tobacco that would be grown. It costs us between $60 and $70 million to have that kind of control, if that is the fact, but then the Senator from Virginia said this would not stop the growth of tobacco; as a matter of fact, it might just turn it loose and we might have more grown.

One has to have it one way or the other. If more tobacco is to be grown by farmers, then we are not going to throw them out and impoverish hundreds of thousands of farmers. The Senator from Kentucky said that these farmers are going to be impoverished.

So on one side they say it will take off the controls and we may well have more tobacco grown, and on the other side they say it will impoverish the farmers because they will not get price supports.

It was also asked by the Senator from Kentucky why we just did not have a constitutional amendment to stop the use of tobacco by law. As every Senator in this body well knows, we tried that method on alcohol a number of years ago. By constitutional amendment this country banned possession or use of alcoholic beverages. We went through the great experience of the prohibition era, and out of it we got syndicated crime and more difficulties really than the use of alcohol undoubtedly had caused.

Nobody said that alcohol was good, and nobody has said even to this day that it is good. But we have decided, in this country, that the better way to do is to go through the educational process. So we repealed the 18th amendment, and alcoholic beverages are now legal in almost every part of the country, but the effort still goes on to educate our people against the use of alcohol.

That is the same general tenor of what we are doing on tobacco. The Senator from North Carolina quoted from some medical personages as saying that really tobacco did not cause all these diseases. I have here the reports that have been issued by three successive Surgeons General of the United States, Surgeon General Terry, Surgeon General Stewart, and Surgeon General Steinfeld, and every one, without exception, supports the contrary view. There is no exception and no medical question any longer. As I pointed out earlier, this is true not only for the medical professional generally in the United States, but in European countries, in our neighboring country, Canada, and in fact wherever medical research has been performed on this matter of smoking and health, it has been found that the use of tobacco does indeed enhance the various diseases that we have mentioned, most especially lung cancer and emphysema.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MOSS. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. MOSS. I shall use only about 3 more minutes, then I shall be glad to yield back my time.

I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MOSS. Mr. President, let me say in summary that we are just trying here to move the next step onward in this area where the Senate has already acted, Congress has already acted, and the President has already acted in the curbing of advertising of cigarettes and in requiring that health warnings be placed on the package; and now the FTC is requiring that the warning be placed on printed advertising as well. We are moving the next step onward, which is to get ourselves out of this contradictory position that we occupy in this country today of spending our money on doing research on the establishment, legislatively, that the smoking of cigarettes is injurious to health, that it costs us a billion dollars a year in lost time and illness to the people who use tobacco, while, on the other hand, under the provisions of this bill we would be paying out $60 million or $70 million to promote the growing and marketing, grading, and advertising of tobacco.

The two positions are inconsistent. For us, as a legislative body, to try to travel both roads, on the one hand to encourage the growth and use of tobacco, and on the other hand to try to inhibit it by restricting various methods of advertising and promoting educational programs, makes the later effort seem a mockery.

So I urge my colleagues to call a halt at this point. As I have pointed out previously, I shall offer another amendment which will have for its purpose the appointment of a commission to aid those who are in the tobacco growing business to make the transition to other crops or occupations. I believe they are entitled to that, and I urge its enactment. I think they ought to have some aid to get transition over. But I firmly believe we ought to get out of the business of encouraging the growth and use of tobacco.

The PRESIDING OFFICER. The Senator's time has expired. Does the Senator from Utah yield back the remainder of his time?

Mr. MOSS. Yes, if the manager of the bill is also willing to do so.

Mr. McGEE. Mr. President, I have promised 1 or 2 minutes to two or three Senators.

Mr. MOSS. Mr. President, I reserve the remainder of my time.

Mr. McGEE. I yield 2 minutes to the Senator from Georgia (Mr. TALMADGE)

Mr. TALMADGE. Mr. President, farm programs have been under attack for a number of years now. Time after time opponents of farm legislation have used every trick in the book to discredit, degrade, and criticize producers of our food and fiber.

And it seems to me, Mr. President, that as the farm population, and number of farms decrease, the shrillness of the opposing voices increases in direct proportion.

Mr. President, the amendment before the Senate now, is the most vicious I have ever seen.

This amendment would abolish the tobacco program. It would prohibit the paying of export subsidies, it would prohibit cooperative government-industry foreign market development programs, it would prohibit sales under Public Law 480, and it would prohibit inspection or grading of tobacco.

All of these purposes are aimed directly at the hearts of tobacco growers.

It would literally destroy a program, and the honest God-fearing people who participate in that program.

It would literally confiscate their property by Government fiat.

It would literally make beggers out of a self-supporting self-reliant people.

And for what?

And for that I have no answer. For I can see no earthly good in this amendment.

The only thing it will accomplish is to make paupers out of tobacco growers, and cause harm to our national economy.

The purpose of tobacco programs is to stabilize production and assure fair prices to growers. If production gets out of line with needs, acreage and poundage allotments are reduced. If programs require legislative action to achieve this end they are supported by producers.

Just this year a new program was approved for burley tobacco along the lines of the Flue-cured program approved several years ago.

At the present time, there are about 515,000 tobacco farms in the United States. About 2 billion pounds of tobacco are produced on about 899,000 acres on these farms.

On many farms more than one family depends upon the income from tobacco sales. So about 625,000 farm families share in the proceeds from tobacco sales.

The average size of a tobacco allotment is 1.68 acres. And yet, tobacco is one of the few crops that can still utilize family labor and provide a reasonable income on a small farm. Thus it represents the strongest bastion of the small family-type concept.

However, if the program is abolished, farm tobacco prices, and land values would drop precipitously. Farm income would become a negative factor in many instances. Production would decrease, while imports would probably increase. Growers would be forced off their farms. Many would go onto welfare rolls to increase the cost of this program. Some would be forced to move to urban areas where problems already exceed resources in many cases.

The whole economy of tobacco producing areas would be adversely affected, disastrously in many instances.

There would be no benefits to anyone if this amendment were adopted.

Of course, the proponents of this amendment will say they saved the Government money because subsidies will be prohibited.

But what is the cost of the tobacco program to the Government?

In fiscal year 1970, the realized cost of the tobacco price support program amounted to only $1.1 million. Export payments on tobacco totaled $29.5 million. And sales under Public Law 480 amounted to $22.5 million, of which $14.2 million was credit sales for dollars. The total cost, even including Public Law 480 and dollar credit sales, amounts to only $53.1 million.

The cost of the tobacco price support program is one of the lowest of all commodities. The average annual cost since the inception of price support programs in 1933 amounts to only $4.7 million.

Compare this with the income to the Federal Government from taxes collected on tobacco products which totaled $2.2 billion in calendar 1970. States collected another $2.4 billion. Thus, total Federal and State taxes collected in 1970 amounted to $4.6 billion.

And, from 1960 to 1970 total Federal and State taxes collected on tobacco products amounted to $40.2 billion.

The limited export payments program for tobacco which the amendment would prohibit is designed to expand foreign markets for U.S. tobacco by making our tobacco more competitive with foreign prices. Last year the subsidy amounted to $29.5 million.

In 1970 export sales of tobacco added $467 million to our balance-of-payments position. Since 1960 our balance-of-payments position has been improved in the amount of $4.6 billion by export sales of tobacco. Therefore, tobacco sales abroad benefit our economy.

We can reduce or eliminate this subsidy to exporters but it will not help this country. Rather it will help all foreign countries which produce tobacco. And believe me they will not go out of business. So to save $29.5 million we are gambling on losing a market that brought into this country $467 million in 1970 and $4.6 billion since 1960.

Maybe this makes good sense to some people but it makes no sense at all to me.

Also, as part of the effort to expand sales of tobacco abroad, we have a rather small but important market development program in several foreign countries. For the fiscal year 1970 about $240,000 equivalent in foreign currencies earned through sales under Public Law 480 was unauthorized for this use.

This is similar to programs we have for wheat, feed grains, soybeans, beef, livestock and a host of other commodities.

We have found that export sales are not made by luck, but require vigorous promotion, market contacts, aggressive selling and a quality product. We must continue this program if we intend to maintain or expand our export sales which are extremely important to our balance-of-payments position.

The amendment would also prohibit sales under Public Law 480, the Agricultural Trade Development and Assistance Act of 1954.

Last year these sales amounted to $22.5 million, of which $14.2 million was credit sales for dollars.

The less developed countries which purchase under Public Law 480 authorizations use the funds generated by the sales for their economic development.

They are also spared the additional drain on their currencies by not having to purchase in world markets.

The opportunity for betterment of their economic position would be denied them by the adoption of this amendment.

I can see no useful purpose being served by cutting off Public Law 480 sales. The people would continue to use tobacco. Purchases would be made from other countries, and the importing country would suffer economic deterioration.

And finally, the amendment would prohibit the use of government funds for inspection and grading services which the Department of Agriculture presently provides. In fiscal year 1970 the cost was only $4.5 million.

The idea, of course, is to make farmers pay for this service. It is a contemptible provision, as are all of the purposes of the amendment.

Mr. President, this amendment would accomplish no good whatsoever.

It will not stop the sale of tobacco.

It will not stop the advertising of tobacco.

It will not make it unlawful to smoke tobacco.

It will not contribute one iota to better health in this Nation, but it will be harmful to the economy of this Nation.

It is designed only to punish the tobacco grower in this country. It has no other purpose.

At the present time there are only 2.9 million farms left in this country, with a farm population of 9.7 million persons, only 4.8 of the total population.

This is not a potent political force or voice as the opponents of farm legislation see it.

Mr. President, true or not, I will not take advantage of a downtrodden people who have literally devoted their lives to furthering the interests of this great Nation.

On the contrary, I will expend every ounce of energy at my command toward defending them.

I have in the past, and will continue to do all in my power toward furthering their interest, and in so doing, furthering the interest of all our people and of our country.

Mr. President, I hope the amendment will be defeated.

Mr. McGEE. Mr. President, I have agreed to yield 1 minute to the Senator from Kentucky (Mr. COOPER).

Mr. COOPER. Mr. President, I favor measures to protect the health of our people. I reside in a major tobacco State, but I voted for the advertising restrictions on cigarettes. But I shall vote against the proposal of the Senator from Utah. It would ruin thousands of farmers for no reason at all.

I simply want to say again that in my judgment, this amendment has nothing to do with health. If the Senator from Utah has measures to educate and inform people I say that is the proper way to go about it.

During my service in the Senate, I have followed the progress of the tobacco price support program each year. In fact, it was my amendment, with Senator Alben Barkley in 1947, which secured a 90-percent price support for tobacco as a permanent provision of law, and with Senator Jordan of North Carolina in 1960, I sponsored the amendment which further stabilized the guarantee of a 90-percent price support for tobacco.

On February 11, of this year, I introduced in the Senate a bill—S. 789—to change production controls for the burley tobacco program from acreage allotments to poundage quotas. I believed a modification in the control mechanism was essential to keep the program sound. The Congress improved and enacted the bill and it is now law. In fact, it was the 10th law enacted by this Congress in this session. I believe the changes will keep the burley price support program on a sound basis and will avoid increased Government stocks or increased cost to the taxpayers.

Burley growers have put their houses in order. And, in 1965, a modified system of production control known as acreage-poundage was adopted for Fluecured tobacco and, since that time, surplus supplies have been steadily reduced.

Over the years the burley tobacco program has worked well, and every 3 years farmers have expressed their approval by voting in referendum by overwhelming majorities to continue the program. It has operated without large losses to the Government—which has not been characteristic of many other farm commodity programs—because tobacco growers have been willing to abide by the production controls necessary to keep their program sound. No group of farmers in the United States has been more willing or has better demonstrated the ability to limit their own production than the tobacco farmer.

Mr. President, let there be no question of the interest among tobacco farmers in retaining the price support program. On May 4 of this year, burley growers in eight States—where burley tobacco is raised—voted in referendum on whether farmers wish to have a burley tobacco price support program with accompanying poundage production controls for the next 3 years, or no price supports and no controls. The results were clear. Burley growers voted overwhelmingly to retain the price support program—by 96.6 percent of growers who voted. In my own State, Kentucky, the vote was 98.1 percent favoring the price support program.

In the light of the recent action by the Congress and the farmers to alter the tobacco program in order to make its operation more efficient, I believe it would be unfair to suddenly eliminate the program.

Yet, this amendment proposes the destruction of the price support program for tobacco—the farm program that has been one of the least costly of all our farm programs in effect today. In the first 11 months of fiscal year 1971, the net price support program cost for tobacco was only $100,000, compared to almost $2.5 billion for price support programs for other commodities. Over the entire life of the program, the total cost to the Government has been less than $60 million compared to the cost of all commodities of over $27 billion. As I have said, the tobacco program has worked more efficiently—with the least cost to the Government—than any other farm program.

Mr. President, the livelihoods of hundreds of thousands of farm families are at stake today. It is estimated that 625,000 farm families share in the proceeds from tobacco sales. Of these, the vast majority are small farmers who receive a substantial part of their income from a few acres—or less—of tobacco. We are not dealing with big farm operations with thousands of dollars in payments to any individual farmer. The average size of tobacco allotments is 1.68 acres. However, in Kentucky, most tobacco is grown on even smaller allotments of less than 1 acre. In fact, 60 percent of burley farmers obtain a large portion of their livelihood from only one-half acre of tobacco.

There is a sound reason for this support price for tobacco. Today production is controlled and limited. Instead of an increase in the acreage of tobacco in this country, there has been a steady reduction. The first result of eliminating the program would be unlimited production of tobacco and disastrous prices to our farmers.

While tobacco is grown by hundreds of thousands of small farmers, it is purchased by a small number of large buyers. In a market of this type and with unlimited production, it is imperative that there be a fixed price support for otherwise prices would drop to a very low level. Manufacturers of tobacco products would gain a large windfall gain—at the expense of hundreds of thousands of small growers. The amendment would strike at one group; namely, the growers, and impose a penalty on them. I do not believe it is right.

Second, this amendment would elimi-

nate the Department of Agriculture's program for inspecting and grading tobacco. This program provides for Government supervision of grading, which helps to secure quality tobacco instead of cheap, inferior grades of tobacco. It is best for the grower, the manufacturer and Federal and State governments which receive $4.6 billion taxes for tobacco.

I know the Senator from Utah is concerned about the possible health hazards from smoking. His amendment is ineffective in dealing with this problem. Eliminating the price support and inspection programs would flood the country with millions upon millions of pounds of low-quality surplus tobacco produced at cheap prices—with substantial windfall gains to manufacturers of tobacco products. It is possible that the price of a package of cigarettes could be reduced, encouraging people to smoke more. But, in no way, can I see how this amendment would discourage people from smoking. It would destroy the livelihood of tobacco farmers of the country without any effect on health. If it is intended that adopting this amendment would have anything to do with smoking, or the reduction of smoking, it is absolutely a foolish idea.

Third, the amendment would eliminate the export payments program for tobacco. This limited payments program is designed to expand foreign markets for United States tobacco by making our tobacco more competitive with foreign prices. Last year, the payments amounted to only $29.5 million.

Fourth, the amendment would prohibit market development programs. Advertising and sales promotion has been important in maintaining our competitive position in world markets. Eliminating this program would shift tobacco sales to other countries at a time when our balance-of-payments position is in serious difficulty. In 1970, export sales of tobacco added $467 million to our balance of trade account. Given our difficult balance-of-payments situation, I believe the country needs the export payments program and the market development program.

Fifth, the amendment would prohibit tobacco sales under Public Law 480. In fiscal year 1970, tobacco sales under this program amounted to $22.5 million. Eliminating this program would not alter the smoking habits of consumers. It would jeopardize the strength of the currencies of the importing countries, and it would slow down the economic development of these countries.

The author of this amendment—the junior Senator from Utah—has suggested that it is hypocritical for the Government to maintain price support for tobacco when medical authorities contend that smoking is injurious to health. I wonder whether the Senator would say the Government should stop collection of taxes on tobacco products. In calendar year 1970, the Federal Government collected $2.2 billion in taxes. States collected another $2.4 billion, making a total of $4.6 billion, more than three times the amount received by farmers. If it is hypocritical to support small tobacco farmers—whose very livelihood depends on price supports—why should the Government collect billions of dollars a year for taxes on tobacco products?

Mr. President, in conclusion, it is "pennywise and pound foolish" to eliminate the tobacco program which is vitally important to about 625,000 farm families—whose incomes and livelihoods rest upon the program; to jeopardize the economies of 21 tobacco-producing States and, indeed, the country; to endanger the financial positions of the already hard-pressed State and local governments that rely upon revenues from taxes on tobacco products; to risk the currencies, economies, and economic growth of developing countries that participate in the Public Law 480 program; to imperil the balance-of-payments position of the United States. And, what purpose would it serve? Over the entire history of the tobacco price support program, beginning in 1933, the program has cost the Government an average of only $4.6 million a year. It has been one of the most successful farm commodity price support programs, with solid support from farmers and relatively little cost to the Government. It would have no effect on the consumption of tobacco products or the health hazards of smoking. In fact, it could lower the price and quality of tobacco and, perhaps, stimulate consumption.

I ask unanimous consent to place in the RECORD Commodity Credit statistics regarding payments made for the tobacco programs from the Federal Treasury.

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

COMMODITY CREDIT CORPORATION—COMPARISON OF COSTS OF TOBACCO PROGRAMS WITH TOTAL COSTS OF ALL COMMODITIES FOR SELECTED PROGRAMS

[In millions of dollars]

	Fiscal year 1971 as of May 31, 1971		Cumulative from inception through May 31, 1971	
	Tobacco programs	Total all commodities	Tobacco programs	Total all commodities
Net price support program costs	0.1	2,439.4	59.9	27,278.0
Export payments	25.5	151.2	[1] 144.3	2,633.4
Public Law 480:				
Title I:				
Sales for local currencies	2.2	191.7	405.3	17,553.1
Sales on credit terms	5.3	469.3	56.0	2,752.3
Title II		321.0		3,566.3
Total Public Law 480	17.5	982.0	461.3	23,871.7

[1] Represents export payments under tobacco programs for fiscal year 1967 through 1971. Export payments for all commodities for this period amounted to $426,100,000.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McGEE. I yield 1 minute to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I think the Senator from Utah corroborates my statement that the doctors who are against tobacco are political doctors. They say tobacco smoking causes emphysema; but the medical doctors out at the National Institutes of Health say nobody knows what causes emphysema. So these political doctors ought to quit politicking for a little while, and listen to what the researchers say on this subject.

Mr. McGEE. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. Mr. President, if this amendment should be approved, with no restrictions at all upon imports, the result would be either concentration of all tobacco production in this country in the hands of very big companies, to the exclusion of the small producers, or else the exodus of an industry from the United States to other countries which would not be restricted in their sales.

Mr. McGEE. I yield 1 minute to the junior Senator from Kentucky.

Mr. COOK. Mr. President, as to this contention of the junior Senator from Utah that we are all outdated in our references about the health problem, there was a very extensive study published last year of the incidence of coronary heart disease in selected groups of men in seven nations. This project was directed by Dr. Ancel Keys, who is considered by many to be the father of the epidemiology of cardiovascular diseases in this country. In five of these countries cigarette smoking could in no way be implicated as being related to coronary heart disease. Of the seven nations studied, the Japanese group were the heaviest smokers and had the least coronary disease rate—about one-fifth the rate found in American men. In a recent 12-year period the Japanese increased their per capita consumption of cigarettes by about 48 percent and had their coronary heart disease death rate decline by 27 percent.

Mr. THURMOND. Mr. President, I rise to express my opposition to this amendment which would delete tobacco support payments. To enact such a measure would automatically bring about total ruin to a large group of our farmers and a segment of our economy.

Mr. President, merely because the use of tobacco products may be harmful is no reason whatsoever for selling out those farmers who grow tobacco. We, in this country, consume many products and engage in many activities which are not in the best interest of our health. This is no reason for discontinuing price supports to tobacco farmers.

Mr. President, it is very obvious that tobacco products will continue to be used in this country. It makes no sense at all to enact a measure which would deal a death blow to the American tobacco producers. If such would happen, Americans would not cease using tobacco products but would instead depend on tobacco produced outside of this country.

Mr. President, there is as much merit

in eliminating tobacco price supports as there would be to a measure which would eliminate price supports to producers of grain crops merely because these grains are used in the production of alcoholic beverages.

South Carolina is one of but a few States which produce tobacco. Our State is not the largest producer of tobacco, but our tobacco industry is the largest income-producing agricultural commodity we have. The reason tobacco is not produced but in a few States is that this plant can only grow in but a limited type of environment. South Carolina is very lucky to be able to produce tobacco and if its production is eliminated the economy of our State would suffer a serious economic setback.

I urge my colleagues to vote in opposition of this unwarranted amendment to the agricultural appropriations bill of 1971.

Mr. MOSS. I am prepared to yield back the remainder of my time, but I will take 1 minute to reply to the remarks of the last two or three Senators who have spoken.

The Senator from North Carolina has said that our doctors are political doctors, but I would point out that the reports that have been compiled are not even those of the Surgeon General on his research. He has gathered in these reports the research of doctors of the world, the great medical associations. The overwhelming evidence—it is no longer in question; it is beyond doubt now—is that the smoking of tobacco causes the diseases we have talked about and that we lose approximately a billion dollars a year in this country economically from the health aspect.

Much has been said about the economics on the other side—what we get from taxes and other things. But we pay for it in the health of our people. If we were talking here about raising marihuana, perhaps we would have another argument. But here we are talking about encouraging the growth of something that is legal and impairs the health of our people. I think it is incumbent upon this body to adopt this amendment and to withdraw our support of the growing of tobacco in this country.

I yield back the remainder of my time.

Mr. McGEE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

Mr. McGEE. 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. McGEE. 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 question is on agreeing to the amendment of the Senator from Utah (No. 240), as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. JACKSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from New Hampshire (Mr. McINTYRE), the Senator from Minnesota (Mr. MONDALE), and the Senator from California (Mr. TUNNEY) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON) would vote "yea."

Mr. SCOTT. I announce that the Senator from New Jersey (Mr. CASE), the Senator from New York (Mr. BUCKLEY) and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Michigan (Mr. GRIFFIN) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

If present and voting, the Senator from New Jersey (Mr. CASE) and the Senator from Oregon (Mr. HATFIELD) would each vote "yea."

The result was announced—yeas 10, nays 71, as follows:

[No. 141 Leg.]

YEAS—10

Hart	Pastore	Roth
Javits	Pell	Schweiker
Moss	Percy	
Packwood	Ribicoff	

NAYS—71

Aiken	Eastland	Miller
Allen	Ellender	Montoya
Allott	Ervin	Muskie
Anderson	Fannin	Nelson
Baker	Fong	Pearson
Bayh	Fulbright	Proxmire
Beall	Gambrell	Randolph
Bellmon	Gravel	Saxbe
Bennett	Gurney	Scott
Bentsen	Hansen	Smith
Bible	Hartke	Sparkman
Boggs	Hollings	Spong
Brock	Hruska	Stennis
Burdick	Hughes	Stevens
Byrd, Va.	Humphrey	Stevenson
Byrd, W. Va.	Inouye	Symington
Chiles	Jordan, N.C.	Taft
Cook	Magnuson	Talmadge
Cooper	Mansfield	Thurmond
Cotton	Mathias	Tower
Curtis	McClellan	Weicker
Dole	McGee	Williams
Dominick	McGovern	Young
Eagleton	Metcalf	

NOT VOTING—19

Brooke	Griffin	McIntyre
Buckley	Harris	Mondale
Cannon	Hatfield	Mundt
Case	Jackson	Prouty
Church	Jordan, Idaho	Tunney
Cranston	Kennedy	
Goldwater	Long	

So. Mr. Moss' amendment (No. 240, as modified) was rejected.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

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

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 581) to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, to extend for 3 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue against fractional reserves and against full reserves, insurance and guarantees, to authorize the bank to issue for purchase by any purchaser its obligations maturing subsequent to June 30, 1976, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD, Mr. WIDNALL, Mr. J. WILLIAM STANTON, Mr. BLACKBURN, and Mr. BROWN of Michigan were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the amendments of the House to the bill (S. 991) to authorize the Secretary of the Interior to continue a program of research, development, and demonstration of processes for the conversion of saline and other chemically contaminated water for beneficial use and for the treatment of saline and other chemically contaminated waste water to maintain or improve the quality of natural waters, and for other purposes.

The message further announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 9667. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1972, and for other purposes;

H.J. Res. 714. A joint resolution designating the week of August 1, 1971, as "American Trial Lawyers Week"; and

H.J. Res. 727. A joint resolution authorizing the President to proclaim the period September 26 through October 2, 1971, as "National Home Fashions Week."

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 101) to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day."

The enrolled joint resolution was subsequently signed by the President pro tempore.

HOUSE BILL AND JOINT RESOLUTIONS REFERRED

The following bill and joint resolutions were severally read twice by their titles and referred, as indicated:

H.R. 9667. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1972, and for other purposes; to the Committee on Appropriations.

H.J. Res. 714. A joint resolution designating the week of August 1, 1971, as "American Trial Lawyers Week"; and

H.J. Res. 727. A joint resolution authorizing the President to proclaim the period September 26 through October 2, 1971, as "National Home Fashions Week"; to the Committee on the Judiciary.

DEPARTMENT OF AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

AMENDMENT NO. 241

Mr. MOSS. Mr. President, I call up my amendment No. 241 and ask unanimous consent that I be permitted to explain the amendment rather than having it read in full.

The PRESIDING OFFICER. Without objection, it is so ordered; the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, reads as follows:

On page — line —, insert the following:

SEC. 509. (a) There is hereby established a commission to be known as the Commission on Tobacco Adjustment Assistance (thereafter in this section referred to as the "Commission").

(b) The Commission shall consist of fifteen members to be appointed by the President. The members of the Commission shall include representatives of—

(1) growers of tobacco,

(2) manufacturers of cigarettes, cigars, and other tobacco products,

(3) other segments of the economy seriously affected by the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products, and

(4) State and local governments.

Not more than three members of the Commission may be officers or employees of the Federal Government.

(c) The President shall appoint one of the members of the Commission to serve as Chairman and one to serve as Vice Chairman.

(d) Seven members of the Commission shall constitute a quorum and a vacancy in the Commission shall not affect its powers.

(e) It shall be the purpose and duty of the Commission to make a full and complete study of—

(1) the probable effect of the termination of price supports for tobacco in achieving the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products;

(2) the economic hardships which will result from the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products to—

(A) growers of tobacco,

(B) manufacturers of cigarettes, cigars, and tobacco products,

(C) other segments of the economy directly affected; and

(3) the economic hardship to State and local goverments caused by the reduction in revenue resulting from the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products.

The Commission may include in such study such other matters as it deems advisable which relate to the effect on the economy of the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products.

(f) The Commission shall, within 6 months after the date of the enactment of this Act, report to the President and to the Congress—

(1) the results of the study conducted by it pursuant to subsection (e), and

(2) its recommendations for legislation and administrative action necessary to eliminate or substantially to reduce the use of cigarettes, cigars, and other tobacco products, and to provide assistance to persons described in subsection (e) (2) and to State and local governments in adjusting to such elimination or substantial reduction.

(g) Members of the Commission shall serve without compensation but shall be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(h) The Commission is authorized—

(1) to appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; and

(2) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per day.

(i) The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance it deems necessary to carry out its purpose under this section; and each such department, agency, and instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman or any other member when acting as Chairman.

(j) The Commission shall cease to exist sixty days after the date of the submission of its report under subsection (f).

Mr. MOSS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized for 10 minutes.

Mr. MOSS. Mr. President, it is apparent from the vote just concluded on amendment No. 240 that the Senate is not willing to take up the health problem concerned in the use of tobacco. Therefore, I do not intend to press the amendment. However, I would like to explain it and to point out, as I did in my other remarks, that there is indeed something to be considered on the economic side and the matter should be taken care of.

The amendment provides for the appointment of a commission consisting of 15 members to be appointed by the President.

The commission would be charged with the duty of making a full and complete study of:

(1) the probable effect of the termination of price supports for tobacco in achieving the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products;

(2) the economic hardships which will result from the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products to—

(A) growers of tobacco,

(B) manufacturers of cigarettes, cigars, and tobacco products,

(C) other segments of the economy directly affected; and

(3) the economic hardship to State and local governments caused by the reduction in revenues resulting from the elimination or substantial reduction of the use of cigarettes, cigars, and other tobacco products.

The commission would be required to report within 6 months of the date of the enactment of the act to the President and to the Congress "(1) the results of the study conducted by it pursuant to subsection (e), and (2) its recommendations for legislative and administrative action necessary to eliminate or substantially to reduce the use of cigarettes, cigars, and other tobacco products, and to provide assistance to persons described in subsection (e)(2) and to State and local governments in adjusting to such elimination or substantial reduction."

The purpose of the amendment, of course, would be to give Congress and the Executive the information needed in order to meet the situation if the price supports for tobacco were eliminated and there should be a decline in the use of tobacco products.

We are already engaged in an educational program through advertising in order to educate our people to the fact that tobacco is a dangerous drug. If it just had the label "dangerous drug" on it, the Senate perhaps would grant this legislation and say, "Surely, we do not want any dangerous drugs around. Therefore, we will not pay out this money to encourage their growth and use." However, it has the label "tobacco," and even though it is a dangerous drug, it does not receive the treatment it would if it were labeled as a dangerous drug.

I would hope that we could begin this year—but I will try again next year—to withdraw the money we pay out to promote the growth and use of this dangerous product.

I was ready, through this amendment, to have the means available so that the information could be provided to Congress and the Executive so that we could alleviate the effect of the change if there was to be any great effect.

I do not think under any circumstances that we would have any great abrupt change. I think the change, if it comes, will be gradual, as is now the case in the use of cigarettes per capita. There has been a decline, but because of the increasing population, the total number of cigarettes smoked has not declined.

That was on a comparison and on a per capita basis. I think that the decline will be gradual. Therefore, I think there would be plenty of time to phase into other activities and other types of farm-

ing and manufacture. I do not believe there would be any great hardship. However, I wanted to have a commission so that it could report to us and let us know whether there would be any hardship.

Some of the Senators have said that there would be hundreds and thousands of farmers impoverished by this measure. If that were so, certainly we ought to move in some way to provide them with credit, with help, and with expertise of every kind to get them into a position where they would not suffer economic loss because of this change.

Mr. President, because of the fact that the previous amendment was not agreed to and because I understand that this amendment would be subject to a point of order, and it has been indicated that some Senators wish to raise a point of order, I decided not to press it and I hereby withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. TAFT. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The amendment was read, as follows:

On page 46, line 5, insert the following: Section 509. None of the funds appropriated by this Act shall be used for the purpose of making payments (as defined in Section 101(2) of the Agricultural Act of 1970) for each 1972 crop year program (other than for sugar or wool) carried out by the Department of Agriculture, in excess of $55,000 in the aggregate to the owner of any farm or farms.

The PRESIDING OFFICER. Who yields time?

Mr. TAFT. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. TAFT. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, the purpose of this amendment and the only purpose of the amendment is to attempt to tighten up on the provisions presently relating to the $55,000 limitation upon payments made under our various agricultural programs. At the outset I would like to make clear that my intent is only to make it apply to all programs. It is not to change the limitation. Under the wording of my amendment it would only apply to each crop program for the year 1972.

The Department of Agriculture has issued regulations interpreting the word persons as, indeed, they are authorized to do by the authorization legislation passed last year, but in spite of this there have been serious questions raised as to attempts being used to avoid the legislation and to thwart the will of Congress.

In that regard I would like to read from an article written by Tom Wicker, published in the New York Times of today. The article is entitled "Down on the Farm." Mr. Wicker states:

The latest Government gimmick for those who are already rich turns out to be last year's decision to put a $55,000 limit per crop on the amount any farmer could be paid in agricultural subsidies. As cynics expected all along, the big farming interests and the Department of Agriculture administrators collaborated to turn this limitation into a farce.

I do not necessarily stand by the accusation made in the article that there has been collaboration of any kind, but I think it is unfortunate that apparently the effect described in this article, allowing individuals through the use of multiple corporations and family splitups to avoid the intent and purpose of the legislation, is a problem today.

Mr. Wicker's article goes on to state:

In fact, only 1,353 farmers received more than $55,000 per crop in 1970, taking down about $142 million in Government subsidies.

I point out that, of course, that year was before the effect of the present limitation, but apparently it is still possible with a good lawyer and distribution of interests among various corporations to avoid any practical effect of the limitation.

Later we may be talking about a $55,000 or $20,000 limitation. The amount does not matter if there is a way around that limitation.

In the amendment I have proposed to add to the present limitation in the authorization act relating to the word "person" a single owner limitation in order to give more power to the Treasury Department in making regulations that will be effective in preventing avoidance of the act, where it should apply to any single owner.

The article goes on to state:

But millions of smaller farmers were paid the rest of a total of about $3 billion in Federal farm subsidies, and Senator Birch Bayh of Indiana says that about 40 percent of the total, or more than $1.5 billion, went to only five per cent of the nation's farmers.

No wonder the House of Representatives already has voted to reduce the $55,000 ceiling to $20,000 in future years, and Mr. Bayh has announced that he and three other Senators will propose the same reduction in the Senate.

This resolution would affect only 2 per cent of farmers—those who now receive more than $20,000 per crop—but Mr. Bayh says it would save $200 million for the Government and the taxpayers. That is not a lot of money, the way they hand it out around here, but there are surely better ways to spend it than to line the pockets of fat-cat corporate farmers.

Mr. President, the provisions of the present regulations relating to corporations are little more than a sieve. I studied them with some care. I refer to section 795.7 and the definition of a corporation. Section 795.7 states:

§ 795.7 Corporations and stockholders.

A corporation (including a limited partnership) shall be considered as one person, and an individual stockholder of the corporation may be considered as a separate person to the extent that such stockholder is engaged in the production of the crop as a separate producer and otherwise meets the requirements of § 795.3 except that a corporation in which more than 50 percent of the stock is owned by an individual (including the stock owned by the individual's spouse and minor children), or by a legal entity, shall not be considered as a separate person from such individual or legal entity. Where the same two or more individuals or other legal entities own more than 50 percent of the stock in each of two or more corporations, all such corporations shall be considered as one person.

The 50-percent limitation in the regulation is contrary to the recognized control standards applied in numerous other Federal regulations, such as the Securities and Exchange Commission; and it plainly has been used as a method of circumventing the $55,000 limitation.

It has been used by setting up multiple corporations, by varying the interest somewhat below 50 percent, by not saying it is a control position in which the owner has more than an adequate amount of stock to control the corporation and then taking the benefits of each of the corporations he may set up.

I think that in addition to the person limitation as presently defined, the inclusion of the word "owner" would give notice to the Department of Agriculture that they should take another look at this regulation so far as corporations are concerned and they would, I hope, issue new regulations and go to the courts for an interpretation of the word "owner" and "person" which would have a meaningful effect so that the avoidance that has been used could be defeated.

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

Mr. TAFT. I am glad to yield to the Senator from Iowa.

Mr. MILLER. When the Senator is referring to the word "owner," for the purpose of legislative history would he intend that the regulations of the Department of Agriculture follow the attributes and rules of income tax regulations in determining ownership, wherein stocks held not only by the father but by the mother, sister, or brother are all attributed to the prime taxpayer?

Mr. TAFT. I believe the Senator is correct. This would be a fair method of approach. Some of these provisions with regard to "person" are in the present regulations but they are not nearly so strict or inclusive or effective in preventing avoidance of the obvious meaning of the limitation as are Internal Revenue regulations.

Mr. MILLER. I have a further question. By the word "owner" is the Senator including a lessee? For example, suppose that the Senator from Ohio is the owner of a farm or two farms and because of the size of the operation he is getting $110,000 in payments, and in order to continue to have $110,000 in payments come into the farm enterprise, he leases one of the farms to me. As a lessee for, let us say, a year, or a term of years, I would hope that I could get my $55,000, and he is going to retain his $55,000.

Mr. TAFT. My reply is that if this is a bona fide lease, and not an actually indirect continuation of ownership, the lessee would be equally entitled to his own subsidy or benefit under the program. He would not be included, by any construction I could conceive of, in the word "owner." But if the owner indirectly made false leases that were not leases in the usual legal understanding of the term, he would be entitled to only one payment for himself.

Mr. MILLER. I am not suggesting any fraudulent or fictitious matter; I am suggesting a bona fide lease. The $55,000 limitation in the Senator's amendment refers to the owner of the farm.

Mr. TAFT. Only the owner.

Mr. MILLER. What about the lessee? The Senator could modify his amendment by making it "the owner or lessee" of the farm. That would cover the situation I have just stated. On the other hand, if he leaves it open, it might imply that the $55,000 limitation is applicable only to the owner, but the lessee would be eligible for $65,000, and I doubt that the Senator's intent is that.

Mr. TAFT. Let me say that the lessee would be subject to the current $55,000 limitation on persons. I am in no way affecting that.

Mr. MILLER. If it is as it is currently, he might be able to get $110,000—$55,000 with respect to cotton and $55,000 with respect to wheat.

Mr. TAFT. The Senator is correct.

Mr. MILLER. I was hoping the Senator would not give the lessee a better deal than the owner.

Mr. TAFT. I think the Senator misunderstands the meaning of the amendment. The amendment would still make it possible for the owner of a farm to receive the $55,000 limit on different agricultural payments. It does not limit the overall payment on all programs to $55,000. That is not the intent of the amendment. That might be a proposition we should all look into when we take up substantive legislation, but that is not the purpose of my amendment.

Mr. MILLER. But the intention of the Senator is to treat a bona fide lessee the same way as an owner?

Mr. TAFT. That is correct.

Mr. MILLER. I thank the Senator.

Mr. TAFT. Mr. President, I would like to explain a little more what the word "owner" means in my amendment. By "owner" I mean to include all legal and beneficial interests, including those interests of the spouse, dependents, and the proportionate equity of payments received by corporations.

Under the existing regulations there is attribution of stock interest in corporations only where more than 50 percent of the stock is owned by the individual involved. I do not believe that this is reflective of congressional intent when the 1970 act was passed.

For example, a man with a large holding could break it up into a number of corporations, retaining 49 percent of the stock in each, and have each corporation qualify for a $55,000 subsidy. He could then draw off the entire $55,000 subsidy as salary and thereby circumvent the restriction. This is the type of loophole which my amendment is designed to close. I want the legislative history of this to be perfectly clear.

Mr. President, I reserve the balance of my time.

The PRESIDING OFFICER. Who yields time?

Mr. HRUSKA. Mr. President will the Senator yield me 3 minutes?

Mr. McGEE. I yield 3 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I rise in opposition to the amendment that has been proposed by the distinguished Senator from Ohio. This amendment, worded as it is, would cause much confusion, and chaos, in the administration of this program. We are advised by officials of the Department of Agriculture it would be virtually impossible to administer. This amendment is fully as objectionable, and perhaps more so, than a smaller limitation such as that contained in the bill as it was approved by the other body. It would result in abandonment of the program. That would necessarily follow.

On the face of the amendment, it appears that no owner would be able to get more than $55,000. Apparently the limitation would not apply to tenants. Perhaps the first year there might be a reduction in the program, but the second year the owner would have no alternative than refuse to go into the program, which of course would result in impairment and erosion of the program, and eventually its complete collapse.

Only 7 months ago we passed in this Congress, and it became law, a bill which set the national policy on this subject. It is not a simple subject. It is a complicated subject. It has many aspects.

The impact of any change such as this would be very, very great indeed. This was mentioned 8 or 9 or 10 months ago, when consideration was given to the limitation of payment as it is contained in the present law. Every one of those complications and every one of those objections would have to be carefully considered in the light of the changes that would result from this proposed amendment, if adopted.

So the conclusion of the Senator from Nebraska is that the wisdom of making a change of this nature should not be employed at this juncture and in connection with the consideration of an appropriation bill.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HRUSKA. May I have 2 more minutes?

Mr. McGEE. Mr. President, I am glad to yield as many minutes as the Senator needs.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HRUSKA. Mr. President, the amendment, just as the amendment contained in the bill approved by the other body, should be considered in a legislative committee. It should be considered in all of its aspects, and I urge the rejection of the amendment.

I yield back the balance of the time allotted to me.

Mr. McGEE. Mr. President, I yield 5 minutes to the Senator from Louisiana (Mr. ELLENDER).

Mr. ELLENDER. Mr. President, as was stated by the distinguished Senator from Nebraska, this matter was thoroughly considered in the authorizing committee in November of 1970, just about 8 months ago when I was serving as chairman of the Agriculture and Forestry Committee. I am very hopeful that the Senate will let the law remain as it is, by rejecting both this amendment, and the one to follow which would lower the payments limitation to the figure of $20,000.

Prior to November there may have been cause for Senators to put in a limitation, for there was no limit on payments at all under the law. But now that the Congress has acted in good faith, now that the law makes it possible to pay no more than $55,000, it strikes me that the law ought to remain as it is.

As I said, I was chairman of the Committee on Agriculture and Forestry when this matter was taken up. I vividly recall the weeks of hearings we held on the subject. Although I voted for a higher payment, the Congress went on record as adopting a limitation of $55,000. That is now the law, and it seems to me that it represents a commitment to our farmers on the part of the Congress.

As Secretary of Agriculture Clifford Hardin said in a recent letter to the Senate Appropriations Committee:

> This subject was thoroughly reviewed by the Congress last year and the Agricultural Act of 1970 established a payment limitation of $55,000. Since that time many farmers have entered into leasing contracts, revised their crop rotation programs and have made arrangements for credit on the assumption that the limitation level of $55,000 would stay in effect for the full three years. A change now would result in difficult problems and would be costly to many farmers.

Frankly, I do not see why it is that Senators and Members of the House of Representatives should be picking on the farmer by trying to create what the Secretary of Agriculture calls "difficult and costly problems." In my book, the cornerstone of our economy is farming. Without that, without providing for a supply of sufficient food and fiber, our great Nation would probably die on the vine. That has happened to other nations in the past. All of our minerals and all of our industrial wealth would be useless to us unless we had food and fiber.

Why Senators should display such a negative attitude toward the farmer I just cannot understand. It is true a few large farmers receive substantial payments but they contribute substantially to the success of the national program. There is no way to avoid that and still do economic justice. In any event, those cases are exceptions to the rule, as becomes clear when we look at the entire picture.

The record shows, for example on cash receipts, that from 1947 to 1970, the total cash receipts of the farmers were $29.6 billion in 1947, as compared to $48.7 billion in 1970. Their production expenses in 1947 were $17 billion, and in 1970 those expenses amounted to $40.4 billion. The net farm income, with almost twice the amount of cash receipts, was $17.1 billion in 1947, with cash receipts of $29 billion, in contrast to $15.8 billion in 1970, with more than $48 billion collected during 1970 in gross income.

That means that while the cash receipts in 1970 were 64.5 percent higher than in 1947, the net farm income decreased by 7.6 percent.

Mr. President, to illustrate the price squeeze to which the farmer is subjected, on commodities such as food grains, the prices received declined 2 percent from 1950 to 1971, while receipts for feed grains and hay increased by 6 percent, cotton decreased 30 percent, oil-bearing crops increased 9 percent, fruit increased 70 percent, and vegetables increased 64 percent, so that the average receipts for all crops increased by only 10 percent.

When we come to the prices paid for

production items, the increase in costs of motor supplies was 35 percent, of motor vehicles 86 percent, of farm machinery 103 percent, of farm supplies 21 percent, and of building materials and fencing 58 percent. At the same time, with respect to living cost, the cost of clothing increased 75 percent, household operation 48 percent, household furnishings 18 percent, homebuilding materials 49 percent, and autos and auto supplies 60 percent.

So the farmer has been in a squeeze all these years, Mr. President. As his gross income increases, his net profits decrease, because the producer is compelled to pay so much more for the things he uses in order to make a crop. I would like to place in the RECORD two tables which clearly indicate this situation I have been describing.

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

CASH RECEIPTS FROM FARM MARKETINGS,[1] PRODUCTION EXPENSES, AND REALIZED NET FARM INCOME, 1947–70

[Dollar amounts in billions]

	1947	1970	Percent change
Cash receipts	$29.6	$48.7	+64.5
Production expenses	17.0	40.4	+103.8
Net farm income	17.1	15.8	−7.6

[1] Cash receipts from farm marketings does not include Government payments, and allowances for value of home consumption and rental value of dwellings.

PERCENT CHANGE IN INDEX NUMBERS OF PRICES RECEIVED AND PRICES PAID BY FARMERS FOR SELECTED GROUPS (1910–14=100)

	Percent change annual 1950 to March 15, 1971
Prices received commodity group:	
Food grains	−2
Feed grains and hay	+6
Cotton	−30
Oil bearing crops	+9
Fruit	+70
Vegetables	+64
All crops	+10
Dairy products	+34
Poultry and eggs	−31
Meat animals	+18
All Livestock and products	+12
Prices paid:	
Production items:	
Motor supplies	+35
Motor vehicles	+86
Farm machinery	+103
Farm supplies	+21
Building and fencing materials	+58
Family living:	
Clothing	+75
Household operation	+48
Household furnishing	+18
Home building materials	+49
Autos and auto supplies	+60

Mr. ELLENDER. Mr. President, I should like at this point to compare the total income of people outside of farming with that of people engaged in farming, for 1950 and 1970.

The total personal income in the United States in 1950 was $228.5 billion. In 1970 it was $801 billion, an increase of 250 percent. Wage and salary disbursements, in 1950, totaled $150.2 billion, and in 1970 $540.1 billion, for an increase of 260 percent.

Business and professional income increased from $23.5 billion to $51.4 billion, for an increase of 119 percent.

Rental income of persons increased from $9 billion to $22.7 billion, or 152 percent.

Dividends increased 174 percent, and personal interest income 533 percent. But listen to this, Mr. President: Farm income, between 1950 and 1970, increased only 16 percent.

I ask unanimous consent that a table containing these figures be placed in the RECORD at this point.

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

SOURCES OF INCOME FROM ECONOMIC INDICATORS, JOINT ECONOMIC COMMITTEE, 1950 COMPARED WITH 1970

[Dollar amounts in billions]

	1950	1970	Percent changes
Total personal income	$228.5	$801.0	+250
Wage and salary disbursements	150.2	540.1	+260
Business and professional	23.5	51.4	+119
Rental income of persons	9.0	22.7	+152
Dividends	9.2	25.2	+174
Personal interest income	10.3	65.2	+533
Farm income	14.0	16.2	+16
Corporate profits before taxes	40.6	81.3	+100

Mr. ELLENDER. As I have stated, the most important segment of our economic system is farming, yet this table shows what the farmer is receiving in contrast to other segments of our society. Our farmers are producing today more than they have ever produced in our history, yet many in the Congress seem to appreciate neither their contributions nor their problems. Except for the farm programs that have been on our statute books, I am sure we would not have made the great strides we have made in agriculture. Ill-advised amendments such as those now before us will ultimately undo all the progress we have made.

I ask unanimous consent to have printed in the RECORD at this point two letters, one from Mr. Clarence Palmby of the USDA, which speaks for itself, and one from Secretary Clifford Hardin, who is also opposed to changes in the law, and who speaks for the administration.

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

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 29, 1971.

Hon. ALLEN J. ELLENDER,
U.S. Senate.

DEAR SENATOR ELLENDER: I strongly urge the U.S. Senate to strike the $20,000 payment limitation for the 1972 crops of cotton, wheat and feed grains included by the House of Representatives as a rider to the Department's 1972 Appropriations Bill.

I fear that many farmers will regard this action so soon after the enactment of the Agricultural Act of 1970 as an act of bad faith. Many have already bought land, entered into leasing arrangements, and made farming plans on this basis. Farmers had the right to believe that the $55,000 payment limitation enacted last year after full Congressional debate would be good for the 3-year duration of the new farm law. It would be unfortunate if the Government now reneged. This is not what people expect of the Congress.

The disruption caused by this rider would extend beyond those farmers directly affected. No farmer could plan secure in the belief that the legislative authorization for any program provision would remain unchanged for the life of the law. For example, there are some who favor a limitation as low as $5,000 or $10,000 and the precedent set by this rider would encourage such attempts.

At the time we agreed to the present $55,000 limitation, we indicated that this was as low as we could go and still hope to operate an effective program. At the lower level voted by the House, it will be more difficult to make the programs work. As more farmers are forced out of the program, the greater burden of providing the necessary set-aside will fall on the smaller farmers still able to participate. Further, the limit would be made more restrictive before either the Congress or the Department would have an opportunity to measure the impact of the $55,000 payment limit and thus have the benefits of this experience.

There is little doubt, however, that the payment limit as it goes lower will work against increased farm efficiency. It would be indeed sad for the Congress to enact legislation which would have this unfortunate result at a time when farmers are increasing their efficiency at a rate of roughly 2½ times that of other industry.

It is my strong belief that this rider will be harmful to the farm program operation and to farmers without really benefitting taxpayers. I urge you to oppose it and acquaint your colleagues of its serious consequences in soliciting their support of your position.

Sincerely,

CLARENCE D. PALMBY,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 25, 1971.

DEAR SENATOR MCGEE: On June 23 the House of Representatives passed H.R. 9270, the 1972 Department of Agriculture-Environmental and Consumer Protection Appropriation Bill.

The House made four amendments to the bill as reported by the House Committee on Appropriations on which we sent you our comments and recommendations on June 21, 1971.

One of the changes involved an increase of $2.1 million for research in the Agricultural Research Service relating to research abroad on the detection and destruction of narcotics-producing plants. Another change dealt with the earmarking of an additional $11,225,000 for summer nonschool child feeding programs. We have no objections to these two changes.

We strongly urge the Senate to delete the amendment by the House which would have the effect of limiting payments on 1972 crops (other than for sugar and wool) to $20,000 to a person for any single crop. This subject was thoroughly reviewed by the Congress last year and the Agricultural Act of 1970 established a payment limitation of $55,000. Since that time many farmers have entered into leasing contracts, revised their crop rotation programs and have made arrangements for credit on the assumption that the limitation level of $55,000 would stay in effect for the full three years. A change now would result in difficult problems and would be costly to many farmers.

It seems to me that farmers have the right to rely on the provisions of an Act which the Congress debated and passed. I feel that to make such a major change in the rules at this time would be grossly unfair.

The House also added a general provision which would prohibit payments to anyone who grows or permits to be grown marihuana or other prohibited drug-producing plants on his land. Attached is a statement which discusses this matter. While we are not requesting the Senate to delete this provision, we feel that the Congress should be aware that this will likely involve many administrative problems which we cannot now anticipate. It may be necessary to request a revision at a later time.

Sincerely,

CLIFFORD M. HARDIN,
Secretary.

Mr. ELLENDER. Mr. President, I hope the amendment will be defeated.

Mr. TALMADGE. Mr. President, will the Senator from Wyoming yield me 2 minutes?

Mr. McGEE. I yield 2 minutes to the Senator from Georgia.

Mr. TALMADGE. Mr. President, I wish to associate myself with the statements of my former distinguished chairman of the Committee on Agriculture and Forestry, who is now the chairman of the Appropriations Committee, and also the statements of the distinguished Senator from Nebraska, who is the ranking minority member of the Subcommittee on Agricultural Appropriations.

It is easy indeed to kick the farmers around. Why? Because they represent only 4.7 percent of the population of the United States. In many areas of our country there is little or no farming at all. In those areas, it is easy to pick on farmers, and even to advocate free commodities for everyone, that the farmers produce them free and give them away. That has become popular in many quarters of our country in recent years, particularly in the Congress of the United States.

This is a part and parcel of that particular reaction that tries to benefit politically on the woefully small number of farmers we have in America. As the chairman of the Appropriations Committee has said, our committees of the House and the Senate on Agriculture and Forestry last year wrote a farm bill to last for 3 years. We held hearings. We had witnesses from all parts of the country. We tried to devise a farm bill that was fair and equitable not only to the farmers of this country, but also to the consumers and the taxpayers.

In that bill, we arrived at a limitation of $55,000 per crop. That is the law of the United States of America at the present time. Farmers throughout the United States have made their plans in reliance on the law that Congress passed. They have borrowed money. They have purchased land. They have made arrangements for farm equipment. They have mortgaged their farms—all acting in good faith, in reliance on what was the law of the United States of America.

Now comes an amendment, attached as a rider to an Appropriation Committee bill, that is trying to change the fundamental law that the Members of Congress themselves have adopted. I think it is in bad faith with what Congress has heretofore done. I think it comes in bad faith to the farmers of this country. I think it ought to be repudiated overwhelmingly, and I hope my colleagues will refrain from capitalizing on the fact that farmers are so few in number that they make good political targets.

Mr. McGEE. Mr. President, I yield 3 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator, and I shall be brief.

We have had this battle threshed out on the floor of the Senate many times, but last year, as the Senator from Georgia has stated, in all good faith this matter was thoroughly considered, and the firmly established law of the land is now for these payments to have a limitation, and that limitation is, as he stated, $55,000 per crop.

The Senator from Louisiana was chairman of the Agriculture Committee for many, many years. The Senator from Georgia is now chairman. They and the Senator from Nebraska are all highly competent in this field. I wish to associate myself with their remarks, and to add this point:

Mr. President, the amount paid—and I think this is a major consideration—the amount of money paid out under this plan is a payment, not as a gratuity to the individual as such, but it is a payment to make the system work. The sum is paid to an individual, but it is a payment by the Governor for the system. The individual owns the land and controls it, so the payment goes to him, but it is by the system that will be on the books and be the law. And what is that system? A plan that will insure a continuous adequate yield and flow of food and fibers for the American people.

You walk into any store, and you can see it there. That system eliminates the peaks and the valleys and the bankruptcies that go with those who own and till the land; and it brings to the consumer—and it works—year after year, a steady, adequate supply of the necessary basic foods, the finest in the world. Along with them go many additions. But it brings the basic grains. It brings the same things with reference to the fibers.

So it is the system we are paying for, even though the headline might go to what an individual got. When we destroy that system, we go back to the old order of peaks and valleys and bankrupt farmers and the needs of consumers, without the proper kind of food and fiber.

So it costs something. It is worth a great deal more than it costs.

Mr. TAFT. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Ohio has 15 minutes remaining, and the Senator from Wyoming has 14 minutes remaining.

Mr. TAFT. I thank the Chair. I yield myself 3 minutes.

Mr. President, I think my intention in this amendment—indeed, the very effect of the amendment—is completely misunderstood. First of all, it does not change the $55,000 limitation. That limitation is there, as Congress intended it to be. I accept completely the argument of the committee that farmers should be able to plan on the basis of the 3-year bill to look to that $55,000 limitation. But I do not think certain individual farmers should be able to make a travesty out of the intention of Congress by using various subterfuges to get around the intended provisions and limitations of the bill as passed by Congress.

I do not want to hurt the farmers. I want to help them. I think the country should have notice today, and the farmers of the country should have notice, that if we go along and wink at subterfuge when it does occur in getting around the intended limitation that Congress enacted with regard to farm subsidies, the farmers are the ones who are going to be hurt; because we are going to see passed on this floor—if not this year, next year or the year after that—the $20,000 limitation. The worse the situation gets and the less the Department of Agriculture does to correct its regulations to make them more meaningful, the more danger the farmers are going to be in.

My purpose is to serve notice on the Department of Agriculture and on the agricultural community of this Nation that that is the case and that Congress should not sit by idly and just watch this occur without trying to correct it.

This was recognized by the committee, and I commend the committee for recognizing it. The committee report states on page 19:

> The Committee feels that the farmers have the right to rely on the provisions of a major Act which the Congress debated and passed.

I think they should.

> To make such a major change at this time would be grossly unfair.

They are talking about the change of the $20,000 limitation the House has put in.

> The Committee is aware of the many charges of abuses that have been made against repayment programs, some of which may be valid. For this reason the Committee directs the Department to proceed forthwith with a complete and thorough review of its administration of the payments limitations provided in the Agriculture Act of 1970 and all rules, regulations and policies which have been promulgated thereunder.

All my amendment proposes to do is to give them somewhat more of a weapon and, yes, a little nudge in telling them to take a look at those regulations, to see how they are applied, to try to make them more meaningful, and to comply with the will of Congress. That is the purpose of my amendment, and the only purpose.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. We have no more requests for time on this side.

Mr. TAFT. I yield back the remainder of my time.

Mr. McGEE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Ohio. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. JACKSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), and the Senator from Connecticut (Mr. RIBICOFF) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I also announce that, if present and voting, the Senator from Washington (Mr. JACKSON) would vote "nay."

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF) would vote "yea."

Mr. SCOTT. I announce that the Senator from New Jersey (Mr. CASE), the

Senator from New York (Mr. BUCKLEY), and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Michigan (Mr. GRIFFIN) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Arizonia (Mr. GOLDWATER) is detained on official business.

If present and voting, the Senator from New York (Mr. BUCKLEY), the Senator from New Jersey (Mr. CASE), and the Senator from Oregon (Mr. HATFIELD), would each vote "yea."

The result was announced—yeas 27, nays 58, as follows:

[No. 142 Leg.]

YEAS—27

Bayh	Javits	Proxmire
Boggs	McGovern	Roth
Byrd, Va.	McIntyre	Saxbe
Chiles	Miller	Schweiker
Cooper	Nelson	Smith
Cotton	Packwood	Stevens
Cranston	Pastore	Stevenson
Hart	Pell	Taft
Hughes	Percy	Tunney

NAYS—58

Aiken	Ellender	Metcalf
Allen	Ervin	Mondale
Allott	Fannin	Montoya
Anderson	Fong	Moss
Baker	Fulbright	Muskie
Beall	Gambrell	Pearson
Bellmon	Gravel	Randolph
Bennett	Gurney	Scott
Bentsen	Hansen	Sparkman
Bible	Hartke	Spong
Brock	Hollings	Stennis
Burdick	Hruska	Symington
Byrd, W. Va.	Humphrey	Talmadge
Cannon	Inouye	Thurmond
Cook	Jordan, N.C.	Tower
Curtis	Magnuson	Weicker
Dole	Mansfield	Williams
Dominick	Mathias	Young
Eagleton	McClellan	
Eastland	McGee	

NOT VOTING—15

Brooke	Griffin	Kennedy
Buckley	Harris	Long
Case	Hatfield	Mundt
Church	Jackson	Prouty
Goldwater	Jordan, Idaho	Ribicoff

So Mr. TAFT's amendment was rejected.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 15, 1971, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 101) to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day."

DEPARTMENT OF AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the Agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

The PRESIDING OFFICER (Mr. COOK). The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I call up my amendment at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Minnesota (Mr. HUMPHREY) proposes an amendment as follows:

On page 41, line 11, strike out "$518,594,000" and insert in lieu thereof "$531,594,000".

On page 41, line 15, strike out "$12,000,000" and insert in lieu thereof "$25,000,000".

Mr. HUMPHREY. Mr. President, the school breakfast program authorized by the Congress is now providing much needed nutritious morning meals to over 500,000 children daily in more than 6,000 participating schools.

But the Committee on Agriculture, and the Congress in the authorizing legislation, has found that this only begins to meet the need. There are 7 to 9 million children who could qualify for this assistance. In America no child should be deprived of a good meal with which to start his or her day in this crucially important formative period of life.

The Agriculture committees in both the House and the Senate have agreed that the school breakfast program should be funded at $25 million a year.

But the bill before the Senate carries the same appropriation as last year—$12 million, or less than half the amount authorized.

Mr President, the administration asked for a simple extension of last year's program, which would make the school breakfast operation static at $12 million a year for 2 years.

The Agriculture Committee looked this matter over very carefully, seeking advice from the most knowledgeable people in the country. These witnesses told us the need—that is the money which could be effectively used—was $25 million a year.

The House committee agreed with us on this in conference, and both the Senate and House approved an authorization of $25 million a year

My amendment simply boosts the dollar figure up to match what the Congress has already authorized.

Not long ago, I received a letter from the boys and girls at the Crippled Childrens' Home in Pittsburgh.

It said:

DEAR SENATOR HUMPHREY: Even though we don't vote, we hope you will get us a children's advocate in Washington, D.C.

Today, all of us in the Senate have a chance to be children's advocates.

The White House has asked for an appropriation for the school breakfast program of $12 million, the same amount that was spent last year.

That is simply not enough.

The authorizing legislation for the school breakfast program came to our Committee on Agriculture and Forestry earlier this year, and both the House and the Senate agreed:

That the school breakfast program has been operating for 5 years as a pilot program. It has proved itself, and we authorized $25 million to greatly expand this program that currently provides meals to well over 500,000 children daily in more than 6,000 participating schools.

We authorized the Secretary of Agriculture to pay up to 100 percent of the operating costs of this program in cases of severe need. And we made provision for the prepayment of these costs, instead of delayed reimbursement.

In considering the authorization, we found that schools in many cities are unable to get started in the breakfast program for needy children because of high costs of paying salaries to lunchroom workers.

We also found that the Secretary of Agriculture was not using the power the Congress gave him to pay up to 80 percent of these operating costs, despite the fact that many of our school systems face severe financial crises.

Have you ever watched a wilting plant come to life after being watered? If one has, he can visualize a sleepy child coming to life after having had a school breakfast. These are underprivileged children, or those who have to travel extreme distances to get to school. For many of them, breakfast is the first food available to them since their school lunch the day before.

The administration says $12 million is enough, yet we have learned that thousands and thousands of additional children could participate in this program if the money is made available. Think of it. There were 7 to 9 million children in our schools who could qualify—children who are not getting decent meals before they start school each day. We have authorized the expansion of this program to meet some of this need, but now we need the money.

There was some initial resistance to the school breakfast program, but when school administrators found out that listlessness, temper tantrums and stomach aches had their roots in hunger pains, that resistance collapsed.

The principal of a junior high school in Alma, Ga., reports that boys who used to get to school at 9:30 a.m. each day are now waiting for him when he gets to work. They help him unlock the school building. They are hungry and ready for both breakfast and school.

Earlier this year we saw the Department of Agriculture selling the year-round nutrition program and its summer food program to the Nation's cities. They did such a good job that they found around the first of June that there would not be enough money to answer the requests.

A few days after the crisis developed, a spokesman for USDA came to us and said everything was fine. There was no need to increase the funding for the program. There was an immediate reaction of utter disbelief and deep concern from the mayors of cities across America, and somehow the money was found.

Here again, they tell us that we only have to appropriate the same amount as last year for school breakfasts; that there is not any need for more money. And, next year, when the money runs out,

or requests for food are not met, the USDA will blame Congress for not appropriating the money.

The Office of Management and the Budget would have us believe that we are dealing with numbers and dollars. It is not true. We are dealing with hungry children.

We have a debt to them. Let us pay it. Let us be children's advocates here today.

Mr. President, I would like to get the comment of the chairman of the subcommittee, the Senator from Wyoming. I have talked with him about it personally, and also with the ranking minority member.

Mr. McGEE. Mr. President, the Senator from Nebraska (Mr. HRUSKA) and I have both visited with the Senator from Minnesota. We gave serious consideration to the matter. It is an amendment which we agreed to accept because we feel the additional money could be utilized efficiently.

This is one case in which the Department can put this additional money to good use, whereas in some programs this might not be the case.

We would be inclined to take it to conference and do the best we can because the need is clearly there.

Mr. HUMPHREY. We have documented the need for the program in the Committee on Agriculture and Forestry and, second, there are applications that will utilize more than the funds requested.

I am very hopeful that the Senator from Wyoming will insist on this particular figure when he goes to conference because it is truly needed and the administrative machinery is there.

Mr. McGEE. We accept it with every serious intent. We sometimes lose one or two in conference.

Mr. HUMPHREY. Mr. President, I take this opportunity to express my deep personal gratification at the action of the Committee on Appropriations to assure that the promises made to hundreds of thousands of underprivileged children in America's cities that they will receive a good, nourishing lunch each day this summer, will not be broken. Correcting a serious bureaucratic mismanagement in the administration that threatened the cancellation of plans by hundreds of cities to expand programs to meet the widespread critical problem of malnutrition among needy children, the committee has provided for funds to meet the full level of requests by our mayors for Federal assistance under the nonschool summer lunch program. I congratulate the distinguished chairmen of the committee and its Subcommittee on Agriculture, the Senator from Louisiana (Mr. ELLENDER) and the Senator from Wyoming (Mr. McGEE), and their committee colleagues, for this decisive action of the highest importance to the welfare of children, and thus to the future and basic moral purposes of the United States.

I have been determined that everything possible be done to correct the serious errors of the administration that has seemed to place dollars above human need, in failing to provide adequate funds for this vital child-feeding program. In this regard, I recently wrote the distinguished chairman of the Appropriations Subcommittee on Agriculture (Mr. McGEE), urging that the school breakfast program and the summer lunch program be funded at their respective full levels of authorizations. I ask unanimous consent that my letter of July 9, 1971, to Senator McGEE be printed at this point in the RECORD.

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

JULY 9, 1971.

Hon. GALE W. McGEE
Chairman, Subcommittee on Agriculture, Senate Committee on Appropriations, Washington, D.C.

DEAR Mr. CHAIRMAN: Your immediate action in reporting and enabling the enactment of legislation (H.J. Res. 744—P.L. 92–35) providing for emergency appropriations for the summer program of the nonschool child feeding program deserves sincere commendation.

The extensive problem of malnutrition among underprivileged children across the Nation requires that Congress do everything possible to assure the effective provision of Federal assistance for programs of free and reduced-price meals under the National School Lunch and Child Nutrition Acts. I urge your committee to give this vitally important matter the most careful consideration in its deliberations on H.R. 9270, providing for appropriations for agriculture-environmental and consumer protection programs of fiscal 1972.

I am particularly hopeful that the committee will give full recognition to the intent of important changes in the law in the enactment of H.R. 5257, authorization legislation amending the National School Act, as amended. Signed by the President on June 30th (Public Law 92–32), this legislation expands the school breakfast programs, and contains my amendment authorizing the immediate transfer of Section 32 surplus agricultural commodity funds (up to a level of $535 million for fiscal 1971 and $100 million for fiscal 1972) to enable the provision of free and reduced-price meals to children at the increased level of requests by cities and schools across the Nation.

As you know, Public Law 92–32 extends the school breakfast program for two years with an annual appropriation authorization of $25 million. It authorizes the Secretary of Agriculture to pay up to 100 percent of the operating costs of this program in cases of severe need, and would permit the prepayment of these funds, instead of delayed cost reimbursement. Moreover, eligibility requirements for free and reduced-price meals that are currently applied to the school lunch program are also to be adopted for the school breakfast program.

These changes in the law take note of the fact that schools in many cities are unable to undertake a breakfast program for needy children because of high labor costs, and reflect a conclusion that the Secretary of Agriculture has been unduly restrictive in using his present authority to pay up to 80 percent of operating costs in cases of severe need.

The Senate Committee on Agriculture also received testimony that many schools face financial crises, and that thousands upon thousands of poor children are denied participation in this vital program to provide them a good, nutritious meal at the start of the school day.

It is for these reasons that I urge the Senate Committee on Appropriations to provide appropriations at the full level of authorizations of $25 million for the school breakfast program. The success of this program is attested by the fact that it has been providing meals to almost 555,000 children daily in more than 6,000 participating schools. However, the Administration has indicated a position that there is no need for additional funding, for it has requested the same level of appropriations for Fiscal 1972 as for Fiscal 1971—$12 million. Unless this appropriation is increased, the new provisions of P.L. 92–32 will be meaningless, for there can be no expansion of the school breakfast program at this funding level.

It is also essential that the non-school summer lunch program for city children in day care centers and recreation and summer camp programs be expanded to meet the level of urgent requests by our cities. Our cities had been encouraged by the Department of Agriculture to expand their programs to meet the extensive problem of malnutrition among poor children. Commitments were made to the cities which, in turn, made promises to thousands upon thousands of children who would otherwise be denied a good, nourishing meal each day. These commitments and promises were broken when the Department suddenly advised that available funds and anticipated appropriations would be inadequate to meet the assistance requests from our cities both for the remainder of Fiscal 1971 and for the summer program.

Then it was reported that Administration officials, despite their late miscalculation of funding requirements which required rapid corrective action by Congress, would refuse to use the additional funds that had been authorized. This position could only be judged morally reprehensible, when the welfare of children is at stake.

As of June 28th, the Department had received requests from cities across the nation for federal assistance amounting to $27,245,968 for the summer lunch program, and it is estimated that the actual level of need exceeds this figure by over $5 million. Cities in Minnesota have submitted requests totaling $665,512, but the Department allocated only $132,204—the same level of Federal funds applied or transferred to this program in our state last summer.

School, city, and state officials are expressing equal concern that additional federal assistance be provided to meet the great need for adequate special food assistance programs throughout the current fiscal year. In Minnesota, about 50,000 children benefitted from these programs in Fiscal 1971, with federal assistance amounting to $305,000. However, twice this number could have received nutritious meals under the state's total request of $609,000. Plans for both the summer lunch and year-round food assistance programs in Minnesota in Fiscal 1972 call for an anticipated dollar amount of $1.5 million.

This is but one example demonstrating that original reports by the Department of Agriculture of funding requirements for the special food service programs, under the Administration's budget request of $20,775,000, were totally inaccurate. As I have indicated, the requests from our cities for the summer lunch program alone substantially exceed this figure.

In statements on the Senate Floor, in letters to the President and to the Secretary of Agriculture, and in a message to the Director of the Office of Management and Budget, signed jointly with a number of Senate colleagues, I have strongly urged that the critical requirements reported by our cities be met, to provide nourishing meals for hundreds of thousands of needy children who would otherwise be denied an adequate nutritional diet.

The action by the House on the agriculture appropriations bill, and the Administration's subsequent reversal of position in June, both of which would result in the provision for a transfer of $11,225,000 in Section 32 funds beyond the Budget request for all special food service programs, were encouraging. However, recognizing that this additional amount still falls far short of the nationwide need, Ad-

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ministration officials reportedly indicated on July 8th an intention to utilize further Section 32 funds, bringing total federal funds allocated to the summer lunch program up to a level of $33 million, with direct funding of other special food assistance programs set at $15 million.

The fact remains, however, that this end result entailed a great deal of confusion and last-minute position reversals by the Administration. I believe it is essential for Congress to correct these seriously inadequate policy-making and budgetary planning processes by providing for direct appropriations for the special food assistance programs at the full level of authorizations, $32 million. Congress must also reiterate its directive to the Secretary of Agriculture, under the authorization of P.L. 92-32, to use such additional transferred Section 32 funds as may be required to carry out effectively the free and reduced-price meal provisions of the National School Lunch Act.

Sincerely,

HUBERT H. HUMPHREY,
Member of Congress.

Mr. McGEE. We think its merit justifies our accepting it as an addition on page 41.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back his time?

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

The PRESIDING OFFICER. Does the manager of the bill yield back the remainder of his time?

Mr. McGEE. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota. [Putting the question.]

The amendment was agreed to.

AMENDMENT NO. 242

The PRESIDING OFFICER. The Chair recognizes the Senator from Indiana.

Mr. BAYH. Mr. President, I call up my amendment No. 242 and ask that it be made the pending question.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

On page 17, line 9 of H.R. 9270, strike out the period and insert in lieu thereof the following:

": *And provided further*, That none of the funds appropriated by this Act shall be used during the fiscal year ending June 30, 1972, to formulate or carry out any single 1972 crop-year price support program (other than for sugar and wool) under which the total amount of payments to a person under any such program would be in excess of $20,000."

Mr. BAYH. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BAYH. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. BAYH. Mr. President, the amendment which I have just asked to be made the pending business is sponsored by me and Senator BROOKE, Senator CASE, Senator MCINTYRE, Senator PERCY, and Senator PROXMIRE. The amendment deals with the question of farm payment limitations, a question which has been before Congress before; it is now before us again.

Once again I wish to state my strong belief that the present farm subsidy program fails to achieve the purpose for which it was originally devised.

Farm subsidies were begun in the 1930's as an effort to protect the very large number of family farmers who were especially vulnerable to an unstable market. The disturbing question today, therefore, is why are we making payments to huge corporate farms and even to nonfarming groups. For instance, in 1969, seven companies were paid more than $1 million each. Fourteen other companies received sums between one-half and $1 million each. And 54 companies or individuals were paid between $250,000 and $500,000 each. I simply cannot support a program which required in 1970 a staggering $4 billion of taxpayers' money—up from $3.5 billion in 1969—when most of that money does not go to maintaining the family farmers for whom it was intended.

In 1969 the situation was so perverse that six banks were paid between $27,000 and $224,000 not to plant on their land. In addition, two State penitentiaries and a large nonfarm corporation were paid a total of $361,842 to limit their crop production. In 1969 simply prohibiting payments of $1 million or more would have saved the Department of Agriculture $16 million, more than enough to allow that same Department of Agriculture to continue without hesitation the summer lunch program this summer and thereby feed 2½ million young children. Certainly it is clear that either the farm payment program is in dire need of reform—or we have lost all sense of national priorities.

Mr. President, as one who has spent a large number of his years on the farm and one who has actively participated in farming activities in a day-to-day sense, I wish to state that I am very much aware of the need for a stable farm program. I do not suggest as some might that the Government should get out of farming; but, as one who is a farmer and one who has rubbed elbows with family farmers of this country, I suggest the program is missing the mark. The amendment is an attempt to try to get us back on the mark and to deal with subsidies in the areas where the money is needed.

The amendment, sponsored by Senators MCINTYRE, BROOKE, CASE, PROXMIRE, PERCY, and me is designed to limit farm subsidies to $20,000 per crop. As a farmer myself, I am personally familiar with the question raised by a limitation. There are some very legitimate concerns about the effect of a limitation on supply adjustment. Nevertheless, I strongly recommend it to the Senate as needed reform. Mr. President, after several years of incomplete action on similar amendments, this year seems the most appropriate time for congressional agreement on a realistic and meaningful payments limitation. In 1968 and 1969 the House of Representatives passed amendments placing a $20,000 ceiling on farm subsidies. Unfortunately, similar efforts in the Senate were unsuccessful.

In 1969, I introduced, with Senator Goodell, an amendment to place a $10,000 limit on farm payments in an effort to save $340 million. Despite the fact that in 1968 a careful survey indicated that 85 percent of the farmers favored limiting farm benefits, and despite the common knowledge that most urban dwellers oppose large farm payments, we failed. However, in July of 1970 the Senate did pass by a vote of 40 to 35 an amendment to limit to $20,000 per producer, per year, payments under any farm price support program except sugar. Agreement in the House last year was frustrated by the last-minute insistence of the administration that its own proposal for a $55,000 limit would be meaningful.

However, according to all recent indications, the administration's limit of $55,000 per crop, per year—which was incorporated in the Agriculture Act of 1970—has not been effective at all. On March 9, the Wall Street Journal reported that even Agriculture Department staff members now admit that "the limit will save the United States no more than a few million dollars—if anything at all." Not only have subsidies of less than $55,000 increased so that the new benefits have eaten up any savings which were anticipated in 1970, but the 1970 limitation provision was loosely drafted with the result that evasion of the subsidy payments ceiling has been encouraged through the practices of subdividing legal titles and selling or leasing cotton allotments.

An excellent article by Nick Kotz was published in the Washington Post on July 5. The article explained in some detail how the original intention of the act had been subverted by legal maneuvers designed to increase payments beyond the legal limit.

Unfortunately, it will not be possible to substantially reform the 1970 act this year on this appropriations bill but a $20,000 payments limitation will make evasive legal maneuvers far more difficult and visible. As a result, we might hope for stricter surveillance of these maneuvers by the Department of Agriculture.

Mr. President, I am encouraged by that fact that on June 23 the House of Representatives passed by a vote of 214 to 198 an amendment offered by Mr. CONTE of Massachusetts to reduce maximum annual farm subsidy payments from $55,000 to $20,000 per crop. Unfortunately, the Senate Appropriations Committee deleted the Conte amendment. Therefore, Senator MCINTYRE, Senator BROOKE, Senator CASE, Senator PROXMIRE, Senator PERCY, and I have offered this amendment in the hope of giving the full Senate an opportunity to vote on a question that so clearly involves a reordering of our national priorities.

NEED FOR LEGISLATION

The need for this limitation is clear. I am surprised that Secretary Hardin, in response to Congressman CONTE's March 16 request for a progress report on the $55,000 limitation, replied that he would be reluctant to compile such a report for reasons of expense. In spite of the Secretary's reluctance about investigating his own legislative proposals, the recently disclosed information on 1970 farm payments is shocking.

First, despite the ceiling, Federal farm program payments reached nearly $4 billion last year—up another half billion dollars from 1969.

Second, payments totaling nearly $40 million went to only 23 farmers. Those $40 million could totally pay to train 1,000 new doctors a year.

Third, more than $1.5 billion in payments—nearly 40 percent of all subsidies—went to barely 5 percent of the farmers, whereas a full 45 percent of the benefited farmers had to share less than 2 percent of all subsidies. Many of these farmers received less than $500 for the years.

Fourth, over 10,000 producers received checks in excess of $20,000—2½ times the number receiving checks of this size in 1967, an increase of 50 percent over 1968, and an increase of 18 percent over 1969. With a national median farm family income of $5,769 per year, this recent surge in the number of producers receiving checks of over $20,000 is scandalous. As former Secretary of Agriculture John Schnittker put it, we are paying "welfare payments to the wealthy."

We are not seeing that those subsidy payments get to the farmers who are really in a "crunch."

Mr. President, the limitation I am proposing is designed to limit subsidies to large corporate farmers—not deny them to family farmers. What we need to do is find a way to see that the subsidy program is designed to help those farmers who have the greatest degree of trouble competing, and give them an opportunity to compete with some of the large corporate enterprises which now as a result of the technological revolution, threaten to engulf the entire productive agricultural capacity in America. Small family farming has been forced to give way to big business farming, and a system of payments based simply on amounts of production funnels Federal money into the hands of the big producers. Then those farmers turn around and use the money to buy more land, to further consolidate and to then use the additional acreage to qualify for more diversion payments. In the process, more small farms are forced out of business.

Seen from this perspective, my proposal is actually only the beginning of needed reforms. It should be passed to indicate the resolve of Congress to begin that process of reform. It should not be looked at as a proposal which would cast our Nation's farmers into poverty by limiting needed funds. Actually, a $20,000 limit would affect only 11,000 out of about 2.5 million recipients. In other words, of the total number of recipients, only one-half of 1 percent—who are now collecting about 14 percent of total subsidy payments—would receive less money. A ceiling of $20,000 does not appear unfair when compared with the fact that the average recipient received only $1,450 in 1969.

In spite of all the evidence in favor of stricter limitations, there are still some opponents who argue that limitations would disrupt the supply adjustment features of the present commodity programs. Theoretically, present commodity programs are designed to aid the farmer in achieving the precarious balance between supply and the demands of the marketplace by offering direct payments as incentives to withhold acres from planting. Opponents of a payment limitation have argued that a ceiling on payments would destroy these voluntary adjustment programs by removing the incentives for large farmers to participate. In the absence of these payments, it has been said, the large efficient corporate farms would expand production and drive out the smaller farmers.

At first glance, Mr. President, that argument sounds plausible enough, but upon closer examination it fails to hold up. Using the Department of Agriculture's own figures, it appears that more than one third of all payments are really income supplements—payments that merely supplement the incomes of already wealthy landowners—and are not required to achieve desired supply adjustment goals. In short, we are now paying out a great deal more than we need to in order to divert the required number of acres from production.

There is, in addition, the question of whether present commodity programs are the most efficient means for reducing acreage. If taking acres out of production is our sole concern, I believe there is a less costly and more equitable way. That is to expand greatly the Cropland Adjustment Act so that land can be retired on a long-term basis. A fairly recent study of the relative cost effectiveness of the Cropland Adjustment Act and the feed grains program, for example, indicates that it costs about 28 percent less to retire land on a long term basis than it does to divert the same number of acres on a year-to-year basis under the feed grains programs.

Additionally, some opponents of a limitation have said that it would discriminate against cottongrowers. In 1969, 1.4 percent of the cotton farmers received 31.7 percent of all the cotton subsidies. An effort to balance such an overwhelming share of subsidy payments by limiting them to $20,000 per crop simply cannot be called "discrimination." Furthermore, in 1969, only 38 percent of cotton subsidy payments went towards limiting production; 62 percent was in the form of an income supplement or a subsidy for the rich. Today, in fact, the cotton subsidy program is designed, not to limit production, but to increase it. So one can hardly argue that limiting payments would lead to a surplus of cotton.

Cottongrowers may say that the real reason for Government payments is to allow cottongrowers to compete on the world market—to grow cotton for 30 cents a pound but still be able to sell it abroad for 20 cents a pound without losing money. The Government will make up the difference. However, that difference amounted in 1969 to 76 percent of the value of all cotton harvested. As a result, we are paying almost double the sale price of the cotton.

As for the wheat and feed grains programs, the effect of a limitation would be relatively minor simply because exploitation of the subsidy system is less widespread. In 1969, only 1.4 percent of feed grain farmers received more than $20,000 per year. Furthermore, 89 percent of the payments went for limitation of output—just as they were designed to do. For wheat, over half of the payments served to limit production and only 4 percent of the total subsidies were for amounts above $20,000.

There is a final completely spurious argument advanced by the Department of Agriculture to the effect that the $55,000 payments ceiling included in the Agriculture Act of 1970 was intended to last for 3 years—through June of 1973 when the act itself expires. Any adjustments of the ceiling only 1 year later, it is claimed, would disrupt the long-range plans of the farmers and undermine their faith in the farm program. Such an argument is ridiculous. First of all, the only "long-range" plans disrupted would be the various legal ploys designed to multiply corporate farmers' income beyond the set limitation. Actual planting decisions are based on annual price support guarantees from the Government and anticipated market conditions. They are made only 1 year in advance of planting. These decisions would not be disrupted in any way by the payments limitation. Secondly, 85 percent of all American farmers already favor a reasonable payment limitation. It is the large corporate interests which are opposed to further ceilings. No one else would even be affected. I am surprised that the Department of Agriculture would be so obvious in its protection of the corporate farmers at the expense of small farm families.

Mr. President, according to a report by the Department of Agriculture in 1969, payment limits would not destroy the production-control programs and would not lead to new farm surpluses. But they would save money. I urge my colleagues to recognize that the agriculture sector of this country has changed with the result that present Federal policies serve only to hasten the total demise of the historic tradition of small farmers. Unless we wish to destroy the roots of this country's traditions, huge subsidies to rich farmers must end—now.

I would like to point out, in closing my opening remarks, that it is rather strange to me that the Members of this body, almost all of whom are sympathetic to the plight of the farmers, feel that we are in a better position to determine what is good for the farmer than the farmer himself. I repeat that about 85 percent of all the farmers in this country see no reason at all for the exorbitant subsidy payments, and have time and time again voiced their support for reasonable subsidy limitations.

I am concerned that city dwellers—who far outnumber those who still live on the farm—do not realize the importance of a farm program. We are just asking for trouble with stories like the ones which appeared in the Washington Post, the Wall Street Journal, the Des Moines Register, and the New York Times, which state or show that only a handful of farmers are getting all the "gravy" out of the subsidy program. Let us write this program so that we do not

have to repeal it outright and destroy the program altogether.

Mr. PERCY. Mr. President, will the Senator yield me about 3 minutes?

Mr. BAYH. I yield 3 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, the author of this amendment, No. 242, of which I am a cosponsor, has mentioned national priorities. It brought me back to the struggle we had a short while ago in trying to get $1.7 million for a demonstration program for the elderly continued for another year. If we had abandoned that program, it would have cost a great deal in the way of human misery for thousands and thousands of elderly people who are malnourished, who do not have enough money for food for themselves, and yet we almost dropped that program.

Yet when we consider that the potential appropriation for subsidies over $20,000 is over $400 million, we could expand that single program for feeding the elderly by 200 times, and we could put food where food is desperately needed by our abandoned and forgotten population over 65, where poverty is increasing at such an alarming rate.

For these and many other reasons, I fully support amendment No. 242 to H.R. 9270, which would limit farm subsidies to $20,000 per farmer for each crop, rather than the $55,000 figure reported out by the Senate Appropriations Committee.

On June 23, the House of Representatives, by a vote of 214 to 198, passed a $20,000 limitation as part of the agriculture appropriations bill. I believe the Senate should do likewise.

Last year the Government paid $74 million in subsidies to farmers over and above the amount is would have had to pay had the $55,000-per-crop ceiling been the law. When the $55,000 payments limitation was incorporated in the new farm legislation, it was hoped that a substantial portion of this $74 million would be saved this year.

It appears, however, that there will be little or no saving to the taxpayers despite the enactment of the $55,000 per crop limitation. Farmers have employed perfectly legal steps to split up their farms in various ways to avoid losing funds. In some instances, farms have been divided among family members. In other cases, land has been leased out for a fee to other individuals, who were then entitled to the payments. The result of these maneuvers has been to thwart the congressional intent of saving funds through the imposition of the $55,000 limitation.

The amendment we are considering today is the same amendment which passed the House. By lowering the ceiling on payments to $20,000, it should be possible to realize a significant saving in farm program costs, something we have been unable to do with the higher limit, and it should be possible to help plug these loopholes that existed in the law last year.

In 1970, 10,400 farmers and producers received more than $20,000 in subsidies. Total payments to these farmers were $409 million. Passage of a $20,000 limitation would mean an approximate saving of $200 million.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PERCY. May I have an additional minute?

Mr. BAYH. I yield the Senator 1 additional minute.

Mr. PERCY. Mr. President, I believe that enactment of this amendment not only will save the Government a substantial sum of money, but also will help the small farmer by enabling him to compete on more favorable terms for available cropland in his community, which is now controlled by the large operators. Since it is estimated that a $20,000 limitation will affect fewer than one-half of 1 percent of all American farmers, it is fair to say that passage of this amendment will work no hardship at all on the average farmer.

If we are sincerely dedicated to economy in Government and to assisting the smaller farmer, we must adopt this amendment. I urge my colleagues to join me in support of it.

Certainly the Illinois Agricultural Association is to be applauded for passing overwhelmingly a resolution supporting a $25,000 limitation. This amendment is in the spirit of that resolution.

Mr. McINTYRE. Mr. President, can the distinguished Senator from Indiana yield me 10 minutes?

Mr. BAYH. I yield 10 minutes to the Senator from New Hampshire.

COMMONSENSE AND FARM PAYMENTS

Mr. McINTYRE. Mr. President, I rise to urge my colleagues to support this amendment to limit farm payments to $20,000 per crop, per farm.

The adoption of this amendment—which I was pleased to join in introducing—will go a long way toward restoring sense to the farm program, toward molding it to conform to today's priorities.

Earlier this year, I proposed setting farm payment limits at $10,000. I felt such a limit was justified, was needed, and would still leave us with a viable farm program.

My convictions have not changed, but legislative realities dictate that a $20,000 limit may be a more attainable goal.

I have been around these halls long enough now to appreciate that legislative accomplishment depends, more often than not, on going for the possible whenever the possible is moving in the right direction.

Limiting payments to $20,000 is moving in the right direction. Acceptance of this figure by the House of Representatives would indicate that this may well be a more realistic, a more "possible" goal.

Mr. President, let me make it clear here and now that this is not an "antifarm" amendment, nor is it motivated in any way by antifarm sentiment.

I, for one of many in this Chamber, thoroughly appreciate the tremendous accomplishments and contributions of American agriculture and would do nothing that would hurt its cause.

Indeed, Mr. President, the amendment I speak for today is precisely the opposite of antifarm legislation. It is profarm legislation because it seeks to eliminate a stigma that has marred the image of the great institution of agriculture for far too many years.

It is difficult for many Americans to appreciate, fully appreciate, Mr. President, how our system of agriculture has made us the best fed, best clothed people on earth—and has helped us feed much of a hungry world—when they are constantly buffeted by the seeming paradox that our Government is paying some farmers as much as $4 million a year not to grow crops while there are still hungry people at home and abroad.

Now there are those who will say this is a completely naive attitude, who will wonder why so many Americans do not understand the reason for farm subsidy payments, why they do not appreciate the fact that farmers have to be compensated for not growing crops that would glut the market and destroy the farm economy.

I happen to believe that most Americans can understand the principle of farm payments, Mr. President. It is not that sophisticated a mechanism. But what they cannot understand is why the biggest farmers get the most compensation.

I also happen to believe that they would accept even this situation if they could be convinced that a farm program could not be effective without the lavishly rewarded participation of the factory farms and the mega-farmers.

But in the absence of that convincing evidence, they are going to remain skeptical at best and cynically bitter at worst over a system that pays John Wayne and his corporation farm partners more than $800,000 for not producing crops, that pays a British investor-owned farm in Mississippi another $800,000 for the same reason, when all the while the public needs in education, in health, in housing, and in many other priority areas are going unmet.

A long, long time ago, the farm subsidy payment system was initiated to help the small family farmer make ends meet when he had to curtail production in order to keep supply in line with demand.

But this once justified, indeed admirable, program has grown completely out of hand, for from that modest beginning the farm payment program became a grotesque, lopsided monster gobbling up billions of dollars a year in Federal tax dollars, far too much of which went into the fat coffers of big farmers who were able to use that money to buy up more land to keep out of production and collect even more subsidies.

Nevertheless, Mr. President, I never would have lent my name to a payment limitation plan unless I was convinced that such a plan could work, that enough land could be diverted from production to keep farm prices stable even with payment limits.

I have been convinced. I am certain that we can impose limits and eliminate the scandalous inequities of no limitations, and still preserve the farm economy.

Last year the Congress voted $55,000 limitations, and this has now been in effect for 1 year.

It has not worked, Mr. President. It has not worked, because its intent has been betrayed. Not illegally betrayed, to be sure, but betrayed nevertheless.

What has happened is this: Big farmers, within the law, have divided their farms among members of their families, their friends, or associates, thus making each new owner eligible for subsidy payments.

In some instances, reports indicate that total payments for a given piece of "subdivided" farm property may be slightly less than they were under no payment limitations, but that owners have gone into more production in order to make up the income difference.

This, of course, defeats the purpose of the farm subsidy system for those additional planted acres can flood the market, depress prices, and hurt every grower, small as well as large.

Now I do not contend that dropping the limit from $55,000 to $20,000 is going to completely solve this problem, Mr. President. No doubt some mega-farmers and factory farms will still try to avoid the limitation by dividing ownership to qualify each owner for the maximum $20,000.

But certainly "subdividing" farm ownership to make every new owner eligible for the $20,000 maximum is going to be more difficult than dividing to make each new owner eligible for $50,000. It will simply require that many more "new" owners will make the ruse, if that is what it is, all the more apparent.

Beyond the limits that this amendment imposes, of course, is the directly implied need for the Department of Agriculture to make sure that the principle of limitations is not avoided.

The Department must make sure its regulations are clear enough, strong enough to protect the taxpayer against increased farm payment costs brought about by the splitting up of farms.

The Department must redouble its efforts to check into each proposed farm reorganization to assure it is not being undertaken to avoid the purpose of the law.

Finally, Mr. President, I would like to respond to an objection to dropping farm payment limits from the current $55,000 level to $20,000 at this time.

There are those who say this is unfair to farmers, because the $55,000 limit imposed last year was legislated for a 3-year period and that farmers have made their plans to accommodate that 3-year condition.

Now first of all, let us try to keep this in perspective. There are more than 2 million farmers in America today. But only a few thousand of that 2 million would be affected by lowering the maximum subsidy payment.

Family farmers, the backbone of American agriculture since the birth of our nation. would not be affected because only a very few of them operate farms large enough to qualify for more than $20,000 in payments.

Second, farmers always hope to make their plans for several years in advance but are only rarely able to do so.

The truth is that the market outlook, the need to rotate land use, the availability of farm labor, and many other factors make planning for more than a year at a time extremely difficult.

In summary, then, the proposed imposition of a $20,000 per crop, per farm subsidy limitation, a limit already approved by the other Chamber on June 23, is not an antifarm measure.

It will not affect the vast majority of American farmers, but it will effect a substantial tax savings at the same time that it removes an unsightly blemish from agriculture's otherwise shining image.

By removing that blemish, Mr. President, we will not only make tax dollars available for more worthy purpose than making rich farmers richer, we will clear the way for a renewed, unspoiled public appreciation of the worth and dignity of one of the greatest institutions, one of the most important contributors to health and well-being in the world—American agriculture.

I urge that the Senate act favorably on this proposal.

Mr. BAYH. Mr. President, will the Senator yield briefly, if he has time remaining?

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

The PRESIDING OFFICER. Two minutes.

Mr. McINTYRE. I am happy to yield to the Senator from Indiana.

Mr. BAYH. I compliment the Senator from New Hampshire for recognizing the possibilities of accomplishing two basic goals. He put them, I thought, in very dramatic perspective. First, by seeking to remove this rather obvious source of controversy from the existing program, we are actually helping, not hindering, the hundreds of thousands of farmers in rural America. We are restoring belief and pride in the integrity of the farm program, while limiting the payments of only 10,000 recipients—is not 10,000 the number of farms who inspire this debate?

Mr. McINTYRE. That is correct.

Mr. BAYH. Second, the Senator expresses, and rightly so, that the money saved from these exorbitant payments can be utilized to meet some of the pressing needs that exist elsewhere in our society. Thus, we would accomplish two important goals by adopting one amendment.

Mr. McINTYRE. I thank the Senator. I am pleased to be able to join him in this amendment. He is the only Senator who can claim to have been brought up and worked on a farm, and he knows the issue of the farmer from the very beginning. I thank him for allowing me to participate in this matter.

Mr. McGEE. Mr. President, I rise as perhaps the only Member of this body who has never been on a farm and does not own even one head of livestock in any form.

But I raise the point that concerned us in the committee, and that was the good faith of Congress. This has been a very difficult question. The Senator from Indiana is correct when he points to its complexities and the issues it raises. Because of that, the Agriculture Committee of this body held extensive hearings a year ago, went to great depth into the ramifications of the problem, and weighed the consequences of a whole range of options that were available; and in the best wisdom they could muster they came up with the judgment that a limitation should be imposed for the first time in history. They arrived at the figure of $55,000.

We might quarrel with that particular figure. But the agreement that was reached committed that program to the crop years of 1971, 1972, and 1973. That still was an adjustment in the whole mechanism of agricultural loans and crop planting schedules and that sort of thing, and those have been undertaken in the good faith that the Government of the United States, particularly Congress, meant what it said when it enacted a law for 3 years with these limitations. In that good faith, these farmers have undertaken their loan commitments, their crop commitments, and their other operational necessities in an attempt to maintain some predictable economic stability in the 2 or 3 years ahead.

For that reason, the members of the Appropriations Committee felt that this was not the way to do this; that not only was it not the way to do it, but it was breaking faith in the process as well. Because it was breaking faith, we felt that we would have to seek a review of the action taken by our friends on the other side of the Hill.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Secretary of Agriculture that we have received on this matter and a letter from the Acting Secretary, Mr. Clarence D. Palmby.

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

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 25, 1961.

DEAR SENATOR MCGEE: On June 23 the House of Representatives passed H.R. 9270, the 1972 Department of Agriculture-Environmental and Consumer Protection Appropriation Bill.

The House made four amendments to the bill as reported by the House Committee on Appropriations on which we sent you our comments and recommendations on June 21, 1971.

One of the changes involved an increase of $2.1 million for research in the Agricultural Research Service relating to research abroad on the detection and destruction of narcotics-producing plants. Another change dealt with the earmarking of an additional $11,225,000 for summer nonschool child feeding programs. We have no objections to these two changes.

We strongly urge the Senate to delete the amendment by the House which would have the effect of limiting payments on 1972 crops (other than for sugar and wool) to $20,000 to a person for any single crop. This subject was thoroughly reviewed by the Congress last year and the Agricultural Act of 1970 established a payment limitation of $55,000. Since that time many farmers have entered into leasing contracts, revised their crop rotation programs and have made arrangements for credit on the assumption that the limitation level of $55,000 would stay in effect for the full three years. A change now would result in difficult problems and would be costly to many farmers.

It seems to me that farmers have the right to rely on the provisions of an Act which the

Congress debated and passed. I feel that to make such a major change in the rules at this time would be grossly unfair.

The House also added a general provision which would prohibit payments to anyone who grows or permits to be grown marihuana or other prohibited drug-producing plants on his land. Attached is a statement which discusses this matter. While we are not requesting the Senate to delete this provision, we feel that the Congress should be aware that this will likely involve many administrative problems which we cannot now anticipate. It may be necessary to request a revision at a later time.

Sincerely,

CLIFFORD M. HARDIN,
Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 29, 1971.

Hon. GALE W. MCGEE,
U.S. Senate.

DEAR SENATOR MCGEE: I strongly urge the U. S. Senate to strike the $20,000 payment limitation for the 1972 crops of cotton, wheat and feed grains included by the House of Representatives as a rider to the Department's 1972 Appropriations Bill.

I fear that many farmers will regard this action so soon after the enactment of the Agricultural Act of 1970 as an act of bad faith. Many have already bought land, entered into leasing arrangements, and made farming plans on this basis. Farmers had the right to believe that the $55,000 payment limitation enacted last year after full Congressional debate would be good for the 3-year duration of the new farm law. It would be unfortunate if the Government now reneged. This is not what people expect of the Congress.

The disruption caused by this rider would extend beyond those farmers directly affected. No farmer could plan secure in the belief that the legislative authorization for any program provision would remain unchanged for the life of the law. For example, there are some who favor a limitation as low as $5,000 or $10,000 and the precedent set by this rider would encourage such attempts.

At the time we agreed to the present $55,000 limitation, we indicated that this was as low as we could go and still hope to operate an effective program. At the lower level voted by the House, it will be more difficult to make the programs work. As more farmers are forced out of the program, the greater burden of providing the necessary set-aside acreage will fall on the smaller farmers still able to participate. Further, the limit would be made more restrictive before either the Congress or the Department would have an opportunity to measure the impact of the $55,000 payment limit and thus have the benefits of this experience.

There is little doubt, however, that the payment limit as it goes lower will work against increased farm efficiency. It would be indeed sad for the Congress to enact legislation which would have this unfortunate result at a time when farmers are increasing their efficiency at a rate of roughly 2½ times that of other industry.

It is my strong belief that this rider will be harmful to the farm program operation and to farmers without really benefitting taxpayers. I urge you to oppose it and acquaint your colleagues of its serious consequences in soliciting their support of your position.

Sincerely,

CLARENCE D. PALMBY,
Acting Secretary.

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

Mr. McGEE. I am glad to yield to the Senator from Nebraska.

Mr. HRUSKA. I read from a letter signed by the sponsors of this amendment:

According to all available information, the $55,000 ceiling of 1970 has not cut down at all on the huge subsidy payments which are made annually to a few rich farmers. There was an increase in total subsidies from $3.5 billion in 1969 to $4 billion in 1970.

Did I correctly understand the Senator from Wyoming to say that this $55,000 ceiling commenced with the calendar year and crop year of 1971?

Mr. McGEE. It affects the crop years of 1971, 1972, and 1973.

Mr. HRUSKA. So that when there is an allegation of failure to achieve any savings in calendar year 1970, it is somewhat irrelevant.

Mr. McGEE. In my opinion, the Senator is correct.

I will take no more time at this time, Mr. President, and I reserve the remainder of my time.

Mr. BAYH. Mr. President, I yield myself 2 minutes, to speak to that particular point.

Representative CONTE has repeatedly tried to obtain information from the Secretary of Agriculture in order to document the numerous indications we have that the $55,000 has not been effective.

I ask unanimous consent that this exchange of letters be printed in the RECORD to show that the Secretary has been far from cooperative on this matter.

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

JANUARY 22, 1971.

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I was deeply disturbed to learn from a recent Report to the Congress by the Comptroller General (B–114824; January 12, 1971) that the objectives of the feed grain program have been subverted because of a number of payments for diversion from production which have actually gone to owners of land devoted to or designated for nonagricultural uses.

Although I was pleased to note that your Department has already taken steps to eliminate these abuses. I am writing to request a detailed report on both the extent of such abuses and the correct measures which have and will be taken to prevent their reoccurrence.

As your Department's initial reply to this report indicates, there is every reason to assure that these abuses have occurred in the wheat and cotton programs, and in many other areas of the nation not covered in this report.

I am sure you are aware of the growing lack of public confidence in the farm program in recent years. As part of the effort to help restore that confidence, I have long fought to place a limitation on farm subsidy payments. I am proud that this administration was the first to support such an effort—support which was critical to the enactment of the first payment ceiling.

As you know, I and many others have been concerned about the likelihood that many program participants will seek to evade the effects of this payment limitation. A vigorous administrative effort at the highest level will be required to prevent unlawful evasions.

This incident reveals a disturbing lack of policy direction over the Department's field operations. Unless this deficiency is corrected promptly I am concerned that confidence in the farm program will diminish further.

I would like to take this opportunity also to request a report on the effort that has been made to date to prevent evasion of the payment ceiling.

Thank you for your consideration of these requests. I look forward to receiving these two reports as soon as conveniently possible, and want to assure you that I will continue to do what I can to support your efforts to develop a more effective and properly administrated farm program.

With best wishes, I am

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 17, 1971.

Hon. SILVIO O. CONTE,
House of Representatives,
Washington, D.C.

DEAR MR. CONTE: This is in response to your letter of January 22 requesting a report on the extent of abuses as disclosed by the Report to the Congress by the Comptroller General (B–114824, dated January 12, 1971) and the corrective measures taken.

Because the subject report does not contain positive identification and location of the reported items, the Agricultural Stabilization and Conservation Service obtained a listing of all farms which were reviewed by the General Accounting Office. The respective State Agricultural Stabilization and Conservation (ASC) committees were furnished a copy of the Comptroller General's report and a copy of the list of all farms. Each of the cases in the list is to be promptly investigated by a State ASC committee representative. Each State ASC committee is to determine which cases are partially or fully ineligible for payment in 1969 and 1970 under the regulations in effect in those years. Collection action will be instituted where applicable.

We have taken the following measures to prevent recurrence of similar deficiences:

1. Administrative instructions have been issued to all county ASC committees directing them to declare ineligible for program participation those farms which the county committee determines would not normally be operated as grain-producing farms.

2. This instruction also provides, that all farms in predominantly nonagricultural areas be determined ineligible. Producers in such areas would be determined eligible for participation only after they have proved to the county committee that they are currently engaged in an active farming operation.

3. We will establish adequate administrative review procedures to insure that administrative instructions and regulations regarding eligibility of farms for program participation are uniformly and consistently applied by the county ASC committees.

In the Comptroller General's Report to the Congress, it is pointed out that the actions proposed by the Administrator, ASCS, in his letter dated September 23, 1970, commenting on a draft of this report (Appendix I), are responsive to GAO's recommendations.

Enclosed is a copy of the regulations and of the administrative instructions under which we will administer the payment limitation provision.

Sincerely,

CLARENCE D. PALMBY,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 15, 1971.

Hon. SILVIO O. CONTE,
House of Representatives.

DEAR MR. CONTE: This replies to your March 16 letter regarding our administration of the Payment Limitation Regulations.

You will be interested in the enclosed statement, "Implementation of Payment Limitation", which was prepared in response to questions on March 22, 1971, by the Agriculture Subcommittee of the House Committee on Appropriations. We believe that

this statement makes it clear that changes in farm operations are permitted.

We have taken a number of steps to maintain close control over the State and county ASC committees administering the payment limitation provisions. In addition to the normal day-to-day supervisory activities of our Washington and State offices, we require that a resume of 10 percent of cases decided by State and county offices be sent to the Washington office for review. These cases are in addition to those that, because of their complexity or unusual nature, are sent to the Deputy Administrator for State and County Operations for decision.

Further, we have asked the Department's Inspector General to pay particular attention to the administration of the payment limitation rules in audits of State and county office operations. Selected field auditors and special agents of the Office of the Inspector General have been detailed to Washington for additional training on the subject.

You asked whether we have instructed county committees to require disclosure of stockholders lists where corporations or stockholders may be subject to the payment limitation. As you know, we have instructed county offices to make sure that producers who may be affected by the limitation are furnished full details concerning the limitation. Additionally, counties have been responding to written requests for determinations concerning the application of the payment limitation rules. Producers are requested to make a full disclosure of the stock ownership of corporations and other details of their operations having a bearing on the determination. We have made it clear that where significant facts are hidden from us we will, under our regulations, deny all program payments. Additionally, program payments will be denied where a producer is engaged in purely paper transactions which do not actually represent what the producer is doing.

You inquired about a case in Mississippi mentioned by Mr. Burt Schorr in his March 9, 1971, article in the Wall Street Journal. The Mississippi State ASC Committee, after checking with a number of county offices, is unable to identify such a case in the Delta having a similar family situation with the allotment and 1970 program payments referred to in the article. The article does not contain sufficient information to determine whether the new entities should be regarded as separate persons.

You ask to be furnished a progress report on the effect of the payment limitation as soon as possible after the 1971 sign up is completed in April. Specifically, you ask for a report on the number of producers applying for a reduction in set-aside requirements and preliminary estimate of reduction in payments. Since producers will have until July 1 to request a downward adjustment in the set-aside requirement, this information will become available later in the year. As soon as it is compiled, we will furnish you with a copy.

Additionally, you ask for a report of the changes in leasing, ownership and farming practices in 1971 of all producers who received $55,000 or more in payments under a specific commodity program in 1970, whether or not such producers request a set-aside adjustment. This kind of information will be, of course, available at county locations throughout the country. Such a report would be very expensive to compile and issue and we would be reluctant for this reason to do so.

We are, however, able to furnish you with a list of all producers for whom payments were computed at $55,000 or more under a program in 1970. This list is being sent under separate cover.

We appreciate your interest and concern in the efficient administration of farm programs.

Sincerely,

ANDREW J. MAIR,
Deputy Assistant Secretary for International Affairs and Commodity Programs.

Title I of the Agricultural Act of 1970 imposes a $55,000 limit on each person each year under each of the upland cotton, feed grains and wheat programs. The law directs the Secretary of Agriculture to define the term "person" for purposes of applying the limitation and to prescribe such rules as he finds necessary to assure a "fair and reasonable" application of the limitation.

Since the beginning of discussions on payment limitations, the Department has recognized that this would be a difficult provision to administer. For this reason, even before the Agricultural Act of 1970 was enacted, considerable planning and work was done in order to be able to publish implementing regulations with a minimum of delay. In doing this, valuable consultation was had with field employees from the States most affected. The Department's Office of the General Counsel was fully utilized in this effort. The assistance of the Comptroller General was requested and obtained. The Secretary signed the Payment Limitation Regulations on December 18, 1970, and they were published in the Federal Register on December 22, 1970. Considered in the light of the language in the law and the legislative hearings which preceded enactment of the law, the published regulations comply with the directive to assure a "fair and reasonable" application of the limitation.

Understandably, interest in the limitation by producers potentially affected is intense. These producers have anxiously sought information about the limitation. For this reason, Washington personnel participated in several meetings with ASCS field personnel and interested producers to explain the provisions of the regulations. The first of these meetings was held in California on December 18, 1970. Others followed for Arizona, Texas, Louisiana, Mississippi, and Arkansas—The States most affected by the limitation. In addition, instructions to ASCS county offices provide that ample public and private notice shall be given to assure that every producer potentially affected by the limitation has an opportunity to find out the detailed provisions of the limitation and how his farming operations are likely to be affected. Producers were assured that if a written plan of their operations for 1971 is submitted, we would provide them an answer in writing as to how the limitation would be applied. This was to enable the producer to determine where he stands before committing substantial resources to production of a crop.

Neither the law nor the regulations prohibit bona fide changes in farming operations. Thus, a producer potentially affected by the limitation may sell a part of his farm, lease it to others, make changes in the terms of leasing agreements such as shifting from crop-share to a cash-rental or vice versa, tranfer cotton allotments under the transfer provisions or take other similar actions previously available to him under applicable law and regulations.

While bona fide changes are permitted, fictitious actions which constitute a scheme or device to evade the limitation are not. Concealing relevant information, submitting false information, or creating fictitious entities for the purpose of concealing a true interest in a farming operation, are examples of actions not acceptable in applying the payment limitation.

Many producers who would otherwise be affected by the limitation are restructuring their farming operations so as to avoid the limitation. The economic compulsion, particularly for the cotton and wheat producer, is such that there is no other acceptable alternative. It is likely that these producers will then carry out a reduced or no farming operation insofar as the payment program is concerned and will rely on land rental, crop rental, and lease or sale value of transferred cotton allotment to replace some of the income lost because of the limitation.

Some producers who have carried out a substantial farming operation by leasing land from various owners now find that they must terminate some of the leases thereby turning the farms back to the owners. Such owners are then faced with the problem of finding another tenant, commencing farming operations on their own, or leaving the farm idle.

Most questions arising about the payment limitation can be answered at the local county office. However, the regulations provide that where the local county committee is unable to determine whether certain individuals or entities are to be treated as one or separate persons, the case shall be referred to the State committee for decision. If still unresolved after State committee consideration, the case shall be submitted to the Deputy Administrator for State and County Operations, ASCS, for a determination. This is the official in Washington directly responsible for field administration of the cotton, feed grains and wheat programs. He, after consultation with the Department's General Counsel, has rendered decisions in the most complex cases.

Based on participation in the 1969 programs, it is estimated that 1100 producers would have been affected by the limitation. The number of producers by crops for the States most affected are as follows:

State	Cotton	Feed grains	Wheat
Mississippi	250	0	0
California	226	4	2
Arizona	162	1	0
Texas	140	23	8
Arkansas	65	0	0
Louisiana	20	0	0

CONGRESS OF THE UNITED STATES,
Washington, D.C., May 10, 1971.

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I appreciate Mr. Mair's letter of April 16, describing the Department's plans for reviewing the decisions of the County ASC Committees in administering the $55,000 payment limitation.

But I must confess I am disappointed with the Department's reluctance to prepare a report on the changes in leasing, ownership, and farming practices (acreages of cotton, wheat, feed grains, and substitute crops) resulting from the limitation on payments to the 1,300 producers who received approximately $69 million in government payments in 1970.

I have difficulty in accepting Mr. Mair's stated reason that, "such a report would be very expensive to compile and issue," as adequate grounds for declining to prepare such a report for the guidance of members of Congress.

Many members believe that lower limits on individual farm-program payments could reduce government expenditures by $100 to $200 million or more without adversely affecting the supply adjustment and price stabilization features of the program.

A few thousand dollars spent in collecting and analyzing information on the changes in cropping and leasing arrangements made in 1971 by the 1,300 producers affected by the $55,000 limitation would appear to be an effective use of a small part of the $7 billion appropriated for the Department of Agriculture.

Perhaps, I should consider offering an amendment to the next appropriations bill earmarking $10,000 for such a report—this would give my colleagues a chance to indicate their interest in such information. Seriously, I do feel this report would be most useful, and I urge you to reconsider my request.

With best wishes, I am,

Cordially yours,

SILVIO O. CONTE,
Member of Congress.

Mr. BAYH. Mr. President, so we are forced to rely on the study that was conducted by the Washington Post, which documented rather well that indeed the limitation has failed. There has been great circumvention of the $55,000 limit; and instead of lessening the number of large subsidy payments, they have increased. The only way one can explain this is that legal loopholes have been taken advantage of by the big corporate farms. It seems to me that we have an obligation to do something about that.

Mr. McGEE. Mr. President, I will take 1 more minute at this time, because it is relevant to what the Senator from Indiana has just said.

We on the committee are not blind to the fact that everybody looks for loopholes. No matter what Congress does, people will try to find loopholes, and we know that such efforts have been made in some limited cases in this program. But the committee has deliberately put in the record the strongest possible language instructing the department to do two things; first, to probe for the loopholes and report back to us; second, to let us know if it takes any additional legislative endeavor in order to plug those loopholes.

We, too, are not interested in providing ways out for somebody to avoid some responsibility. We intend that the program be legitimate and honest. That, again, becomes a legislative matter. We are pressing them with all the thrust we can supply that they plug those loopholes and address themselves to the appropriate legislative committee rather than to the money committee for the beefing up of the enforcement of the existing act, which will be on the books for 2 years.

Mr. President, I yield 6 minutes to the Senator from Texas.

Mr. TOWER. I must oppose any further attempt to limit payments to our Nation's farmers. During the discussion of the 1970 Agricultural Act, it was agreed upon by the U.S. Congress to set a ceiling of $55,000 per crop per farm, and it was the intent of Congress that the new limit remain intact for the duration of 3 full crop years. Any effort to lower this ceiling is a breach of commitment to our Nation's farmers and could render economic havoc for many of our people engaged in agricultural work.

The 1970 farm program marked the start of a new era in the relationship between agriculture and Government. The farmer is no longer paid for not producing a commodity. Under the 1970 act moneys received by the Nation's farmers are used as a subsidy for the actual production of that farm. I hope, as do many of you, that within a few years the farmer will no longer require price subsidy and that the crops he produces will be self-supporting on the open market. Until that time, however, it is imperative that economic balance be sustained for the farm family. Commodity Credit Corporation's stocks are diminishing, and the supply and demand ratio is coming into line with a sound economy. It appears that the new farm program is working, and given a few more years, as we committed to do, perhaps farmers will be independent once again.

There are three basic reasons for retaining the current ceiling for farm payments. The first is that we made a firm commitment on a majority vote less than a year ago, and if we are to merit the confidence of the Nation's farmers, that commitment must be honored.

Second, the farmers, after passage of the 1970 act, made new commitments to their lending institutions. They purchased additional acreage and additional farm equipment. They drilled new irrigation wells and replaced outdated machinery. In today's rapidly changing world the farmer must constantly modernize if he is to remain in business, and this improvement demands capital expenditures which must be repaid from cash crop income. The Nation's farmers started this farm year with plans for a minimum 3-year period. A 3-year planning period is required if the farmer is to reach maximum production. He must practice crop rotation, soil management, fertilization, and other procedures which are imperative to modern farming. These practices do not take full effect in only 1 year.

The Nation's farmers must depend upon their individual initiative. While the farm population drops yearly, to a point now of less than 2.9 million farms in operation, the population of the Nation increases. Approximately 35 million people will be added to the U.S. population by 1980. These statistics even heighten the importance of agriculture. Farming is a major industry and must be treated as such. The financial obligation of America's farmers will run into the millions. A lowered ceiling on farm payments would cause well-justified fear of being unable to repay operating expenses, much less initial capital investment.

Third, not only are we discussing passage of an amendment which might instigate the slow economic death of farmers, but we will also involve ourselves in curtailment of foreign trade. It has been reported that foreign cotton importers are closely watching today's proceedings. If we take away the initiative for profitable farming, then I believe I am safe in saying we also create doubt in our marketplace. Our export trade can be seriously affected as a result of our decision. No man is willing to subject himself to extreme indebtedness with no hope of profitable return. And no farmer will produce a crop knowing his efforts will result in a net loss. If our farmers reduce their cotton, or milo, or wheat production because of the lack of support price at this juncture, then it is only reasonable to say that we will have no idea of the total production expected in the United States next year or the year after. Consequently, our foreign importers will seek other markets in advance resulting in harm to the 1971 market. That crop, gentlemen, is already in the field. Likewise our Nation's textile mills will begin to look elsewhere for fiber, since underproduction of a commodity can be as detrimental as overproduction. Should cotton, for example, not be produced in sufficient quantity to furnish this Nation's own domestic needs, then our textile mills would substitute synthetic fibers and contribute to the decline of farms in the cotton business. If the Congress breaks its farm payments commitment, there will be serious ramifications not only for farmers but also for the Nation as a whole.

Let me say in closing that this Nation enjoys the availability of food at the lowest cost to the consumer of any nation on earth. Our Nation can feed its families and feed them a diet conducive to good health, for less than 16.5 percent of their annual incomes. This is a record to be envied. The Nation's farmers are one of the largest consumers of steel, rubber, and chemicals. The farm ranks among the top in employment of our Nation's work force. Yet farmers have no real course to pursue to acquire better prices for their produce. They have no power to strike and they have none of the fringe benefits afforded to the Nation's nonfarm labor force. Every dollar made available to the farm family by this Government is a dollar invested in a sound economy and in preservation of this Nation. It is not hip-pocket profit for the farmer but a means of putting food on every table in America at the lowest possible price, while at the same time preserving our land which is so rapidly becoming over populated. Our investment in the farmer has paid dividends. I ask that the doors not be shut in the face of American agriculture and that we allow the limit as established in the 1970 farm program to remain intact until the expiration of the program in 1973.

Mr. President, I urge the Senate to reject the amendment offered by the Senator from Indiana.

Mr. McGEE. Mr. President, I yield 5 minutes to the distinguished Senator from Alabama (Mr. ALLEN).

The PRESIDING OFFICER (Mr. TAFT). The Senator from Alabama is recognized for 5 minutes.

Mr. ALLEN. Mr. President, I am deeply concerned over the amendment to reduce the farm payment limitation from the authorized $55,000 level to $20,000. The very livelihoods of thousands of our farm people and the viability of rural America would directly and adversely be affected by the imposition of a $20,000 limit as contemplated by the pending amendment.

Let us consider how this amendment would affect one of the crops covered by the support payments—cotton.

A $20,000 payment limitation could destroy the American cotton industry's

ability to respond to current and future opportunities observable in the current market situation. In addition, many of our farmers have already leased cotton allotments pursuant to the $55,000 authorized level in amounts that would put them far over the proposed $20,000 limit. Thus, they have already put cash on the line for allotments they would not be able to use. It would be one more blow to an important industry that is already reeling.

Mr. President, much has been said about payments not to plant crops. Certainly, that is only a portion of the picture. Actually, the payments are made not to refrain from planting but to induce planting of crops. If cotton is not grown in sufficient quantities to meet domestic and world demand, how are our mills to run, how are the people to be employed?

This year, consumption will exceed production by possibly one million bales of cotton. So that if we do not provide the incentive to plant, we will not have the cotton grown. The market price of cotton, say it is in the neighborhood of 25 cents a pound. Statistics show that it takes 33 cents to produce a pound of cotton. Under those circumstances, we are certainly not going to have cotton planted if it costs 33 cents to produce a pound and the sale price of cotton is only 25 cents.

Thus, it is incumbent upon the government to make payments to induce farmers to plant cotton. The statement that all this money goes to the big farmers, the big corporate combines, is far from being correct.

In my State, farmers who do get substantial payments, do not get that money just for themselves. They buy or lease the allotments from widows, from older people who have allotments but are unable to plant. They get the allotments from those people. That is the only way the older people, the small people, can pay their taxes, by selling their allotments. So that this money does not go only to the ultimate planter of the crop, but goes literally to hundreds of small people. So it is not just the large farmers that are getting these payments. They go to rank-and-file citizens.

Adoption of the pending amendment will mean the abandonment of a program that has not yet been tried. The $55,000 limitation was imposed only in December of last year and there has not been a single crop harvested under the $55,000 limit. How do we know that the $55,000 limit is not going to be just exactly the right figure?

As I say, the farmers have gone out and purchased allotments having in mind the commitment of the U.S. Government.

We talk about our commitments abroad, what about our domestic commitments?

These farmers, in good faith, have acquired allotments and they need this limitation at the $55,000 level. That is low enough.

Let me point out that the position of every segment of the cotton industry, particularly the producer, continues to be threatened and harried by rising costs. According to figures furnished me by the U.S. Department of Agriculture, the cost of raising the American cotton crop has increased from 26.6 cents per pound in 1966 to nearly 33 cents per pound in 1970. Let me emphasize that by January of this year, farm income had dropped to 67 percent of the price parity formula. It is an unimpeachable fact that American farmers are suffering from an economic depression unparalleled since the depths of the depression in 1933.

This unhappy fact cannot be regarded as mere statistical data. The current plight of farm income speaks much more, particularly when it is translated into the practical realities of stark tragedy for thousands of men, women, and children whose hopes and aspirations for a decent standard of living are inseparably tied to the soil.

Yes, Mr. President, if we lose our cotton industry, for example, thousands of people now engaged in growing and marketing American cotton obviously will be thrown out of work. Most of these people are in rural areas, where there are already too few job opportunities. This could force many of them into our already overcrowded cities.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. Mr. President, I yield 1 additional minute to the Senator from Alabama.

Mr. ALLEN. Mr. President, cotton's demise would also have a serious impact on farmers growing other crops, such as feed grain, wheat and soybeans all over the country. The 12 million acres we now plant to cotton would be used to produce other crops, thus creating other surplus situations, and depressing farm prices. I do not believe our Government can afford to stand idly by and watch this happen. I am convinced that lowering the farm program limitation would cost U.S. taxpayers many millions of dollars in additional farm program expenditures.

The lower-payment limitation would pose an especially serious threat to wheat producers because they have less flexibility than growers of cotton and feed grains. Many wheat growers in the Plains States have no alternate crop they could profitably plant, and no opportunity to make other arrangements under the programs. A lower payment limitation would force these growers out of the programs. They would have to grow wheat for the open market, throwing the full burden of agricultural adjustment onto smaller growers and terribly complicating our farm adjustment policy.

I see no way that the lower payment limit would help our agriculture or our Nation. I can understand the desire of some of my colleagues to eliminate very large payments made to a few producers in the past. But this goal has, in part, already been accomplished through the current payment limitation. I am very much afraid that the present effort to lower the payment limit still further is simply an attempt to make farm programs so unworkable they will have to be abandoned.

Mr. President, a large percentage of the public is unaware that we are facing a farm crisis today which is simmering to a boil and that, as consumers, they have as much at stake in farm problems as the farmers themselves. Yes, because we often see perfidious newspaper headlines or hear sensational radio and television reports about agriculture in general and farmers in particular, expressions such as "farmers are getting rich off the government" seem to be gaining wider acceptance daily.

This seemingly deliberate and concerted attack on agriculture by many of the big city newspapers, national magazines, and radio and television commentators is selfish, reckless, and irresponsible. What the mass news media should be extending to the American farmers is understanding, not indifference; faith, not cynicism.

We should leave the limitation at $55,000. That was a come-down last year from the unlimited payments to $55,000. Let us not cut it below that, certainly not without a trial. We have not had a trial yet. We have not had one crop grown under a $55,000 limitation.

If the amendment passes, I predict that the result will be to throw our most basic industry into utter confusion. I urge the defeat of this amendment.

Mr. President, I call attention to a news release of the United States Department of Agriculture dated July 1 of this year, which contains this very significant statement:

> Total payments for grains and cotton this year are expected to be about $2.7 billion. In 1970, the comparable total was $3.3 billion.

In other words, the cost of the support program for the 1971 year will be $600 million less than last year, according to the figures of the Department of Agriculture.

What other Federal programs will show a saving this year over last year of $600 million? Mr. President, I submit that the amendment seeking a further cut in payments to farmers should be defeated.

I ask unanimous consent that the news release from the Department of Agriculture to which I have referred be printed in the RECORD at this point.

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

EARLY PAYMENT CHECKS IN MAIL TO FARM PROGRAM PARTICIPANTS

WASHINGTON, JULY 1.—Checks totaling $1.13 billion will have been placed in the mail by early next week to nearly 1.5 million wheat, feed grain and cotton farms which have certified compliance in the 1971 set-aside programs, it was announced today by the U.S. Department of Agriculture. The expedited preliminary payments are authorized by the Agricultural Act of 1970.

Payments under the set-aside programs are made to farmers who agree to set aside part of their land from production in order to meet a national objective of balancing supply and demand in certain commodities. These payments help to offset the loss of returns from cropland that otherwise would be used for income-yielding production, and on which the farmer is obliged to continue to pay taxes and apply needed conservation steps, USDA explained. Payments to wheat feed grain and cotton producers are limited to $55,000 per person under the 1970 Act.

Because of a very late spring which delayed planting, as well as drought in some areas, many producers did not certify compliance as early this year as they did in 1970. Remaining preliminary payments can

be promptly processed as soon as current crop plantings are certified by participating farms, USDA officials said.

"Of the $1.13 billion, checks totaling $757 million are being received by almost 1 million farmers throughout the Nation today (July 1). It is expected that within the next two weeks most of the farmers participating in the 1971 programs will have received preliminary payments totaling an estimated $2.5 billion. An all-time record 2,034,000 farms are enrolled in the new set-aside programs.

"The expedited farm program payments are made possible by streamlined procedures inaugurated last year by USDA's Agricultural Stabilization and Conservation Service. The ASCS action enabled farmers to receive the entire payment due them in the 1970 program six to eight weeks earlier than ever before. These early payments help many producers reduce their need for long-term credit and cut the amount of interest paid. The flow of cash at this time will again be of major significance to rural communities and the U.S. agricultural economy, USDA officials indicated."

Feed grain producers ultimately will get about $1.1 billion; cotton producers, about $800 million, and wheat producers, about $800 million. Preliminary payments to wheat producers, however, under the Agricultural Act of 1970, are limited to 75 percent of final payments. Feed grain and cotton farmers may or may not get a final payment, depending on market conditions. Total payments for grains and cotton this year are expected to be about $2.7 billion. In 1970, the comparable total was $3.3 billion when prior legislation directed payments to be made for extra acreage diversion on wheat and feed grain farms, and to farms with small cotton and wheat allotments or small feed grain bases. These small units quickly signed up to get payments for diverting their entire eligible acreages.

This year, wheat producers will receive a preliminary payment of $1.20 per bushel on their 1970 crop. This is 75 percent of the estimated face value of the domestic certificates. The final value of the certificates will be the difference between 100 percent of parity on July 1 of this year and the national average wheat price received by farmers from July 1 through November. The remaining payment will be made after Dec. 1, 1971.

Preliminary payment of 32 cents per bushel will be made to corn producers and 29 cents per bushel to sorghum producers, based on this year's 20 percent set-aside requirement. The payment is determined by multiplying the rate per bushel by the yield established for the farm times one-half the corn and grain sorghum base. Producers enrolled in the 1971 feed grain program are guaranteed a national average of $1.35 per bushel on the production from half their corn base and $1.24 per bushel for sorghum.

Cotton producers are due to receive a preliminary payment of 15 cents per pound. Payment is determined by multiplying the acreage of upland cotton planted within the farm base acreage allotment by the payment yield established for the farm. Producers signed up in the 1971 cotton program are guaranteed a national average of the higher of 65 percent of parity or 35 cents per pound.

If feed grain and cotton producers are due final payments as a result of market conditions, they will be made for cotton after Jan. 1, 1972 and for feed grains after March 1, 1972. If the preliminary payment proves to be higher than the full payment due the farmer, a refund will not be required of the producer.

Mr. McGEE. Mr. President, I yield 3 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 3 minutes.

Mr. STENNIS. Mr. President, I judge that those who voted against the preceding amendment at these levels will vote against this amendment also. However, I repeat very briefly the point I made before, to the effect that this entire matter was brought out last year and in the legislative bill a sound and fair policy was established.

Mr. President, furthermore this payment is not primarily something that is designed for the individual as such. This payment is really a payment for the system regarding these crops and the fiber that comes under the program, and that system is a proven plan that will give a steady, constant, and regular supply year after year of these foods and fibers which are so essential for the American people.

It eliminates the peak years and the valley years and the bankrupt years of starvation for the producers. It gives us a system for a proper balance for needed growth and the supply of food with some storage capacity for the fibers. The one who benefits from the plan is the consumer. This is a plan that is designed for the producer and the consumer. The consumer certainly gets a rightful proportion of the benefits that are paid off in this steady supply of sound, solid, basic foods and fiber to supply our American needs as well as to supply an amount that helps us in our balance-of-payments situation.

Mr. McGEE. Mr. President, I yield 5 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. CRANSTON. Mr. President, the Agricultural Act of 1970 was signed into law on November 30, 1970, only 8 short months ago. Less than 10 months ago, I spoke in the Senate against an amendment to this Act which would have reduced from $55,000 to $20,000 the total amount payable to any producer of cotton, wheat, or feed grains for the 1971 through 1973 crops. That amendment failed by a vote of 21 yeas to 44 nays on September 15, 1970. Today, I rise again to voice my strong opposition to another attempt to reduce the farm payment limitation to $20,000.

It was my contention on September 15, 1970, and it is my contention today that a $20,000 limitation is a superficial and ill-conceived remedy to the problems associated with our farm programs. To reduce the limitation to $20,000—particularly on an appropriations bill where it is not possible to make compensatory changes in the program such as increasing acreage allotments or providing for more effective production controls—would invite economic chaos in agriculture. It would put many small farmers out of business. And it would be especially disastrous for the agricultural economy of California—even more so than it would have been last year had a $20,000 limitation been imposed. And cotton is a billion dollar industry in my State.

Mr. President, I intend to discuss in some detail the reasons for my consistent opposition to a $20,000 payment limitation. But first, I feel it is necessary to address some of the popular fallacies about our farm program which hamper our ability to recognize the truly complex issues involved in the debate over direct payments to farmers.

This issue is one of the most difficult that I have had to tackle in the U.S. Senate. I have found that my liberal and conservative constituents alike do not understand why I continue to oppose a $20,000 limitation. I believe this fact grows out of a widely shared oversimplified view of the total picture of our farm programs and from a misunderstanding about who benefits from these programs. In addition, it appears that many experience an unfavorable emotional response to the term "subsidy."

One popular misconception about our system of direct payments is that it constitutes a vast Government giveaway to a few wealthy, corporate farmers and that these farmers are paid not to grow crops. In fact, and in spite of this popular fallacy, farmers are paid on the basis of the number of bushels or the number of pounds actually planted, cultivated, harvested and made available for the domestic market! It is true that those with larger plantings of eligible crops receive larger payments because the payments are based on the pounds or bushels produced. Yet is often overlooked that 2,956,104 individual farmers received Government payments in 1970 under the cotton, wheat, and feed grain programs.

We have also been told by the proponents of the $20,000 limitation that huge payments continue to be made to the wealthy few even after the $55,000 limit became law. Yet when we examine their figures, we discover that they are citing payments made in 1970. The $55,000 limitation applies only to the 1971, 1972 and 1973 crops of cotton, wheat, and feed grains.

We have also read accounts that imply "shady deals" and "under-the-table payments" which allow farmers to collect more than $55,000. If there are any illegal dealings involved in the receipt of Federal payments, such cases and evidence should be made available to the appropriate Federal authorities—the USDA and General Accounting Office auditors—so that they can be investigated. And if there are major loopholes in the current law or regulations, we should consider legislation to close these loopholes in order that the intent of Congress can be carried out. But we should not use the examples of the few who may try to "beat the system" to condemn the entire program and jeopardize the livelihood of the majority who are willing to comply with the letter and the spirit of the law.

Cotton is the principal subsidized crop in California. The direct payment in the cotton program is designed to keep the farmer growing cotton, a commodity which is not in surplus. There is not enough cotton. The subsidy is paid to farmers to grow cotton in order to meet the domestic and export demand.

The reason that we must pay farmers in order to get adequate supplies of cotton is simple: it costs considerably more to produce cotton than the price cotton brings on the open market. According to the United States Department of Agriculture, it costs 32.7 cents per pound to produce cotton—and 33 cents in the Western

States—yet the market price in 1970 for middling inch was 20–21 cents per pound. Without Federal assistance, cotton production in California would be reduced to a fraction of the present level.

Under the law the Secretary of Agriculture is required to set a cotton acreage allotment large enough to produce the cotton needed for our domestic and export markets, and he is required to pay not less than 15 cents per pound on the cotton produced on that acreage. The maximum amount payable to any one producer under this program is $55,000.

Now I want to illustrate, as I did last year, that this $55,000 limitation applies to a small, family-sized farm. In California, we get an average of 2 bales for every acre planted in cotton. Each bale weighs approximately 500 pounds. At 15 cents per pound, this comes to a payment of $150 per acre of cotton. With the $55,000 limitation under present law, this means that the maximum payment is reached on only 366 acres of cotton. That is not a large cotton farm in California, a State which has a long history of intensive farming and large landholdings. Now the cotton farmer can plant more cotton if he wishes, but he will not get any Federal loans or payments or assistance of any kind on acreage beyond his 366 acres and his $55,000.

Now using the same figures, we find that imposing a $20,000 limitation means that the maximum cotton acreage is only 133 acres. Thus, the $20,000 limitation does not affect the large, corporate farmer—that goal was accomplished, as we have seen, by imposing a $55,000 limitation. Rather the $20,000 limitation will hit hardest the smaller farmer who plants between 133 and 366 acres of cotton. Many of these small farmers have leased allotments, borrowed money and purchased expensive machinery on the premise that the $55,000 limitation would remain in effect for at least 3 years. To place a new limitation at $20,000 would force these small farmers into bankruptcy. In the last 18 months in the cotton areas of the San Joaquin Valley of California, bankruptcy figures have risen to more than $40 million.

With a $20,000 limitation, no payments could be made for anything over 133 acres of cotton allotment. It has been estimated that this would cripple some 276,000 acres of cotton allotment in California—about half of the total state allotment. The decisions about what to do with this amount of land could have a potentially disastrous impact on other commodities grown in other States as well as in California. It could very likely result in the disruption of the market for many nonsubsidized crops such as tomatoes, melons, plums, olives, safflower, almonds, apricots, grapes, cherries, and pomergranates. I hope that the proponents of a $20,000 limitation are well aware of the indirect adverse impact that may well hit the agricultural economy of their home States.

I think this is the crucial issue. The Agricultural Act of 1970 was enacted for 3 years. The $55,000 limitation applies to the 1971, 1972, and 1973 crops. Farmers, particularly the smaller farmers, have made arrangements on the assumption that this question would not be raised until 1973. They have leased cotton allotments, purchased expensive machinery, and made other financial commitments based on the $55,000 limitation. To impose a $20,000 limitation this year will force small farmers out of business.

Congress provided that the Agricultural Act of 1970 expire after only 3 years because of the question involved in placing a limitation on payments. At the end of the 3 years, we will have a solid basis for determining the efficacy of the $55,000 limitation. I think we might consider seriously at that time the question of direct payments.

But now is not the proper time to raise this question. Farmers have had less than a year to operate under the new program. They have had to make major adjustments in their farming operations. They placed their faith in the U.S. Government and the Congress, and now Congress is turning right around only 8 months after the enactment of a $55,000 limitation and threatening to reduce this limitation to $20,000. And Congress is doing this on an appropriations bill in clear violation of the intent of the 1970 act.

The 1970 act provided that, for the first time, the cotton program is a voluntary one. In order to get more cotton produced for our domestic and export markets, the act allows free production and sale of cotton outside the cotton program, but without benefit of loan or subsidy. Several of the very large cotton growers in California opted to plant outside the program this year. But even with a better price in prospect in 1971, the total amount of cotton produced nationally without subsidy may be less than 15 percent of the total cotton production. There just are not many farmers who can afford to grow cotton without Government assistance.

The 1970 act also provided for an expanded cotton research program. The major thrust of this research effort, most of which is grower-initiated and grower-financed, is toward improving production and marketing costs so that cotton can eventually be produced in sufficient amounts without Government subsidy. The 1970 act allows the cotton industry 3 years to meet this goal. I believe we should give them that chance.

The United States is currently exporting on a dollar basis approximately 4 million bales of cotton per year. Japan and western Europe are our principal markets. As I have pointed out, a $20,000 limitation will curtail the production of cotton and will, therefore, reduce our cotton exports and the dollars received in payment for these exports. I wonder whether my colleagues on the other side of this issue have considered the implications of their position from this point of view.

Finally, a $20,000 limitation will hit the western cotton States—California and Arizona—much harder than it will hit the cotton-belt States or the grain-producing areas of the Midwest. This is because cotton farms in the West must be much larger than those in the South in order to be economical. The cost of water is extremely high in the West, taxes are higher, the land must be irrigated, wells need to be drilled in order to irrigate, cotton machinery has to be shipped from the Midwest, and farm labor wages are considerably higher.

In summary, I would like to reiterate my main points in opposition to a limitation of $20,000.

First, a $20,000 limitation will cause economic chaos in California's agriculture and it will have a very serious adverse impact on the economy as a whole.

Second, it will not affect the large farming operations, as implied by the proponents, but will hit the small- and medium-sized farmer the hardest.

Third, this proposal is offered as an amendment to the agricultural appropriations bill and thus prevents us from making the necessary adjustments in the overall farm program.

Fourth, on the basis of only 8 months of operation under the new law—and a lack of current figures—proponents of the $20,000 limitation are suggesting that the $55,000 figure is set too high. I believe that judgment would be more properly and accurately made when the current law expires in 1973. To do so now, and especially to base one's argument on the previous crop year, is totally unacceptable.

Fifth, a $20,000 limitation discriminates against California and Arizona. It would scarcely affect most of the rain-grown cotton areas of the Old South or the vast acres of grain in the Midwest.

Sixth, a $20,000 limitation on payments will adversely affect our cotton market and the dollars received from these exports.

Seventh, and finally, in the last analysis, a $20,000 limitation is a superficial remedy for the so-called farm problem. If the intent of the 1970 act was to continue to insure the production of sufficient amounts of cotton but also to limit the payments for which any single producer could be eligible, that has been accomplished by the $55,000. If the intent of the 1970 act was to save the Government money, that has only occurred to a small extent. USDA budget estimates place the 1971 cotton payments at approximately $798 million nationally. In 1969 the cotton program cost $828 million and around $820 million in 1970. So there has been some saving, but not much.

The real impact of the $55,000 limitation has been that the large producers were forced to sell or lease some of their cotton allotments to smaller growers. Thus the smaller growers are receiving larger Government payments than they have in previous years. Some have said that a $20,000 limitation would pay the smaller growers an even fairer share of the total cotton payment. But careful studies by the USDA last year revealed that the cotton allotment for which Government payments would be available would tend to be so small that it would not pay to grow cotton even with the Federal payment. As we have seen, the $20,000 limitation would be met on as little as 133 acres of cotton in California.

Mr. President, I think we have to ask

ourselves some hard questions on this issue. We have to determine whether it is proper to attempt this kind of a major change on an appropriations bill only 8 months after the enactment of the 1970 law. We have to ask ourselves whether we can tell farmers that they will have 3 years to operate under a program and then turn around only 8 months later and change the rules of that program. We have to ask ourselves whether a vote for a $20,000 limitation is based on a lack of understanding of its implications—not only for the subsidized crops, but for every agricultural commodity in the Nation. Finally, we have to ask ourselves whether the $20,000 limitation can accomplish the goals which its proponents claim for it—saving the taxpayer money, helping the small farmer, and insuring that ample amounts of cotton, wheat and feed grains are produced to meet our domestic and export requirements.

I submit that the $20,000 does not accomplish any of these aims, and I urge that this amendment be soundly defeated.

Mr. HRUSKA. Mr. President, I rise in opposition to the amendment under debate.

It is unfortunate that proponents of lowering the farm program payment limitation to $20,000 have chosen to discredit farmers and the Department of Agriculture because they claim the present $55,000 limitation has failed to result in any great savings.

We have looked into enough cases to know that there will be minimal or no savings in program costs as a result of the $55,000 limitation. The fact is, that we did not expect any great savings this year. My good friend and former chancellor of the University of Nebraska, Secretary of Agriculture Clifford M. Hardin, predicted on March 23, 1970, when he testified before the Committee on Agriculture and Forestry that:

> If limitations were imposed, some large farms would be divided either by sale or lease, and operated as several units.

He added that he did not know how many farms would be affected in this way but clearly warned that any savings and program impact would be affected proportionately by such divisions.

It is ironic that proponents who are working to lower the payment limitation to $20,000 are endangering the 1970 Agricultural Act which offers the first opportunity in years to shift agriculture away from dependence on Government payments and toward greater reliance on the marketplace. Once this transition to a market-oriented agriculture is made then there would be the possibility of real savings. Those advocating the $20,000 limitation—by making farm programs virtually unworkable—thus jeopardize the possibility of achieving the very savings that they themselves advocate.

Let us examine further the suggestion that somehow farmers and the Department of Agriculture have duped the taxpayer and have thwarted the will of Congress relative to enforcing the $55,000 limitation. Neither the law nor the regulations prohibit bona fide changes in farming operations—and that is what has been happening.

Congress itself did not choose to include a definition of "person" in the act which imposes a limit of $55,000 on each person each year under each of the upland cotton, feed grains, and wheat programs. Congress directed the Secretary of Agriculture to define "person" and to prescribe rules necessary to assure a "fair and reasonable" application of the payment limitation. The record shows that Secretary Hardin quickly and efficiently carried out this directive by Congress. The regulations were carefully drafted by the Department of Agriculture with assistance from its Office of General Counsel—OGC. The proposed regulations were also submitted in draft form to the Comptroller General for his comments and suggestions, to further assure that the regulations represented the intent of Congress. If there is still any doubt that the regulations do represent the intent of Congress, let me remind you that the Senate itself last year voted down 44-to-21 the restrictive language of the Smith amendment which specifically prohibited the sale, lease, or transfer of any acreage allotment or base acreage for the purpose of evading payment limitation. Clearly, the regulations published in the Federal Register of December 22, 1970, and now in effect do not circumvent the will of Congress.

These regulations permit a producer to sell a part of his farm, lease it, change the terms of leasing agreements—such as shifting from crop-share to a cash-rental or vice versa—transfer cotton allotments or take other similar actions which were previously available to him under applicable law and regulations. Many producers for perfectly legal economic reasons have restructured their farming operations under the regulations. On the other hand, State and county committees of the Agricultural Stabilization and Conservation Service of USDA carefully examine and review all such adjustments to guard against fradulent actions, schemes, or devices to evade the limitation now in effect.

It is manifestly unfair to describe as evasive the legal, overt, and perfectly understandable economic adjustments of farmers. Equally unfair is the suggestion that conscientious public servants would deliberately create loopholes by writing regulations designed to help farmers thwart the will of Congress.

Notwithstanding all this, the committee in its report on this bill took cognizance of charges made of abuses of this payment limitation. At page 19, the last paragraph reads:

> The Committee is aware of the many charges of abuses that have been made against the payment programs, some of which may be valid. For this reason the Committee directs the Department to proceed forthwith with a complete and thorough review of its administration of the payments limitations provided in the Agriculture Act of 1970 and all rules, regulations and policies which have been promulgated thereunder. The Committee expects the Department to take whatever action is required to insure that the payment program is administered in a fair, impartial and effective manner, and to keep this Committee fully advised of any and all action taken in this regard.

In any event, if changes are found to be desirable, they will not be achieved by this pending amendment. They can be enacted only through regular proceedings in a legislative way; and in a legislative bill—not an appropriation bill.

Mr. President, I would like to read some comments on points raised in July 12 "Dear Colleague" letter:

Point 1. Excerpt from letter:

> According to all available information, the $55,000 limitation of 1970 has not cut down at all on the huge subsidy payments which are made annually to a few rich farmers. There was an increase in total subsidies from $3.5 billion in 1969 to $4 billion in 1970.

There seems to be confusion here as to the effective date of the Agricultural Act of 1970. The provisions of this act, as everyone knows, apply to 1971, 1972, and 1973 crops—not to 1970 crops, which were planted under provisions of the previous farm program. This year's crops will be the first to be affected by the $55,000 limitation.

In addition, the figure "$4 billion," representing 1970 farm program payments, causes further confusion. The actual total for 1970 cotton, wheat, and feed grain payments—the only crops covered by the Agricultural Act of 1970—is $3.3 billion, which indicates a decrease, not an increase, from the previous year.

Point 2. Excerpt from letter:

> The only "long-range" plans disrupted would be the various legal ploys designed to multiply corporate farmers' income beyond the set limitation. Actual planting decisions are based on annual price support guarantees from the Government and are therefore, made only one year in advance of planting. These decisions would not be disrupted by the payments limitation.

Congress has never said anything about limiting "corporate farmers' income." The payment limitation of $55,000 applies only to farm program payments.

The statement "planting decisions are based on annual price support guarantees—and are therefore made only one year in advance of planting" reflects a misunderstanding of the complexities of modern agriculture. With a capital investment in land and machinery of, say $250,000, how could a farmer possibly survive with such haphazard management? With the enactment of the Agricultural Act of 1970, many farmers have made substantial and far-reaching changes in leasing arrangements, equipment investments, and farming plans. Lowering of the limitation to $20,000 would force them to drastically alter their cropping patterns. Some would be unable to plant the crops for which they already have land, equipment and technical know-how. Some of them would be forced to stay out of the progress altogether, which would further alter not only their own plans, but the intricately balanced production patterns of several of our basic commodities. To suggest that farmers base their plans only on Government price supports and only 1 year in advance is not just erroneous; it is frivolous.

Point 3. Excerpt from letter:

> At present there are two major loopholes in the law. One evasive practice is to split legal title among relatives, all of whom are then eligible for separate subsidy payments. Three relatives can thus bring in $165,000 per year for the family. The second loophole allows cotton growers to lease their planting allotments to others for a fee equal to what

they were formerly "earning" from the federal government.

Neither the law nor the regulations prohibit bona fide changes in farming operations. The law and regulations do, however, prohibit "fictitious actions which constitute a science or device to evade the limitation." The Department of Agriculture is strictly enforcing payment limitation regulations. State and county ASC committees have carefully examined and reviewed restructuring of farming operations to guard against fraudulent actions, to evade the limitation. Concealing relevant information, submitting false information, or creating fictitious entities for the purpose of concealing a true interest in a farming operation are examples of such illegal actions.

In reference to the so-called second loophole, the practice of restructuring farming operations is not a "loophole" at all. Congress, in passing the 1970 Agricultural Act, did not include a definition of "person" in the act. As you know, the act imposes a limit of $55,000 on each person each year under each of the upland cotton, feed grains, and wheat programs. Congress directed the Secretary of Agriculture to define "person" and to prescribe rules necessary to assure a fair and reasonable application of the payment limitation. These regulations, which clearly reflect the will of Congress, permit a producer to sell a part of his farm, lease it, change the terms of leasing agreements—such as shifting from crop-share to a cash-rental or vice versa—transfer cotton allotments or take other similar actions which were previously available to him under applicable law and regulations. Many producers for perfectly legal economic reasons have restructured their farming operations under the regulations. No "loophole" is involved.

It is my hope that the amendment will be defeated, thus retaining the limitations contained in the present law.

INTERPARLIAMENTARY UNION MEETING — APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. TAFT). The Chair, on behalf of the Vice President, in accordance with Public Law 86–42, appoints the following Senators to attend the Interparliamentary Union Meeting to be held in Paris, France, September 2–11, 1971: the Senator from Montana (Mr. MANSFIELD); the Senator from Alabama (Mr. SPARKMAN); the Senator from North Carolina (Mr. JORDAN); the Senator from New Jersey (Mr. WILLIAMS); the Senator from Indiana (Mr. HARTKE); the Senator from Utah (Mr. Moss); the Senator from Indiana (Mr. BAYH); the Senator from Wisconsin (Mr. NELSON); the Senator from South Carolina (Mr. HOLLINGS); the Senator from Pennsylvania (Mr. SCOTT); the Senator from Colorado (Mr. ALLOTT); the Senator from New York (Mr. JAVITS); the Senator from Iowa (Mr. MILLER); the Senator from Idaho (Mr. JORDAN); and the Senator from Ohio (Mr. SAXBE).

DEPARTMENT OF AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1972, and for other purposes.

Mr. McGEE. Mr. President, I yield 5 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. TUNNEY. Mr. President, I thank the Senator for yielding to me so that I may speak on this most important issue affecting the farm areas of our country.

In 1970, I supported the Agricultural Act of 1970 which provided for a $55,000 farm payment limitation for each person for each crop each year under the cotton, feed grains, and wheat programs. At the time I felt very strongly that farm payments should be limited but in a gradual manner which would not create chaos on California's No. 1 industry—agriculture. This legislation runs for 3 years. I do not believe that via an appropriations bill, we should disrupt the industry by making a further—precipitous reduction in payments. When the Agricultural Act of 1970 expires, the Congress will have the opportunity to review the entire farm program and further limit payments at that time.

Some proponents of a $20,000 payment limitation primarily rely upon reports of growers circumventing the limitation, the latest being an article in the Washington Post. However, if a $20,000 limitation is made a part of the fiscal year 1972, agricultural appropriations bill, it probably would be administered under the same regulations as apply to the present $55,000 limitation. Thus lowering the payment limitation at this time will not resolve any problems of "loopholes" or "circumventions." In addition, the recent Washington Post article did not make clear that, under present regulations, it would be illegal for any single grower to receive any more than one $55,000 farm payment for any one crop under the program.

Under the regulations, those who had previously received more than $55,000 would have several alternatives:

First, they could decide not to plant cotton, wheat or feed grains at all and go into other commodities which are now in oversupply such as citrus, or grapes;

Second, they could sell their land which would probably result in depressing land values for large as well as small farms.

Third, they could give away the land and the recipient—not the former owner—would then be eligible for the farm payment.

Fourth, they could sell or lease their excess allotments for the going market rate—the farm payment going to the lessee or purchaser of the allotment. The purchaser or lessee would also be required to set aside the required acreage and otherwise meet the requirements of the Agricultural Act.

Fifth, they could form partnerships with each partner receiving $55,000 each. However, it would have to be shown that it was a partnership in law as well as fact.

In each case, the recipient of the allotment would be eligible for the farm payment—not the owner. Even a husband and a wife could not receive a payment in excess of $55,000 per crop, as the regulations define a husband and a wife as one person. In this instance this is a stricter regulation than the requirements of the Internal Revenue Code.

Fictitious actions which constitute schemes or devices to evade a payment limitation—any payment limitation—should not be tolerated. Concealment of relevant information, submission of false information, or creating fictitious entities for the purpose of concealing a true interest in a farming operation is illegal.

The General Accounting Office is presently conducting an investigation of the agricultural regulations, in order to get answers to the following questions:

First, what has been the effect of the $55,000 payment limitation;

Second, how is the Department of Agriculture administering its regulations;

Third, what types of measures are being used to circumvent the regulations and the payment limitation?

I strongly support this GAO inquiry.

The issue of lowering payment limitations is a different one from the one of circumvention of the law and lowering the limitation would have little effect on the latter.

However, lowering the payment limitation from $55,000 at this time could have an adverse effect on the agricultural economy, particularly in California and will almost certainly cripple many small farmers.

The Agricultural Act of 1970 was enacted as a 3-year program. At the time of the enactment of this legislation, California farmers made commitments relying on the 3-year period. To change the law abruptly, by way of an appropriations bill at this time, would disrupt the California economy even further than it is already.

More important, it is the small farmer who would suffer the most under a $20,000 limit. Smaller farmers have leased allotments, borrowed money, and purchased equipment in reliance upon the 3-year, $55,000 limit. A change now would force many small farmers into bankruptcy. In the San Joaquin Valley of California, for example, bankruptcy figures over the past 18 months total $40 million while unemployment is over 7.7 percent. A further payment limitation at this time would only increase bankruptcies, increase unemployment, and decrease the number of smaller farmers.

Nationally 10,363 growers would be affected by the proposed $20,000 limitation. In California 1,094 growers would be affected and over 250,000 acres—one-half of California's allotment. Many growers would no longer stay within the program resulting in the dumping of thousands of acres of land and increased agricultural products on the market which would depress farm prices, de-

stroy property values, and drive many small farmers out of agriculture. A lower payment limitation would drive the efficient producers out of the program, putting the burden of setting aside land on the small farmer. The large producer would almost certainly grow crops on the land now being set aside. For example, if a cotton farmer in the San Joaquin Valley of California does not participate in the cotton program, he could go into any one of California's more than 200 crops presently grown outside the Federal program—particularly by the smaller farmers. This would upset the entire farm economy.

When the GAO has concluded its investigation, then Congress will be in a better position to press for tightening up regulations and if violations are shown to exist, violators should be subject to prosecution.

When the Agricultural Act of 1970 expires, then the Congress will have the opportunity to consider making further payment limitations, as well as other substantive changes in the farm program.

Mr. McGEE. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President, I am privileged once again to serve on the Committee on Agriculture and Forestry. This is a rare experience and a great opportunity for learning. Agriculture legislation is not simple legislation; it is very complicated. The agricultural economy is likewise an integrated economy and very complicated.

Mr. President, although I was not a Member of the Senate last year when Congress imposed the current $55,000 payment limitation under our Agricultural Act, I wish to go on record at this time as supporting that action by the Congress. Since that time, Mr. President, there have been frequent reports appearing in the press and news media indicating that this $55,000 payment limitation is being administered in such a fashion that it is not as effective as some of us in the Congress had intended. In view of these reports, it seems to me that the Department of Agriculture should be admonished to take whatever steps are necessary to thoroughly review and investigate such charges to insure that the current $55,000 payment limitation is administered fairly, both as it relates to farmers' and taxpayers' interests.

Therefore, Mr. President, I would like to take this occasion to ask that the Department launch such a study immediately and report its findings to the respective agricultural committees of the House and Senate.

If there are loopholes in the law or in the Department's regulations that provide some farmers with undue advantage, the Department should either close those loopholes by administrative regulations or if they do not have the authority to do so, submit proposals to the Congress which will enable them to do so. Mr. President, I believe that before we make any further changes in payment limitation levels under our agricultural programs, we should first provide sufficient time to assess the impact that current limitation will in fact have on the purposes of these programs.

I suggest that we have not had enough time to fully make that assessment. Therefore, in addition to the Department making a careful review of any abuses or circumventions of the current limitation level imposed by Congress, I also would like to recommend that the Department of Agriculture be asked to submit a report to the respective House and Senate Agricultural Committees indicating what impact the current $55,000 payment limitation has in fact had on signups as well as what the anticipated impact might be if the $20,000 payment limitation were imposed.

This report should be submitted to the Congress no later than 60 days following the end of the current crop years for each of the commodities covered under the current act. The report also should identify these factors on a commodity by commodity basis. Until such time as this information is made available to the Congress, I believe it would be unwise to lower the current limitation.

Mr. President, the simple fact is that all of the so-called subsidy payments which are so frequently branded as subsidy payments are designed for one purpose: To improve agriculture income and to do it by trying to help manage the relationship of supply to demand.

Payments are made for whatever crops may be included in a program and not for the purpose of including people within a program. For example, payments are made to wheat farmers if they are willing to sign up on certain planting restrictions limiting the acreage they plant, and that limitation is based on what is considered to be the domestic need of our economy for wheat.

The same is true with respect to feed grains, particularly corn. In my State we are very concerned about corn. If the price of corn falls it generally means the price of cattle falls; if the price of corn falls it generally means the price of hogs goes down. There is a relationship.

What we are really talking about here is not a few cotton farmers. We do not have many of those in Minnesota; we do not have any, I believe.

Mr. President, I have had a study made of the impact of this amendment, if it should be agreed to. If the amendment were agreed to approximately 10 percent of the cropland presently available for planting purposes will come free, so to speak, out of any type production control, and available for any alternative planting for soybeans, wheat, barley, oats, or corn. Mr. President, when the supply is increased anywhere over 3 to 4 percent, we start to get a precipitate drop in prices. So I am not arguing about whether a few cotton farmers will get payments, but I am concerned about thousands of farmers across the Nation who may suffer if there is promiscuous planting where land is taken out of the control program under subsidy payments, and planted free and open with corn, soybeans, oats, wheat, barley, and feedgrains. If that happens, we will have trouble in agriculture the likes of which we have not had for a long time.

I know what it would be popular for me to do, and that would be to vote for the $20,000 limitation. There are hundreds of farms that would be affected by that if one were to look only at the payment, but we produce rye, barley, sorghums, and other feed grains.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. Mr. President, I yield the Senator 2 additional minutes.

Mr. HUMPHREY. Mr. President, we had experience before when cropland was taken out and opened up. We saw all kinds of alternative crops being planted, adversely affecting price. Here there may be some abuses in the present program, so it is time for us to take a good look at it.

I am going to offer a resolution which I understand cannot be taken up now because it would be legislation on an appropriation bill. However, this resolution provides:

> Within sixty days after the end of the current individual crop years for each commodity covered under the Agricultural Act of 1970, the Secretary of Agriculture should submit to the Chairman of the Senate and House Agriculture Committees his findings based upon a detailed investigation of the operation and administration of the current $55,000 payment limitation. Such an investigation should be conducted to determine if the payment limitation is being administered in compliance with the intent of Congress and as it relates to the best interests of both farmers and taxpayers alike. Such a study must also include a report detailing the extent to which those participants in the program who previously received in excess of $55,000 annually have reconstituted their farming operations since this limitation was imposed. The Secretary of Agriculture should also provide the House and Senate Agriculture Committee Chairman with his evaluation of the impact of the $55,000 limitation on program sign-ups for the current crop years as well as what he anticipates the impact would be if a $20,000 payment limitation were imposed in subsequent crop years.

It is my understanding that the resolution as now introduced would lie at the desk for 1 day and could be called up for consideration after that, and I shall make it my purpose to do so. I would hope that, despite the fact that it may seem very desirable on the face of the amendment to vote for the $20,000 limitation, it would include in our consideration the total impact on the agricultural economy.

Mr. McGEE. Mr. President, I yield 5 minutes to the Senator from Georgia (Mr. TALMADGE).

Mr. TALMADGE. Mr. President, on November 30, 1970, the President signed into law the Agricultural Act of 1970. Title I of that law established a payment limitation of $55,000 on feed grains, wheat, and cotton.

Now, just 7 months later, an attempt is being made to reduce the limitation to $20,000.

Not a crop is completely harvested, although winter wheat is well underway; we do not even have an estimate of production on the corn and cotton crops; we know nothing at all about farm prices on the crops; we do not know the effect of the $55,000 limitation on production; and

yet, some wish to change the rules of the game before it is completed.

Mr. President, it seems to me that last November we made a commitment to farmers by establishing rules for the three crop years, 1971, 1972, and 1973.

In my opinion, it would be a gross injustice to all producers, to the trade, and to consumers if this honorable commitment were negated unilaterally by action of Congress.

No hearings have been held on the proposed change, no opinions sought, no official data has been presented, and no knowledge has been obtained on the effect of such a move.

There are indications that some farmers who received large payments in 1970 and prior years did not participate at all in 1971. If this proves to be the case, these farmers will not receive any payment for 1971.

At the same time, they would not have been required to set aside any of their cropland to conserving uses, nor even maintain their conserving base. These farmers, who dropped out of the programs at the higher $55,000 limit, certainly would not be affected by a further reduction from $55,000 to $20,000.

My friends from parts of the country that grow only corn and soybeans may be tempted to say that a $20,000 limit will not hurt farmers in their States since so few corn farmers are affected and there are no payments for soybeans. Such an assumption would be a serious mistake.

Under the Agricultural Act of 1970 we really do not have separate programs for wheat, feed grains, and cotton. What we have, in effect, is a single, integrated farm program that applies in parallel fashion to major field crops.

A $20,000 limit would affect many wheat farmers in Washington and Montana, many grain sorghum producers in Texas, and many cotton farmers in Mississippi. Land that can grow cotton in Mississippi may grow winter wheat followed by soybeans in a double-cropping system. If efficient farmers are forced out of the program by a low limitation, the additional production of grains and soybeans will be felt across the country in the form of production and price instability.

Mr. President, the principal purpose of the farm program is to regulate agricultural production so that we have plentiful supplies; the consumer pays reasonable prices; the farmer receives a fair return; and our agricultural resources are preserved for the good of all.

This regulation is accomplished through payments designed to induce the farmer to produce the amount allotted to him and no more. For excessive production he receives only a low penalty price.

The proposal to limit payments to $20,000 is designed to destroy this program.

It is designed to put the larger farmer out of business, to force him to dispose of his holdings, or to divert to unregulated crops.

It is designed to destroy the balance between supply and demand which the program would achieve.

It is designed to remove the regulatory mechanism and result in boom-and-bust cycles, with shortages and high prices followed by surpluses and low prices.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TALMADGE. May I have 2 more minutes?

Mr. McGEE. I yield 2 minutes to the Senator from Georgia.

Mr. TALMADGE. Mr. President, it will divide farmers by pitting the interests of large farmers against small farmers. It will result in land reform and uneconomic arrangements as it forces larger farmers to dispose of their holdings to syndicates of investors and others who are in a position to purchase such holdings.

Mr. President, this proposal would destroy the farm program and end its many benefits, but I know of no one that would be benefited by it.

It would save no money. It does not, for instance, make it any cheaper to produce cotton. At present it takes a price of 35 cents per pound to produce an adequate supply of cotton. That price will have to be paid by someone to someone, if the cotton is to be produced. If the Government does not pay, the consumer will have to pay it. If the established farmer does not receive it, somebody else will have to take his place, produce the cotton, and receive the price. By forcing cotton production into uneconomic arrangements, the proposal would increase the cost of producing cotton. It would in no way save money.

It does not help the consumer. The consumer will have to pay higher prices, or face shortages in supply, or in all probability both, since shortages will result in higher prices. The proponents of the $20,000 limitation estimate that if it had been in effect in 1970, it would have prevented payments on cotton equal to $171,051,000. At 15 cents per pound this represents 1,140,340,000 pounds of cotton, which either, first, would probably not be produced, or second, would probably be produced by different producers who would be eligible for the payment. To the extent that the cotton was not produced, shortages would result, and the consumer would pay a higher price for less cotton.

The proposal does not help the small farmer. A program which is designed to put some farmers out of business, result in shortages, and raise prices cannot be justified, and the program would be lost to large and small farmers alike. During the first year the small farmer, in anticipation of shortages and high prices, might be tempted to overextend himself to obtain both the payment and the higher market price; but in taking advantage of the boom part of the cycle he would be likely to make himself more vulnerable to the bust part of the cycle.

Mr. President, this proposal is not designed to do anyone any good. It cannot save money. It does not make cotton any cheaper to produce. It does not provide us with assurance of adequate supplies at cheaper prices. No, it does the very opposite. It harms everyone. It defeats the objective of a Government program. It encourages haphazard land reform and uneconomic arrangements. It will result in higher prices to consumers, and lower prices to producers. It will result in shortages followed by surpluses. It makes no economic sense, and I hope the Senate will reject the amendment.

I thank my distinguished colleague for yielding to me.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, I yield 2 minutes to the Senator from Vermont (Mr. AIKEN).

Mr. AIKEN. Mr. President, I find on my desk some figures purporting to show the cost of the subsidy to the producers of this country, particularly the cotton producers, but I find the list shows the cost to the cotton producers of $327 million for the year 1970, and not this year. Well, in the year 1970 there were some producers who collected over $1 million each, and so we had no hesitancy in limiting that subsidy maximum to $55,000. What we should have to go by is what the cost is this year.

However, that is not what I rose to speak about. The fact is that the subsidy to the cotton growers is actually a subsidy to the cotton mills. I am advised on good authority that the cost of producing cotton in the southern Arizona-California area is about 30 cents a pound. In the Southeastern United States it is about 35 cents a pound. The market price is about 26 cents a pound at this time. So this subsidy is paid to the producers so they can sell to the mills at anywhere from 5 to 10 cents a pound less than the cost of production, to say nothing of any profit which they might hope to make.

I am sorry to say that the textile industry is leaving this country very fast. Only a week ago I heard that two of our prominent apparel plants are establishing plants in East Asia, where the costs are less.

For a couple of years we charged this subsidy to the cotton mills, but they said they did not like the name of it and they got it transferred back to the producers, where it does not belong. It is really a subsidy to the mills, who in turn might say it is a subsidy to the consumers, because by getting the cotton at 8 or 10 cents a pound less than the cost of production, they could and should pass that saving along to the consumer.

But I think the whole thing has been very badly misrepresented. I believe that if we want to give this subsidy to the mills, we should give it to them openly and not charge it up to the producers.

I was strongly opposed to the $1 million payments which certain companies got last year, but I thought a reduction of from $1 million to a maximum of $55,000 was quite a reduction indeed. We have a 3-year program now. At the end of the 3 years we may not have any textile or apparel industry left in this country at the rate it is leaving us.

I certainly hope we can keep some industries here, but I do not know. I would not be willing to guarantee it at this point.

So I feel that we should keep our agreement which was made last year for a

3-year program, and then look it over, and if it is necessary to continue a subsidy, put that subsidy where it belongs and where the benefit is actually received, on the mills, and not on the producers.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. I yield 2 minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I am not sure that anything more can be added to the debate, but I am glad that the Senator from Vermont has raised this point as to payments.

Up until 7 years ago, the farmers received support prices. There were two prices for cotton—one the world price, and the other the support price. That was changed 7 years ago to make it possible for the textile mills of this country to obtain cotton at world prices. The beneficiaries of the present program are the textile mills, because everyone knows that cotton cannot be grown in this country at world prices. The cotton is being sold at world prices to American textile mills, and the difference between the world price and what it costs to produce is about 11 cents. That 11 cents is included in the amount that the farmers are receiving now.

In that same connection, Mr. President, it should not be forgotten that the primary beneficiaries of the payments program are not the cotton-producing States. I went into this thoroughly in the debate on this issue in June of 1970. I will not burden the record by having the lengthy table introduced again at this point, but the fact of the matter is that States in the Midwest, where other commodities are produced, are the recipients of the highest total payments.

I ask unanimous consent that a shortened version of last year's table be printed in the RECORD at this point. It indicates that only eight States received almost half the total program expenditures nationwide, in 1969.

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

Total Agricultural Stabilization and Conservation Service payments to producers for selected States, calendar year 1969

	Payments received
Illinois	$195,374,477
California	123,206,394
Iowa	260,351,156
Kansas	234,345,362
Minnesota	171,155,956
Nebraska	199,464,680
Indiana	132,164,369
Ohio	162,308,179
Subtotal	$1,408,470,513
Total payments (all States)	$3,794,996,353

Source: USDA Table, Congressional Record, Vol. 116, pt. 17, pp. 23272–23273.

Mr. ELLENDER. But I would like to conclude by returning to the important point brought out by the Senator from Vermont, that the subsidy is really for the benefit of the textile mills of the country, and not for the farmers.

Mr. HUMPHREY. That is the best argument yet.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. We have no further requests for time on this side, Mr. President.

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

The PRESIDING OFFICER. The Senator from Indiana has 28 minutes remaining.

Mr. BAYH. I have no desire to use that full 28 minutes. I yield myself 10, and I may not use all of that.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. BAYH. I am not oblivious of the array of talent and expertise that is arrayed on the other side of this issue. In fact, it probably does not take a Ph. D. in mathematics to predict the outcome of the impending vote. Nevertheless, as one of the authors of the amendment, I should like to at least rebut some of the points which have been raised.

I concur with the views of some of our colleagues who have suggested that it would be wrong to try to pit one group of farmers against another, such as feed grains against cotton or cotton against wheat. I certainly do not wish to do that. If there are those here who attribute that motive to my proposal, I suggest they are mistaken.

But there have been some inconsistencies between what has been said and the facts, at least as I see them. On the one hand, we are being told that it is important to continue the farm program as passed by the Agriculture Act of 1970 in order to maintain the balance of supply and demand and the production of adequate foodstuffs and fibers. However, I think that if we can vary the farm program in 1970, then we can vary it in 1971 as well. A consistent program would still be maintained since only 2 percent of the farmers would be affected by this small alteration.

It has been argued that the imposition of a $20,000 limitation would drive the cotton farmers off the land. I read back through the arguments on the same matter which were presented last year by my friend and colleague the Senator from Louisiana, who believes everything he says, and is a tremendous advocate. I disagree with his final conclusion, but not at all with his motivation.

The same argument—that any limitation is going to drive the cotton farmers off the land—was made by many with respect to the $55,000 limitation. But if we are to rely on documents from the Department of Agriculture, let me say that estimates contained in this document show that despite the limitation of acreage, there has been an increase of between 5 and 15 percent in the amount of acreage planted for 1971. The figure is 9 percent larger, for example, in the Mississippi Delta area than the year earlier. The acreage for Louisiana increased 15 percent, according to the Department of Agriculture crop planning report, and Mississippi was up 11 percent.

The Senator from California expressed concern that this limitation would drive the cotton farmers out of business in California. Yet, right here in this same U.S. Department of Agriculture document it says that this year, even with the $55,000 limitation, cotton plantings in California are up 7 percent.

So it seems to me that it is only reasonable to suggest that a $20,000 limitation is not going to wreak all the havoc on agriculture that is predicted. Certainly I do not want it to wreak any havoc on cotton or any other crop.

The Senator from Minnesota suggested that 10 percent of the croplands are going to be affected by a $20,000 limitation. I find no statistics at all to verify that. Certainly he believes it, or he would not say it. But I do know that only 2 percent of the producers would be affected. Furthermore, former officials in the Department of Agriculture anticipate that a $20,000 limitation could affect about a million acres of cotton land, at the maximum. Since 100 million acres of land are planted in feed grains and 42.8 million acres in soybeans, the possible adjustment of 1 million cotton acres would not have a dramatic impact.

According to former Under Secretary of Agriculture John Schnittker, who commenced a report back in 1968 which was published in 1969, there would be very little, if any, effect from a $20,000 limitation. The 4-percent increase in this year's cotton production indicates that the $55,000 limitation certainly did not devastate cotton.

I listened to the argument of the senior Senator from California about the number of farmers who would be affected in California. I just pointed out that with a $55,000 limitation in California, production of cotton went up 7 percent.

Once again, I state that we are talking about trying to limit large subsidy payments for relatively few farmers.

In 1969, 883 families in California who grew cotton received subsidies of more than $20,000. Ninety-three families in California who grew feed grains received subsidies of more than $20,000.

Forty-six families in California that grew wheat received subsidies of more than $20,000. That makes a total of 1,022 out of 56,000 farmers in the entire State of California that will be affected by a $20,000 limitation.

Considering the problems we have on the farm and in the cities, I have great difficulty believing in a farm subsidization program which gives tremendously large dollar value subsidies to a handful of farmers. In California, in 1964 there were 22,400 farms—over one-fourth of the total—with sales of farm products of $2,500 or less.

This is what we are talking about. A $20,000 limitation on farm subsidies, compared to the farmers in Shirkieville, Ind., is about 10 or 20 times what the average farmer gets now. I am looking at the big picture, not just the farmers who live around my part of the State or my part of the country. A $20,000 limit would affect 1.7 percent of the producers of cotton, one-tenth of 1 percent of the producers of feed grain, and two-tenths of 1 percent of the producers of wheat. In feed grains, we are talking about 1,395 farmers affected.

I must say that I was impressed with

the argument of the chairman of the subcommittee handling this matter. I agree that we must encourage faith in the U.S. Government; that once we have committed ourselves to farmers, we should not back away from this commitment. I am one who believes in good faith in the relationship between our Government and our citizens.

But I am one who is concerned when an act we have passed is circumvented. What kind of good faith is that? Yet, that is happening now. I am encouraged about the question of good faith. Good faith to whom?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. I yield myself 3 additional minutes.

When we have some 3 million farms in America and some 10,000 of them are going to be affected by a $20,000 limitation, I wonder to whom this Government is responsible—the 10,000 farmers or the 3 million? That is why I can support this amendment and believe that we are not breaking faith.

In fact, I think that if we have a law that is not working effectively, if we are giving a specific advantage to a handful of people, we have a responsibility, if we are to keep faith in this body, to remedy the situation. That is why I have suggested the $20,000 limitation, with my colleagues, for the consideration of the Senate. As the Senate knows, in 1969 former Senator Goodell and I introduced a measure providing for a $10,000 limitation; it seems that a $20,000 limitation should be more acceptable than that.

I am concerned, as one who lives in agriculture and loves it, and makes no apology for it, that we in agriculture are going to be in deep trouble, as our numbers get fewer. And it will be more and more difficult to support a farm policy that gives to a handful of people exorbitant amounts of farm subsidies.

So, in my judgment, it is in the best interests of agriculture and the farm communities and the individual family farmers to do away with this inequity, this extravagant gift of such huge subsidy payments. If we do so, we will be in a much better position to support a going, vigorous, and vital farm program for all farmers, not just for a few.

Mr. President, I think that those of us who live in rural America and are concerned about rural problems have to take into consideration farm subsidy payments as they relate to some of the unfinished business that exists in urban America. We have some 6 million unfit housing units; we have large numbers of our citizens poorly educated, with little or no health facilities. Public hospitals in this country incurred an aggregate operating deficit of almost $75 million last year. There is a great cry on the lips of everybody in this country to reorder priorities. Every Member of this body, at one time or another in the last year, has talked about the need to reorder priorities. Here is a chance to do something positive about it.

The PRESIDING OFFICER. The time of the Senator has expired.

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

The PRESIDING OFFICER. Who yields time?

Mr. McGEE Mr. President, I yield 4 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr President, I rise today to speak in opposition to the measure to impose a $20,000 payment limitation in this appropriation bill. Last year, after a year's debate and consideration by the Agricultural Committees of the House and Senate, through a bipartisan effort, a $55,000 payment limitation was agreed to. I supported their decision. Now a mere 8 months later, we are asked to reject the reasoning of last year's debate. This would be unwise.

The proponents of this amendment in good faith have come to the conclusion that: First the lowering of the payment ceiling will not have deleterious effects on agriculture and that second, this limitation will stop the evasion that they argue is taking place under the present system. Let us look at those arguments.

In today's complex agricultural world, farmers—be they large or small—must plan years in advance. Farmers take stock of their land, machinery, capital and other resources and to adjust cropping patterns. With the enactment of the Agricultural Act of 1970, the Congress said, in effect, that we were rejecting the use of rigid allotments and basis to restrict the production of wheat, feed grains, and cotton. Instead we encourage you to produce more freely for commercial markets. We indicated that to help the farmer make this adjustment to a more efficient operation, aimed at production for the marketplace, we would continue to make payments which would help cushion what would otherwise be a disasterous blow to farm income. Farmers, large and small, have made their long-term plans, accordingly. Farm plans, normally based on a 3-year schedule for adjusting crop patterns, have been made to fit a market oriented program with the assurance that surplus would not be a problem. And now, before the harvest from the first year's operation under the set-aside approach is accomplished, we are asked to alter a major facet of that program. Eliminating the $55,000 limit could bring millions of more acres into production. What we are asked to do is create a surplus which will disrupt the farm market. The profit margin is so slim in farming that more production, driving the prices down, will drive countless farmers out of business. I submit that those who say that this amendment will cause little disruption are only indicating their unfamiliarity with farming.

A second major reason the proponents bring forth is that this will eliminate what they see as wide spread evasion of congressional intent.

The Senate, the great deliberative body, surely cannot approve of this amendment without having subjected its merits to close scrutiny. The House and Senate Agriculture Committees have not considered this amendment; its merits have not been the subject of extension hearings—although such rumors and stories might properly be the basis of a congressional inquiry by an appropriate committee, it should not be the basis of a Senate vote which would completely disrupt a vital national program, approved a short time ago.

The 1970 Agricultural Act is entirely centered around a $55,000 figure. The success of this program depends upon maintenance of that figure. Approval of this amendment will mean lower prices. This will injure the small farmer, perhaps even more than the large farmer we are today asked to vote against. I cannot sanction an ill-conceived move which will disrupt our entire agricultural industry.

Mr. BAYH. Mr. President, I yield 2 minutes to the Senator from New Jersey (Mr. CASE). I know of no one else who wants to speak on this side of the question.

Mr. McGEE. Mr. President, I know of no one else who wishes to speak on our side.

The PRESIDING OFFICER (Mr. TAFT). The Senator from New Jersey is recognized for 5 minutes.

Mr. CASE. Mr. President, I am pleased to join with Senators BAYH, BROOKE, and MCINTYRE in offering an amendment to limit farm subsidy payments to $20,000.

This amendment was approved by the House on June 23 but was not included in the Agriculture appropriations bill reported yesterday.

Last year, both the Senate and the House adopted an amendment to the Agriculture Act of 1970 placing a ceiling of $55,000 per producer per crop on farm subsidy payments. At that time proponents of the $55,000 ceiling argued that the objectives of a subsidy limitation could be met effectively at the higher level, particularly since only three people would be eligible for the overall limitation of $165,000.

We have had nearly a year's experience under the $55,000 limitation. Unfortunately, it now appears that the savings originally anticipated will not be realized. According to recent reports, many of the country's largest farmers have circumvented the will of Congress by splitting up their farms into separate business entities to avoid the subsidy limitation.

As a result, farm subsidy payments have continued to increase and Agriculture Department officials concede there will be virtually no savings under the new ceiling.

An editorial writer put the issue succinctly:

> What would be the reaction of Congress if it passed a law to save $60 million on a poverty program and discovered a year later a group of poor people using clever legalities to pocket the $60 million anyway?

I am sympathetic to the plight of the small farmer for whom the subsidy program was originally intended. However, it is the large, mechanized producer who derives the greatest benefits.

Department of Agriculture figures show that nearly 40 percent of all subsidy payments last year went to 5 percent of the farmers and payments of $40 million went to just 23 farmers.

It is a matter of record that most small

farmers believe, as I do, that the Government should get out of the subsidy business altogether and permit farm prices to be determined in the marketplace.

The experience of the past year is sufficient reason, I believe, for Congress to put a more effective limitation on farm subsidy payments.

Obviously, the $55,000 ceiling is not accomplishing what Congress intended. Furthermore, it simply does not make sense to continue paying millions of taxpayers dollars to a very few farmer-businessmen for not growing crops at a time when those dollars are badly needed to create jobs for the Nation's unemployed.

I urge the Senate to support this amendment.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield me 2 minutes?

Mr. McGEE. I yield 1 minute to the distinguished Senator from Minnesota. After careful consideration, I yield 2 minutes to the Senator from Minnesota. [Laughter.]

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

SENATE RESOLUTION 153—SUBMISSION OF A RESOLUTION RELATING TO PAYMENTS LIMITATION

Mr. HUMPHREY. Mr. President, I want to correct the record with reference to the acreage I mentioned. The report I gave the Senate is from the ASCS office. The number of acres that would be affected by the $20,000 limitation would be 15 million feed and wheat grain acres, and 2 million cotton acres, which represents 10 percent of the total acreage.

In the instance of cotton, it represents about 15 percent of the 13 million acres planted in cotton.

Second, I mentioned a moment ago that I had a resolution, which I now submit and ask for its immediate consideration.

Mr. McGEE. Mr. President, I would have to object to consideration of the resolution in the context of the appropriation bill. We have turned down several such requests so far, and I would have to object.

The PRESIDING OFFICER (Mr. TAFT). Objection having been heard, to the present consideration of the resolution, the resolution will go over, under the rule.

Mr. McGEE. Let me say to my good friend from Minnesota that he understands the basis for my objection.

Mr. HUMPHREY. My understanding is that the resolution will be subject to action prior to the unfinished business on tomorrow; is that correct?

Mr. McGEE. That would be up to the leadership, to make that determination.

The PRESIDING OFFICER. The Chair would ask the Senator from Wyoming to suspend. If the Senate adjourns tonight, at the end of morning business tomorrow, the Chair will lay the resolution before the Senate.

Mr. BAYH. Mr. President, I yield myself 1 minute, unless there are other Senators who wish to speak. I am ready to put the amendment to a vote.

First, I would like to say to the Senator from Minnesota (Mr. HUMPHREY) that I would like to join as a cosponsor of his resolution, and ask unanimous consent that my name be added.

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

Mr. HUMPHREY. I am very much pleased, because I believe the resolution fulfills some of the purposes the Senator from Indiana has in mind.

Mr. BAYH. Mr. President, I want to salute the Senator from Minnesota for his efforts and also I want to compliment the committee. At least we can look forward to stricter surveillance over administration of the farm program by the Department of Agriculture.

I believe there is a great similarity between Senator HUMPHREY's resolution and the enforcement directives on page 19 of the committee report. I support both these efforts to close existing loopholes in the 1970 Agricultural Act but I suggest that this hardly gives us reason not to go ahead with the $20,000 limitation. As I read the act, it is already the responsibility of the Secretary of Agriculture to insure fair administration of the payment program. He should be doing it. When a Member of Congress like the Representative from Massachusetts writes him a letter asking for some facts and figures, the distinguished Representative should not receive an ambiguous reply in which the Secretary says he does not have the facts and figures available. Any Representative should receive proof that the Department is acting to fulfill both the spirit and the letter of the law, as passed by Congress. I hope that such responsibility will be shown from now on.

Mr. FULBRIGHT. Mr. President, I oppose the amendment offered by the distinguished Senator from Indiana (Mr. BAYH) and others. The effect of this proposal would be to reduce from $55,000 to $20,000 the maximum amount any producer could receive under the 1972 crop year price support program. The adoption of such an amendment would be ironic, indeed, since only 10 months ago, during our consideration of the 3-year extension of the farm bill, this body overwhelmingly agreed to an annual limitation of $55,000. The committee report correctly notes the extensive consideration given this question last year. This was the first instance in which the basic law had been changed to provide for any limitation at all, and it was the concerted judgment of Congress, the President, and the Department of Agriculture that such a limitation was a reasonable one. We are now in the midst of the first year of a new farm law and it is not possible at this time to measure the effectiveness of these new programs. They should be given an opportunity to work.

Relying on this law, many farmers have arranged for credit, have entered into other contractural obligations, and have revised their crop rotation programs. Our sense of reasonableness and fairplay should compel us not to disturb this law prematurely.

I believe that the committee has acted wisely in restoring the $55,000 allowance reduced by the House, and I hope that the Senate will sustain the judgment of its committee by rejecting the pending amendment.

Mr. THURMOND. Mr. President, the 1970 agriculture bill contained a crop payment limitation of $55,000. It is the purpose of the amendment now being considered to reduce this limitation to $20,000. Our agricultural community took Congress on its word when we enacted the $55,000 limitation. By this amendment, we are now being asked to break faith with this important segment of our country and go back on our word and enact a $20,000 payment limitation.

Mr. President, our farmers continually absorb the brunt of unlimited hardships. Yet, the food and products they produce are the backbone for the livelihood of this Nation. We are now called upon to invoke yet another economic hardship on our farmers by lowering crop payment limitations to $20,000.

When the $55,000 limitation was enacted into the 1970 farm bill, farmers throughout America had every right to believe that this limitation would be in effect for the 3-year duration of the bill. Our American farmers relying on the 3-year duration of the 1970 farm authorization bill made their plans and investments accordingly. They prepared their land, planted, and borrowed money from banks according to regulations established by the Department of Agriculture based on the 1970 Farm Act.

Mr. President, farming today requires investments of many thousands of dollars in land and equipment for every few dollars of earned profit. Costs to the farmer have soared and at the same time prices he has received for his commodities have risen only slightly. Today's farmer is in a very precarious position and only through careful, diligent planning can he make ends meet.

Mr. President, our farmers have relied on the $55,000 payment limitation believing that it would apply at least through 1973. To turn our backs on these farmers by lowering this limitation to $20,000 would not only be an act of bad faith to the agricultural community but the results of such unwarranted action would be felt in all aspects of the economy of this country. Consumers today are having to use an increasing proportion of their earnings for food, and I would like to add that the increases in food prices are not to any extent being felt in profits to farmers. If, however, we enact this amendment, not only would the farming community receive a serious setback but our entire economy would suffer.

Mr. President, I urge the Senate to defeat this amendment and show our farmers that we are not turning our backs on them again.

Mr. MILLER. Mr. President, I ask unanimous consent that an editorial be placed in the RECORD immediately preceding the vote on amendment 242.

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

FARM PAYMENT CEILING

The U.S. House of Representatives once again has passed a $20,000 limit on agricultural payments for cotton, corn and wheat programs. The House passed a $20,000 limit

in 1968, 1969 and 1970. In 1968 and 1969, the Senate rejected the ceiling, but in 1970 the Senate also approved a $20,000 limit in one vote later overturned.

In the maneuvering on farm legislation last year, however, the Administration was successful in getting the farm payment ceiling raised to $55,000. This limit affects only about 1,300 farm business firms, all but 50 of these cotton growers, in Mississippi, Texas, California and Arizona.

Originally, the Administration had responded to appeals for some limit on the huge payments going to rich cotton growers by suggesting a sliding scale of payment limitations which resulted in an effective limit of $110,000. Clearly, the Administration has been favoring the cotton South on this payment issue. Its argument that any ceiling as low as $20,000 would "wreck" the farm supply control programs has been proved to be absurd by the Department of Agriculture record of payments.

Few corn and wheat growers would be affected by a $20,000 limit, not enough to make a difference in production adjustment. The cotton acreage "control" program has not had a significant effect on cotton acreage for several years, since market prices have been so low that producers have not planted up to their legal allotments, anyway. Cotton payments are an outright subsidy, and the question is whether the government should subsidize the biggest producers, who have alternatives to cotton growing if they can't make it without large subsidies.

The $55,000 ceiling per crop program is not only ridiculously high but not even effective the way USDA is administering the program. Representative Silvio O. Conte (Rep., Mass.) has pointed out that the department's regulations permit large cotton growers to lease land and allotments and retain most of the subsidies through rental payments. He has calculated that there would be little reduction in total cotton program payments in 1971.

A $20,000 ceiling would save about $200 million in government payments, without reducing the effectiveness of the supply control program and without reducing government payments to farmers, except the largest cotton growers and a few other giant farm businesses. The ceiling passed by the House was in the form of an amendment to an appropriation bill and would be effective only for the year 1972. However, approval by the Senate would establish the principle and it could be made a permanent feature of farm legislation in the next session.

Rather than "wrecking" farm programs, this action by Congress would be a step toward assuring continuation of needed grain adjustment programs, which help balance supply and demand for livestock as well. All farm programs have suffered in public opinion as the result of the exorbitant government checks going to rich cotton producers.

Mr. President, the bad editorial in the Des Moines Register for June 30 stated its approval of the House action in limiting farm program payments to $20,000.

I ask unanimous consent that an analysis of the editorial prepared by the Department of Agriculture, commenting point by point on the editorial, be placed in the RECORD.

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

ANALYSIS OF DES MOINES REGISTER & TRIBUNE EDITORIAL, TITLED FARM PAYMENT CEILING

PARAGRAPH 1

The U.S. House of Representatives once again has passed a $20,000 limit on agricultural payments for cotton, corn and wheat programs. The House passed a $20,000 limit in 1968, 1969 and 1970. In 1968 and 1969 the Senate rejected the ceiling, but in 1970 the Senate also approved a $20,000 limit in one vote later overturned.

COMMENT

Limitations on farm program benefits have been proposed from time to time and some have been accepted. For example, Congress provided a sliding scale, but no upper limit, for payments under the Sugar Act of 1934. A $2,500 limitation per producer is in effect for Rural Environmental Assistance Program (formerly the Agricultural Conservation Program) payments. There also were payment limitations in the Conservation Reserve Program of the Soil Bank in the 1950's.

Various proposals were made during the 1950's to limit the size of price support loans. During the 1960's efforts were made annually to limit the amount of direct cash payments to individual producers (apart from loans).

In August 1968, the House of Representatives approved an amendment to the proposed Food and Agriculture Act of 1968 which would have limited combined payments to any individual under all the farm programs to $20,000 per year. This amendment was not accepted by the Senate and was deleted by the conference committee.

Again, in 1969, a similar proposal passed the House and was killed in the Senate.

In 1970, the Senate unexpectedly voted 40 to 35 for a $20,000 limit as an amendment to a pending farm appropriation. The amendment was sponsored by Senators Ralph T. Smith of Illinois and John L. Williams of Delaware. Subsequently, the Agricultural Act of 1970 was passed by both Houses with a payment limitation of $55,000. The $20,000 limitation then was deleted from the appropriations measure by the conference committee.

In 1971, the House of Representatives has again attached an amendment to the Agriculture Appropriations bill placing a $20,000 ceiling on farm payments. The Senate has not yet acted on the appropriations bill.

Of concern to many, and conveniently ignored by the writer of the editorial, is the vehicle used by opponents of farm program payments to try to get their views adopted by the Congress. As a rider on an appropriations bill there is no time for reflective study and debate. Properly, substantive issues should come before the Senate, or the House, through the regular channels after careful and exhaustive consideration by the appropriate standing or special committee appointed for that purpose.

PARAGRAPH 2

In the maneuvering on farm legislation last year, however, the Administration was successful in getting the farm payment ceiling raised to $55,000. This limit affects only about 1,300 farm business firms, all but 50 of these are cotton growers in Mississippi, Texas, California and Arizona.

COMMENT

It is not correct to say the Administration got the farm payment ceiling "raised" to $55,000. Prior to enactment of the Agricultural Act of 1970 there was no ceiling on farm payments under the cotton, wheat and feed grain programs.

Secretary of Agriculture Clifford M. Hardin, speaking for the Administration, told the members of Congress that although "we do not believe payment limitations are a very effective way of reducing program costs, we are convinced they will increase public acceptability of a farm program . . ."

The Secretary pointed out that there is a legitimate concern regarding payment limitations. It is the fear that payments might be limited, first to $20,000, then to $10,000, then to $5,000, to $3,000 or even less. Payment limits that are too low would force big operators to go outside the program, would break efficient farms down into a number of less efficient units, would impose excessive acreage cuts on the small farms, and with a given target for acreage reduction, would increase costs rather than reduce them.

At the request of members of Congress, Secretary Hardin developed a graduated scale of payments that would begin at $20,000 and cut off with a maximum payment of $110,000.

When agreement could not be reached on the graduated scale proposal, the Secretary agreed to support a $55,000 proposal, stating: "The payment ceiling of $55,000 represents the minimal level if the Bill's objective of encouraging agriculture is to be met. A lower level would force a group of producers out of the production of cotton. This would be detrimental to the U.S. consumer, the textile industry, and producers of many other agricultural commodities . . ."

The record clearly shows that the Administration did not favor a ceiling on the commodity program payments to farmers, but when it became evident that no farm bill could be enacted without a limitation of some kind, Secretary Hardin cooperated to the fullest extent in helping develop a compromise that was acceptable to the members of Congress and could be administered without jeopardizing the farm program.

The editorial plays to the gallery by implying that only 1,300 farm business firms (as opposed, it is inferred, to the millions of "family operated farms") are affected, and they are chiefly cotton enterprises in Mississippi, Texas, California and Arizona. Fortunately, the financial success of the Des Moines Register and Tribune does not depend on its paid circulation in these areas. It is not likely that a newspaper speaking for any of the major cotton producing areas would agree with the conclusion that a $20,000 limitation would affect so few people.

PARAGRAPH 3

Originally, the Administration had responded to appeals for some limit on the huge payments going to rich cotton growers by suggesting a sliding scale of payment limitations which resulted in an effective limit of $110,000. Clearly the Administration has been favoring the cotton South on this payment issue. Its argument that any ceiling as low as $20,000 would "wreck" the farm supply control programs has been proved absurd by the Department of Agriculture record of payments.

COMMENT

Again, the editorial writer's bias shines through unmistakeably. It is only "rich cotton growers" who receive huge payments.

Certainly, cotton was—and is—much in evidence as we look at the need for farm programs. The rigid allotment and marketing quota system under which we have produced cotton for the past decade has made a new approach imperative. U.S. cotton's share of the total textile market in the U.S. and world is such that we had to decide whether to play "catch up" or play "give up."

The Administration proposal to remedy this long-standing and steadily worsening situation was to move in the direction of greater reliance on individual decision-making and a stronger role for the commercial market. By permitting more efficient use of resources, farmers would be in a better position to reduce production costs. Meanwhile, the payments made under a set-aside program would cushion what would otherwise be a disastrous blow to farm income.

Secretary Hardin said in presenting the Administration's farm proposals to the Senate Committee on Agriculture and Forestry on March 23, 1970, that if the proposal became law, markets grew as expected, and cost-reducing regional shifts in production occurred, payments hopefully could be tapered off.

PARAGRAPH 4

Few corn and wheat growers would be affected by a $20,000 limit, not enough to make a difference in production adjustment. The

cotton acreage "control" program has not had a significant effect on cotton acreage for several years, since market prices have been so low that producers have not planted up to their legal allotments, anyway. Cotton payments are an outright subsidy, and the question is whether the Government should subsidize the biggest producers, who have alternatives to cotton growing if they can't make it without large subsidies.

COMMENT

This statement ignores completely the testimony of Kenneth E. Frick, Administrator of the Agricultural Stabilization and Conservation Service, before the Cotton Subcommittee of the House Committee on Agriculture, speaking to the very point raised by the editorial: That few corn and wheat growers would be affected, and that acreage controls were ineffective for cotton.

Mr. Frick said: "We believe that major surgery, not palliatives, is required if this great industry (cotton) is to survive and regain some of its past prosperity.

". . . this Administration is prepared to abandon—permanently—the concept of a one-crop cotton economy. It has been at least a half century since cotton economics and policy could be evaluated without regard to grains, oilseeds, and other major crop and livestock enterprises. Today, cotton is highly integrated into our total agricultural economy. Farms that produce cotton also produce grain sorghums, soybeans, corn, oats, wheat, barley, wool, mohair, cattle, rice, peanuts, tobacco, fruits, vegetables, sugar and other crops.

". . . As to payment limitations, I believe this subject has been explored more exhaustively than any other aspect of the program. In the final analysis it will be for the Committee to decide whether to include a limitation provision. . . . We do feel strongly, however, that if an individual's payments are reduced by a limitation formula, his performance requirement (set-aside) should be reduced proportionately."

When the editorial writer comments that cotton acreage controls are not working, he merely repeats what the Administration documented when it proposed abandonment of the rigid allotment and marketing quota programs not only for cotton, but also for wheat and feed grains.

During the period of debate on the Agricultural Act of 1970 there was more support for program payment limitation from corn belt Congressmen than from the cotton State legislators. This is easily explained. In mid-1970 corn prices were at profitable levels while those of cotton were not. For example, on June 15, 1970, the prices received by farmers for corn averaged $1.21 per bushel or 68 percent of parity. Cotton, on the other hand, brought farmers only 22.4 cents per pound or 45 percent of parity. Also, the feed grain program at that time was entirely voluntary. The cotton program, on the other hand, was mandatory and had acreage controls that restricted the planting of each and every cotton farmer.

PARAGRAPH 5

The $55,000 ceiling per crop program is not only ridiculously high but not even effective the way USDA is administering the program. Representative Silvio O. Conte (Rep. Mass.) has pointed out that the Department's regulations permit large cotton growers to lease land and allotments and retain most of the subsidies through rental payments. He has calculated that there would be little reduction in total cotton program payments in 1971.

COMMENT

The Administration carefully pointed out in testimony before the Congress during hearings on the Agricultural Act of 1970 some of the difficulties associated with administering a payments limitation program effectively. In order to make the limitation administratively feasible, the limitation would need to be applied crop by crop rather than producer by producer. Some farmers produce several supported crops. If the limitation were applied to the farmer instead of to each of his respective crops there would be great difficulty in knowing how the wheat program and how the cotton program should be administered on a particular farm while staying within the total limitation. Secretary Hardin pointed out at that time that if limitations were imposed, some large farms would be divided either by sale or lease, and operated as several units. He called special attention to the fact that savings and program impact would be affected proportionately.

The Agricultural Act of 1970, passed by the Congress, directs the Secretary to prescribe rules necessary to assure a "fair and reasonable" application of the limitation. Regulations to implement the limitation were carefully drafted in the Department's Agricultural Stabilization and Conservation Service (ASCS) with assistance from the Office of the General Counsel (OGC). The regulations, in draft form, were submitted to the Comptroller General for review and his suggestion was incorporated in the final draft. Considered in the light of the language in the law and the related legislative history, the regulations fully comply with the directive to assure a "fair and reasonable" application of the limitation.

Bona fide changes in farming operations have always been legitimate as they have in other business operations. Thus, a producer potentially affected by the limitation is obviously at liberty to sell a part of his farm, lease it to others, make changes in the terms of leasing agreements—such as shifting from crop-share to a cash-rental, or vice versa—transfer cotton allotments under the transfer provisions, or take other similar actions that have been previously available to him under applicable law and regulations.

At the same time, fictitious actions which constitute schemes or devices to evade the limitation are not permitted or tolerated.

PARAGRAPH 6

A $20,000 ceiling would save about $200 million in Government payments, without reducing the effectiveness of the supply control program and without reducing Government payments, except to the largest cotton growers and a few other giant farm businesses. The ceiling passed by the House was in the form of an amendment to an appropriation bill and would be effective only for the year 1972. However, approval by the Senate would establish the principle and it could be made a permanent feature of farm legislation in the next session.

COMMENT

It is presumed that the savings of $200 million is taken from a speech delivered in May 1969 at the symposium on public problems and policies of the Iowa State University Center for Agricultural and Economic Development by Dr. John A. Schnittker, former Under Secretary of Agriculture. The speech was based on a study prepared under Dr. Schnittker's direction in 1968 when he was Under Secretary. In the prepared text, he concluded that a limit of $10,000 per program of $20,000 per farm would yield budget savings of nearly $300 million a year.

There are two points to be made here, which the editorial overlooks.

1. Dr. Schnittker's study is based on an assumption that the rigid allotment and base acreage programs of the Food and Agriculture Act of 1965 would remain in effect.

2. Budget savings are a mere extrapolation of data from a pre-existing condition or situation. There is little, if any, correlation between the potential situation of Dr. Schnittker's study and the realities of the dynamic set-aside program just underway this year and which has not yet been evaluated.

The editorial notes that the ceiling would be effective only for the year 1972 inasmuch as it is attached to an appropriation bill. This is all the more cause for alarm for those farmers who have already made production plans based on a $55,000 payment limitation which was represented to them as part of a 3-year farm program. Most certainly, farmers who have made such adjustments would consider that the Government and the Congress had gone back on their word.

There is the further suspicion that to summarily lower the payment limitation to $20,000 this year by appending a rider to the appropriations bill would most surely encourage those who favor a $10,000, or a $5,000, or $3,000 limit to use this as a precedent next year or the year after. Farmers, processors, traders, the entire agricultural economy would become so severely disrupted because of not knowing how to plan that it would be harmful to the farm program and the Nation.

PARAGRAPH 7

Rather than "wrecking" farm programs, this action by Congress would be a step toward assuring continuation of needed grain adjustment programs, which help balance supply and demand for livestock as well. All farm programs have suffered in public opinion as the result of the exorbitant Government checks going to rich cotton producers.

COMMENT

Prior to the Agricultural Act of 1970, it was argued that the Government paid farmers not to grow crops and that large payments to restrict production result in a drain on the Government Treasury, and enable rich men to get richer.

How much truth there was in the argument before the Act of '70 is a question. Certainly the argument has no validity now.

The set-aside programs of this Administration encourage farmers to produce. They do not restrict his use of cropland, after his set-aside and conserving base requirements are met. With the several options available to farmers under the current programs, many producers who otherwise would be affected by a limitation are restructing their farming operations. Some of them—perhaps all—are doing this to avoid the limitation. But more importantly, they are making basic adjustments in the use of their land, machinery, and other resources so as to produce for commercial markets and not for Government payments.

Such efforts deserve the support and applause of the entire Nation, not unfair aspersions or criticism of a new program that has not completed its first year of operation.

The writer speaks of farm programs suffering in public opinion. It might be well for him to examine the role he plays in shaping that public opinion he cites, and to reflect on the impact his constant theme of "exorbitant" checks to "rich cotton producers" must have on corn belt readers who do not have ready access to an impartial interpretation of the facts.

Mr. ROTH. Mr. President, I am happy to support the distinguished Senator from Indiana (Mr. BAYH) in his efforts to place a firm limit on the amount of subsidies which could be paid to any individual under farm price support programs.

This amendment to limit such payments to $20,000 per year can be expected to result in a saving in excess of $200,000,000 during the present fiscal year. This is no insignificant amount, particularly when we are faced with enormous budget deficits both in the fiscal year just ended and the one we are now beginning.

I have long supported proposals to limit farm subsidy payments and would

prefer to see a limit of $10,000 placed on such payments. But I recognize that there is no possibility of having the restriction placed that low. Accordingly, I am happy to support the proposed $20,000 limitation.

Last year Congress did adopt a $55,000 payment limit, which I considered far too high. Since then we have been shocked to read that some large farmers have effectively skirted that limit by breaking up their farms into smaller units and collecting on each one of them. The amendment before us would not only substantially reduce the payment limitation but would, at the same time, eliminate the loophole in existing law.

I am convinced that a lower ceiling on these excessive Government payments to wealthy landowners and corporations not only will reduce Federal spending but will also result in better farming opportunities for smaller farmers. With their subsidies limited, large farmers and corporations will not be able to outbid smaller producers in competing for available cropland in the community to such an extent as in recent years.

I urge the adoption of the amendment.

Mr. McGEE. Mr. President, last year Congress passed the Agricultural Act of 1970 after the most exhaustive review of alternatives in the recent history of farm legislation. This act provides farm programs for the 1971, 1972, and 1973 crop years. One of the most thoroughly discussed features of this bill was a limitation on farm program payments of $55,000 per person for cotton, wheat and feed grains. Several different limits were proposed, some higher and some lower than $55,000. But after long debate, the Congress decided that $55,000 represented an acceptable balance between the desire to reduce huge payments to a few individuals and the need to preserve the world's most efficient agriculture here in the United States.

Farmers took Congress at its word. When the Agricultural Act of 1970 became law, they began laying their plans for the 3 crop years. For many of them, the act meant substantial and far-reaching changes in leasing arrangements, equipment investments, and farming plans.

Now, less than a year later, before we have even had an opportunity to assess the impact of the $55,000 limit, we have before us a new proposal that would lower the payment limit to $20,000.

I find it interesting that this proposal does not come to us as part of a farm bill. It is not sponsored by the Committee on Agriculture and Forestry. No hearings have been held on it. Producers have had no chance to testify on the damage it would do them. It is simply offered as an amendment to the agricultural appropriations bill.

It has always been my understanding that the purpose of an appropriations bill is to fund a program which has been authorized by the Congress. I do not believe an appropriations bill is a proper vehicle for making substantive changes in legislation.

If this proposal should be adopted, what would we say to farmers who have made long-range plans and financial commitments on the basis of a $55,000 limitation—which they had every reason to believe Congress meant to stand for 3 years? The amendment would throw farmers' plans into a cocked hat. Many farmers would have to drastically alter their cropping patterns—unable to plant the crops for which they already have land, equipment and technical know-how. Some of them would be forced to stay out of the programs altogether, which would further drastically alter their plans. Farmers who could stay in the program would have their plans altered, too, since they would have to assume the additional setaside requirement as larger farms were forced out.

Farmers in this country were faced this year with severe problems due to the very late passage of the Agricultural Act of 1970. Now they face the threat of another major change in the provisions of the law just at the time when they are firming up plans for their next crop. Such vacillation on the part of Congress would be inexcusable.

Farming has enough uncertainty already from the vagaries of weather, insects and disease. Farmers this year have been hit by corn blight, drought, hail, floods, and inflation. They do not need, nor can they afford, the additional hazard of last-minute congressional reneging.

Sound economic reasons for staying with the $55,000 level were advanced last year during the development of the Agricultural Act of 1970. These reasons are still valid, but on the basis of good faith alone, the Congress should stand behind its action of last year and retain the payment limit at its present level for the duration of the 1970 act.

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

Mr. BAYH. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Indiana.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MAGNUSON. On this vote I have a pair with the Senator from Massachusetts (Mr. KENNEDY). If present, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from Louisiana (Mr. LONG). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. JACKSON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Louisiana (Mr. LONG), are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON) would vote "yea."

Mr. SCOTT. I announce that the Senator from New York (Mr. BUCKLEY), the Senator from Vermont (Mr. PROUTY), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Michigan (Mr. GRIFFIN) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

On this vote, the Senator from Oregon (Mr. HATFIELD) is paired with the Senator from New York (Mr. BUCKLEY). If present and voting, the Senator from Oregon would vote "yea" and the Senator from New York would vote "nay".

On this vote, the Senator from Vermont (Mr. PROUTY) is paired with the Senator from South Dakota (Mr. MUNDT). If present and voting, the Senator from Vermont would vote "yea" and the Senator from South Dakota would vote "nay".

The result was announced—yeas 29, nays 56, as follows:

[No. 143 Leg.]

YEAS—29

Bayh	Hughes	Ribicoff
Beall	Javits	Roth
Boggs	Mathias	Schweiker
Byrd, Va.	McIntyre	Scott
Byrd, W. Va.	Nelson	Spong
Case	Pastore	Stevenson
Chiles	Pell	Taft
Cotton	Percy	Weicker
Hart	Proxmire	Williams
Hartke	Randolph	

NAYS—56

Aiken	Eastland	Metcalf
Allen	Ellender	Miller
Allott	Ervin	Mondale
Anderson	Fannin	Montoya
Baker	Fong	Moss
Bellmon	Fulbright	Muskie
Bennett	Gambrell	Packwood
Bentsen	Goldwater	Pearson
Bible	Gravel	Smith
Brock	Gurney	Sparkman
Burdick	Hansen	Stennis
Cannon	Hollings	Stevens
Cook	Hruska	Symington
Cooper	Humphrey	Talmadge
Cranston	Inouye	Thurmond
Curtis	Jordan, N.C.	Tower
Dole	McClellan	Tunney
Dominick	McGee	Young
Eagleton	McGovern	

PRESENT AND GIVING LIVE PAIRS AS PREVIOUSLY RECORDED—2

Magnuson, against.
Mansfield, for.

NOT VOTING—13

Brooke	Hatfield	Mundt
Buckley	Jackson	Prouty
Church	Jordan, Idaho	Saxbe
Griffin	Kennedy	
Harris	Long	

So Mr. BAYH's amendment (No. 242) was rejected.

Mr. McGEE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, on behalf of myself and Senators MUSKIE, COOPER, and BYRD of West Virginia, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 28, line 12, strike out "$448,900,000" and insert "$458,900,000".

Mr. BYRD of West Virginia. Mr. President, may we have order? We cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order. The well of the Senate will be cleared.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, I yield to my colleague from Missouri.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. McGEE. I yield the Senator 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

PAKISTAN

Mr. SYMINGTON. Mr. President, recent developments in South Asia, specifically with respect to India and Pakistan, clearly foreshadow future crises in that area. Serious questions have been and are being posed concerning the policy of the United States, incident to the furnishing by this country of military assistance.

In order to bring the Committee on Foreign Relations up to date, an executive session of the Subcommittee on Near Eastern and South Asian Affairs has been called for Monday, July 19, at 10 a.m. The State Department has been requested to provide the subcommittee with a briefing on the details of the current U.S. policy.

It has become increasingly difficult for us to understand just what the United States is or is not giving Pakistan, and this difficulty would appear to arise from the fact that the executive branch seems to be of at least two minds on the question of arms deliveries to that country. On the one hand, the Congress has received categorical assurance that no arms deliveries are being made; on the other hand, we now learn that arms are being shipped; and in any case, we want to know the facts.

We know also that the executive branch is currently asking for an additional $118 million for economic aid to Pakistan, even though the World Bank consortium has refused to grant Pakistan any additional development assistance.

DEPARTMENT OF AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

STATES NEED FEDERAL FUNDS FOR CLEAN AIR ACT EFFORT

Mr. RANDOLPH. Mr. President, I have offered an amendment to increase the environmental protection appropriation by $10 million. The expressed purpose of this additional amount would be to increase funding for the support of State and local air pollution planning and control programs, under section 105 of the Clean Air Act, as amended.

Under the 1970 amendments to the Clean Air Act, a considerable burden was placed on the resources of State air pollution control agencies. They are required, largely within the balance of this calendar year, to develop comprehensive implementation plans, adequate to bring air quality within the State to the national standard within 3 years. These plans must include specific limitations on every air pollution source within the State, and if the plan is not adequate the Federal Government takes over the responsibility.

There is no way that most States can meet that burden, and prepare that plan adequately to forestall Federal intervention without a substantial influx of money from the Federal Government. The Committee on Public Works, recognizing this fact during the consideration of last year's clean air amendments, asked the administration to help us develop the level of authorization necessary to make this program work.

The committee, both in its report and through statements of members made during debate of the bill, warned that this bold attempt to make America's air safe to breathe by 1975 would not succeed if inadequately funded. We said in the committee report:

Appropriations for the 1967 Act have been approximately one-half the amount authorized. This lack of funding has lessened the effectiveness of the Air Quality Act. . . . This pattern cannot continue if the Congress and the Federal government are to retain credibility with the American people.

The total authorization in the 1970 clean air amendments was $350 million for fiscal year 1972. This bill, following the administration request, contains only $150,840,000 for air pollution. Once again, this is less than half the amount which just last December the Congress determined was essential to this program.

Mr. President, I have been informed by the West Virginia Air Pollution Control Commission that without Federal funding at the authorized level, West Virginia will be unable to prepare a realistic implementation plan within the statutorily required time. That State is faced with a Federal takeover of their responsibilities.

In recent correspondence with the Committee on Public Works, Carl G. Beard II, director of the West Virginia Air Pollution Control Commission has made this point emphatically:

In West Virginia's situation, we have been informed by EPA that we will not be granted the total federal monies that we are eligible for. Other promises of contractual assistance funded by the federal government apparently are now being withheld due to lack of funds. Both of the above according to EPA is due to a lack of funds.

West Virginia has more than doubled the appropriation in state funds for FY '72. EPA was aware, over a year ago, that we intended to have a significant increase in state funds for that fiscal year. However, if the information we have received from EPA is correct, the Congress *has not* provided sufficient funds to carry out the programs as planned. The states need monies *now*—not in FY '73.

Mr. President, the States cannot discharge their responsibilities under the Clean Air Act without the extra Federal funds this amendment would provide. If the States fail, the Federal Government must assume the task and the expense anyway, or the goal of health air will be many years away. This small additional sum, invested now in the State programs, is essential to the early attainment of clean air. I urge the adoption of this amendment.

Mr. President, a small amount of money is involved. We have to invest it to assist the States at a time when they are attempting to cooperate with the Federal Government to comply with the clean air amendments of 1970 and help the American people to have a better quality of life through the strengthening of this form of environment need.

Mr. McGEE. Mr. President, the members of the committee weighed this proposal very carefully. The great emphasis in the testimony was to try to move the States more rapidly into this area, which is new to them, as it is to most of us, and it was felt this would help hold down the cost and bring a greater amount of performance.

The committee is willing to take this amendment to conference and see how we come out with it. It is one of those areas where, if the States could move faster, it would serve to implement the rest of the efforts we have already authorized.

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

Mr. McGEE. I yield.

Mr. HRUSKA. Mr. President, I rise to express concurrence with the thoughts expressed by the Senator from Wyoming. It is the type of subject we would be willing to take to conference and do the best we can with it.

Mr. RANDOLPH. Mr. President, I am appreciative of the attitude expressed by the Senators from Wyoming and Nebraska. I know that the chairman of the Appropriations Committee (Mr. ELLENDER) and others feel this is an important subject matter. I realize that there may be some difference of opinion as to the implementation needs of the States, but we do feel, as expressed to our committee, that the information coming to us is that the States want to do this and they need funds with which to make these comprehensive plans.

I hope that in conference with the House of Representatives this amount of money can be retained.

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

Mr. RANDOLPH. I yield.

Mr. COOPER. Mr. President, I rise to support the amendment offered by Senator RANDOLPH to increase the appropriation to implement the Clean Air Act Amendments of 1970. Most Senators will remember at the time of adoption of the Clean Air Act in September of last year the committee report and the floor manager paid special attention to the fact that the program would have to be funded adequately for implementation, if the American people were not to be

misled in the battle to combat air pollution.

The Appropriation Committees on both sides have recommended significant increases in the air pollution budget. The amount, however, does not fully fund the total authorization of the amount necessary to implement the act; an authorization which the Committee on Public Works developed after consultation with the administration. In its report the Appropriation Committee points out that EPA is only several months old and requires a tooling up period. However, the increase asked for by Senator RANDOLPH is for State program assistance—an already ongoing program and should be readily utilized without further manpower demands on EPA.

In addition to requiring performance under some very rigid timetables, the Clean Air Act places great responsibilities on State air pollution control agencies. In fact, these State agencies are the heart of the control program and success will come, or not come, as a result of their activities. Section 105 of the Clean Air Act provides assistance to State air pollution control programs. The purpose of the amendment offered today by Senator RANDOLPH is to increase the amount of assistance available to the States and I support it.

Without markedly increased assistance State programs will not be able to comply with the rigorous requirements placed on them by the act and the public will increasingly demand Federal intervention. I personally believe the matter of air pollution can best be addressed at the field level by the State and local governments. But I recognize that the State and local governments must have resources available for full implementation. This amendment therefore is an extension of the Federal-State partnership created in the Clean Air Act and continued in the amendments of 1970.

I am happy to join with the chairman of my committee, with Senators MUSKIE, BOGGS, and BAKER as a cosponsor of this necessary amendment.

Mr. President, I urge my colleagues to support this amendment.

Mr. RANDOLPH. I thank the Senator from Kentucky, and I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. TAFT). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from West Virginia (Mr. RANDOLPH).

The amendment was agreed to.

Mr. TAFT. Mr. President, on Wednesday, June 23, the House passed the agriculture-environmental and consumer protection appropriation bill. It includes $28 million for construction of the environmental health laboratory in Cincinnati, Ohio, to house important antipollution research activities there. The original Public Health Service laboratory for this purpose was the Robert A. Taft Sanitary Engineering Center which has been a world leader in its activities. That facility, now principally dealing with water pollution, has set a proud record for the new facility to supplement.

The city of Cincinnati has already spent some $2.1 million of its $4.5 million commitment to the project. Along with many of my colleagues from Ohio and nationwide, I have worked on this project for many years and urge that the Senate approve it.

Appropriation of this money would make possible a project which will provide invaluable research in an area of increasing concern to all Americans. Cincinnati has traditionally been a leader in the field of environmental health and the addition of this new facility to house new and existing research projects would assure that we will continue our growth in the forefront of this vital field of medical progress.

Mr. McGOVERN. Mr. President, I send to the desk an amendment to increase the funds for facilities for school lunch programs from $16 million to $33 million, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 41, strike out "$16,110,000" and insert in lieu thereof "$33,000,000".

Mr. MANSFIELD. Mr. President, will the Senator yield so that I may be recognized, with the time being taken out of the bill?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. I ask unanimous consent that there be a time limitation of 10 minutes on the pending amendment and 20 minutes on the amendment to follow, and that the time be equally divided between the sponsor of the amendment and the manager of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. Mr. President, I yield myself 5 minutes.

The amendment I am offering would increase the funds for facilities for the school lunch prorgams from $16.1 million to $33 million for fiscal year 1972. I realize that $17 million, which is the amount of the increase, seems like a trifle, in view of the fact that we are spending billions of dollars on these food programs generally. But let me point out that the lack of facilities is now the chief obstacle in the way of fulfilling the President's pledge and the commitment of Congress to feed all needy children.

Today, some 23,000 schools are without facilities to run a lunch program, and that forces us, in effect, to ignore the needs of between 1 and 2 million children who are hungry. Congress has already authorized for this program $33 million for ficsal year 1972, and the thrust of my amendment is to provide an appropriation commensurate with the authorized amount.

I urge my colleagues to join me in supporting full funding of the facilities program, so that we may get on with the task of ending what I believe to be inexcusable hunger in our Nation's classrooms. I cannot think of any $17 million investment that we could make in upgrading our school lunch programs that would return any more dividends than this.

Here we have a multibillion dollar program that is effectively denied to children in some 23,000 schools across this country because of the absence of facilities. This amendment, costing some $17 million, would take care of that situation, and I hope my colleagues on both sides of the aisle will join in supporting it.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, the committee had rather extensive hearings on this question, and the one unresolved part of the problem that gave the committee pause in terms of the amount it would agree to in this category was the difficulty in the logistics of acquiring the necessary information from the 23,000 schools that fell under this category in terms of equipment available for the serving of these meals. The attempt to meet this problem is the thrust of the Senator's proposal.

On the basis of the State's need and further investigation on the part of the Department to determine further needs the appropriation that we approved was the amount that seemed to be closest to reality.

Upon further questioning of those in charge of the program, we further developed that this did not mean that because of the shortage of equipment, the other students would go without food or would go hungry, but that there were alternatives to fill in the gap during the transition period.

We felt, with that understanding, that we were better advised to stick with the figure that the committee recommended, pending justification of further needs based on additional studies by the Department.

I emphasize that we are totally in agreement on the merit of the program, but that we felt the implementation was at a realistic level, without threatening the status of any child in the needy category in terms of the food requirements. Therefore, the committee's position would remain the same, that we believe we ought to stick by the figure that we recommended.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, I am ready to yield back the remainder of my time.

Mr. McGOVERN. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. TAFT). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from South Dakota (Mr. McGOVERN). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. JACKSON), the Senator from North Carolina (Mr. JORDAN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Louisiana (Mr. LONG) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON) would vote "yea."

Mr. SCOTT. I announce that the Senator from New York (Mr. BUCKLEY), the Senator from Vermont (Mr. PROUTY), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Michigan (Mr. GRIFFIN) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Michigan (Mr. WEICKER) is detained on official business.

If present and voting, the Senator from Oregon (Mr. HATFIELD) and the Senator from Vermont (Mr. PROUTY) would each vote "yea."

The result was announced—yeas 56, nays 28, as follows:

[No. 144 Leg.]

YEAS—56

Aiken	Fulbright	Packwood
Allott	Gravel	Pastore
Anderson	Hart	Pearson
Baker	Hartke	Pell
Beall	Hollings	Percy
Bellmon	Hughes	Proxmire
Boggs	Humphrey	Ribicoff
Burdick	Inouye	Roth
Cannon	Javits	Schweiker
Case	Magnuson	Scott
Chiles	Mathias	Smith
Cook	McGovern	Spong
Cooper	McIntyre	Stevens
Cotton	Metcalf	Stevenson
Cranston	Mondale	Symington
Dole	Montoya	Tower
Eagleton	Moss	Tunney
Eastland	Muskie	Williams
Fong	Nelson	

NAYS—28

Allen	Ervin	Miller
Bennett	Fannin	Randolph
Bentsen	Gambrell	Sparkman
Bible	Goldwater	Stennis
Brock	Gurney	Taft
Byrd, Va.	Hansen	Talmadge
Byrd, W. Va.	Hruska	Thurmond
Curtis	Mansfield	Young
Dominick	McClellan	
Ellender	McGee	

NOT VOTING—16

Bayh	Hatfield	Mundt
Brooke	Jackson	Prouty
Buckley	Jordan, N.C.	Saxbe
Church	Jordan, Idaho	Weicker
Griffin	Kennedy	
Harris	Long	

So Mr. MCGOVERN's amendment was adopted.

Mr. McGOVERN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. McGOVERN. Mr. President, I have a second amendment at the desk which I ask to be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment as follows:

On page 42, strike out "$2,001,184,000" and insert in lieu thereof "$2,500,000,000".

Mr. McGOVERN. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McGOVERN. Mr. President, as chairman of the Senate Select Committee on Nutrition and Human Needs, I have seen firsthand in the last several years the extent of hunger and malnutrition in America. During these years, the Nation has become aroused to the need to solve the problem of hunger and the President himself publicly committed the administration to ending hunger for all time.

The issue we must now address ourselves to, putting it quite simply, is how much money is required to fulfill that commitment. I would like to discuss this issue especially in regard to funding for the food stamp program and the facilities for the school lunch program.

Let me say at the outset, that we all recognize significant progress has been made in expanding both of these programs in the last several years, and the current administration deserves great credit for that expansion. Since December 1968, participation in the food stamp program has more than tripled, from 2.8 million persons to over 10 million.

The administration has requested appropriations in the past several years to keep pace with this growth. Food stamp appropriations have risen from less than $300 million to over $600 million last fiscal year and now almost $1.7 billion this fiscal year. School lunch appropriations for section 11 have increased from $100 to $356 million.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Senate? We are about to vote on appropriating $250 million in the pending amendment. I hope that the Chair would secure order and then maintain it.

The PRESIDING OFFICER. The Senate will be in order. The Senator may proceed.

Mr. McGOVERN. Mr. President, for the next fiscal year, the administration is requesting $2 billion for food stamps, an apparent sizable increase of $300 million over spending this year. I say apparent because, in reality, the $2 billion is actually a standstill figure which will not permit any further expansion in the program. At the end of this fiscal year, there will be about 11 million persons participating in the program. If we project this participation rate over the next year, using a monthly per person cost of $14, then we arrive at a total monthly cost of about $154 million, or an annual cost of $1,848,000,000. In addition, there is the cost of administration which would be in the neighborhood of $100 million, or slightly more than 5 percent of the total. This gives us a new total of $1,948,000,000, or just about what the administration is requesting. Thus, an appropriation of $2 billion during the coming year must inevitably mean that the administration is estimating no further increase in the program.

Yet, recent testimony by the Agriculture Department's Assistant Secretary Richard Lyng, a highly able man, before the Nutrition Committee belies such a no-growth estimate. Secretary Lyng testified that the Department projected participation during the next fiscal year at 12.5 to 13 million persons. Taking this estimate, which I believe to be the most conservative possible, would give us a total cost in the coming year of between $2,200,000,000 and $2,300,000,000. I believe this is a conservative estimate because it falls considerably below the Department's own rate of growth projection used during the past year of three and a half percent monthly. If the program continues to grow in the coming year, as it has in the past, then participation will probably approach 14.5 million persons, raising the cost of the program to around $2.5 billion.

I am aware that the Department argues that its current hold on further geographic expansion of the program, as well as improved economic conditions, will lead to a slower growth rate—thus Secretary Lyng's prediction of 12.5 to 13 million persons participating. Frankly, I question whether economic recovery will take place rapidly enough during the next fiscal year to significantly affect the present unemployment rate of about 6 percent nationally. Given that situation, I believe it is reasonable to project a participation level somewhere between Secretary Lyng's estimate of 13 million and the upper limit of 14.5. The cost, of course, would rise accordingly.

Let me reemphasize that we have been talking only about increases in the program where it currently exists. The Agriculture Department has been forthright in stating that under its appropriation request of $2 billion, it will be impossible to expand the food stamp program into new geographic areas. I think this is quite unfortunate and counter to the administration's commitment to rapidly phase in the food stamp program while eliminating the nutritionally unsatisfactory surplus foods program. At this moment, there are at least 182 counties, and probably many more, who wish to switch to food stamps. In some cases, whole States, such as New York and Florida, have passed legislation requiring counties to switch to food stamps. The lack of adequate funding has forestalled such changeovers.

This inability to change from surplus foods to food stamps is more than just an academic question. For poor people it is a vital question of adequate or inadequate nutrition. I am aware that the Agriculture Department representatives have argued that people not served by food stamps are served by surplus foods, and therefore, the issue of changing over is not of immediate importance. I wish this were the case. But it is not. The Agriculture Department itself has stated in official documents of the White House Conference on Food and Nutrition that the surplus foods program is not primarily designed to provide adequate nutrition for the poor. Dr. Jean Mayer, head of the White House Conference, recently noted the inadequacy of the surplus foods program in the city of Boston where only eight commodities were being made available. The Nutrition Committee recently heard testimony by a Colorado pediatrician that migrant children in Texas were suffering protein malnutrition, a type of deficiency only rarely found before. Upon investigation, the committee learned that the

surplus foods program in the area where the children lived only carried 12 items, and milk was not one of them.

The nutritional case against the surplus foods program has been made over and over again. The administration has accepted that case by designating the food stamp program as the primary program for assuring poor Americans an adequate diet. Now is not the time to delay the delivery of that diet by arbitrarily holding back the expansion of the food stamp program into new areas. Funding of the food stamp program at a level of $2.5 billion for the coming fiscal year would permit both the natural expansion where the program currently exists and the inclusion of new areas that need and desire it.

Mr. President, in view of what seems to me to be a very clear-cut question as to whether we want to provide simply enough funds, as the pending bill does, to hold the program to its present size, roughly 11 million persons, or whether we want to accept the language of the pending amendment which would add approximately $500 million to the program and permit the program to continue at its present rate of expansion and add new people, new counties, and new areas that are not now participating is the issue that is at stake.

I wonder if the Senator from Wyoming would not be willing to accept the amendment and, if so, permit us to withdraw our request for a rollcall vote and take the amendment to conference and see if we can get it approved.

Mr. McGEE. Mr. President, we have had a conference on this matter. I say to my friend, the distinguished Senator from South Dakota, who has been a leader in these endeavors, that the committee would be willing to take the amendment to conference and do the very best it could. Further information will be developed between now and the time of the conference which I am certain will be helpful to us in resolving this matter. We will take the amendment to conference and in that way forego the rollcall vote at this time.

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

Mr. McGOVERN. I yield.

Mr. HRUSKA. Mr. President, the Senator from Wyoming and others have conferred on this point. I would be inclined to concur in his suggestion that we take the amendment to conference.

Referring to the Secretary's testimony when the hearings commenced on this particular item, I read from the hearings:

> Our budget estimate for the food stamp program next year is $2 billion. Participation has risen so sharply in recent months that it is evident a supplemental appropriation will be required this year. As soon as we are able to obtain more precise data on the situation, we will furnish this estimate to the committee.

Mr. President, the Senator from South Dakota is correct, that in the tabulation submitted to the committee in which a projection was made to the end of the current fiscal year, the average number of participating people will be 11.5 million. The figure had been projected to June 30 of this year at 8.5 million. However, it actually turned out to be 9.5 million.

Mr. President, I draw attention to these facts to show an awareness on the part of the administration and the Secretary of the sharply increasing number and his willingness to recommend a change as soon as he has more precise data.

It seems to me that if we got the composite judgment of the members of the conference committee on the subject that there would be a reasonable chance that we could come to agreement.

I might state further that if we turn to page 48 of the report, we will note that the food stamp program has done right well in the last 2 years. The total for the food assistance program for the fiscal year 1970 was approximately $1.6 billion. It is now in the present budget as approximately $3.5 billion. That has more than doubled within a 24-month period.

So, it is not a subject that we have been exactly laggard on. We have done well and our disposition is to continue the program as long as there is a need.

Mr. McGOVERN. Mr. President, I agree with the Senator. We have made great progress in this field. I pay tribute to the administration. The intent of the amendment is to see that that progress continues. I am delighted that the chairman and the Senator from Nebraska are willing to take the amendment to conference.

Mr. EAGLETON. Mr. President, would the Senator yield?

Mr. McGOVERN. I yield.

Mr. EAGLETON. Mr. President, would I be correct in stating that unless we expand the program to the amount recommended in the Senator's amendment and if we go the supplemental route, there would not be provision for any counties which are not now participating in the program?

Mr. McGOVERN. The Senator is correct. We have about 182 counties which are not presently involved which have indicated they would like to become involved.

Mr. EAGLETON. The Senator means that there are 182 counties which have applied to get into the program but which have been denied up to now.

Mr. McGOVERN. The Senator is correct.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. Mr. President, I yield 2 additional minutes to the Senator from Missouri.

Mr. McGOVERN. Mr. President, the point is well taken. Some States, such as New York and Florida, have passed laws requiring that the county switch over to the food stamp program. They are waiting for funds to come through so that they can switch over to the program. So, we must have more than the amount contained in the appropriations bill.

Mr. EAGLETON. Mr. President, I strongly support the amendment of the Senator from South Dakota to increase appropriations for the food stamp program from the $2 billion sought by the administration and approved by the Appropriations Committee to the $2.5 billion authorized by the Food Stamp Act.

In my State of Missouri, out of 114 counties, only 10 counties and the city of St. Louis are now in the food stamp program.

As of yesterday, 15 additional Missouri counties had applications on file with the Department of Agriculture for inclusion in the program. Department officials have advised me that their proposed $2 billion budget for fiscal 1972 will permit absolutely no expansion of this program to additional counties.

One of the Missouri counties that has applied for food stamps is Jackson County, which includes Kansas City, and is the second most populous county in the State. Approximately 40,000 residents of that county are eligible for, and need, food assistance. In the opinion of the Jackson County court—the administrative body of the county—the needs of these people for food assistance can be met more adequately and efficiently through the food stamp program than through the food distribution program.

Jackson County's application for food stamps was filed in January of this year. But under the $2 billion food stamp budget, Jackson County and Kansas City, as well as the 14 less populous counties, will be denied participation in the program for the foreseeable future.

Mr. President, we pay a lot of lipservice to such causes as the elimination of hunger and malnutrition. Today we have the opportunity to put our money where our words are by providing the full $2.5 billion authorized by law for food stamps in fiscal 1972.

I am very pleased that the Senator from Wyoming has indicated his willingness to take this amendment to conference.

Mr. JAVITS. Mr. President, will the Senator yield 1 minute to me?

Mr. McGEE. Mr. President, I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, the Senator from South Dakota mentioned the State of New York. I state for the information of the Senate that there is an area, in which no matter how hard we try to reduce the welfare load, we are not succeeding, though there are many things underway, including better facilities for work training and for child day care, which will help.

Here is a most felicitous way of combining the contribution of agriculture, the farmers, and the people of the cities so that the welfare load in a very substantive way, through the use of food, can be substantially lightened.

I join with the Senator from South Dakota in hoping very much that we will move ahead rather than stand pat. His amendment would enable us to move ahead.

The conferees will have in mind what can be a very felicitous addition to the total load we are trying to help carry in an intelligent way in this country.

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

Mr. McGOVERN. I have no time remaining.

Mr. McGEE. I am glad to yield 1 minute to the Senator from Illinois.

Mr. PERCY. The Senator is most gracious. I accept the 1 minute.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. PERCY. Mr. President, I wish to reiterate my support of the amendment. As ranking minority member of the Special Committee on Nutrition and Human Needs, I have heard testimony for 3 years as to the need we have for more money for our food programs. This afternoon a witness came in from Seattle saying that a program for feeding the elderly had been shut down because of inadequate funds. I do not see how a country with a trillion-dollar economy can say we do not have the money for a program such as this. I believe it is the best investment we can make.

MISSOURI NEEDS EXPANDED FOOD STAMP APPROPRIATIONS

Mr. SYMINGTON. Mr. President, the Senate has already acknowledged the advantages of the food stamp program and the importance of expanding it by increasing the amount of the authorization and appropriations for that program by over $1 billion between fiscal 1970 and 1971.

The Department of Agriculture has requested, and the Senate committee has approved, a further increase of about $330 million for fiscal 1972; but this increase will not permit the expansion of the food stamp program into new geographical areas.

This situation presents a particular problem for Missouri, which has one of the lowest food stamp participation rates in the country.

Missouri counties have applied to the Department of Agriculture for authorization to operate the food stamp program, but have been advised that no Federal funds are available and the Office of Management and Budget has imposed a freeze on the geographical expansion of the food stamp program. Jackson County, which includes Kansas City, is one of many unsuccessful Missouri county applicants and this is one of only three metropolitan areas in the country without a food stamp program. Jackson County presently assists almost 38,000 needy persons through the commodity distribution program.

A serious situation also exists in 10 other counties which have recently withdrawn from the commodity program due to lack of funds, leaving almost 15,000 needy people without any food assistance at all.

If the Senate approves the McGovern amendment, and the House concurs we would hopefully have funds available to enable some of the seven Missouri counties, and others like it throughout the country, to participate in the food stamp program. In Missouri, this amendment would carry the added advantage of freeing funds now tied to the commodity program in Kansas City and other towns for use in those areas where no food assistance of any kind is available for those in need.

I support the amendment to add $500 million to the food stamp appropriation and urge its adoption by the Senate.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. I yield to the Senator from South Dakota whatever time he needs to make a request.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the yeas and nays on the amendment be vacated.

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

Mr. McGEE. Mr. President, I yield back whatever time I have remaining.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NELSON. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

On page 6, line 25, strike out the following: "$99,654,650," and insert in lieu thereof "$91,847,750."

On page 7, line 4, beginning with the word *"Provided"*, strike out all down through the word "program" in line 7, and insert in lieu thereof the following: *"Provided*, that none of the funds appropriated by this act may be used to carry out any fire ant control program."

Mr. NELSON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. NELSON. Mr. President, the amendment I have introduced proposes to delete $7.8 million in funds for the continuation of the Federal Government's massive effort to control the imported fire ant in the South.

Already $40 million in Federal money has been spent since 1957 to deal with this insect whose dangers have been blown all out of proportion, principally by the publicity efforts of the administering agency, the U.S. Department of Agriculture.

The original program involved the application of dieldrin first and after that was discontinued, the use of heptachlor. Heptachlor proved so devastating in wildlife, fish, and domestic animals that the Food and Drug Administration set a zero tolerance level in 1959 on its level in food.

Since 1962, the USDA's key tool against the imported fire ant has been the pesticide Mirex, whose potential environmental and health dangers have become of such concern that the Environmental Protection Agency has canceled the Federal registration for the compound's sale and shipment in interstate commerce. That cancellation is under appeal.

By 1969, the USDA had set its sights on spraying 120 million acres in 9 million Southeastern States three times with 1.25 pounds of Mirex per acre per treatment at a total cost of some $200 million—a Mirex broadside equivalent to 2.22 pounds for every man, woman and child in the United States.

Under a barrage of criticism, the USDA now says it has scaled down the number of acres it intends to spray, although more than 7 million acres are still slated for the Mirex application by the Agriculture Department in this year alone and no totals are available for the supposed new overall objective.

To date, 30 million acres in several Southeastern States have been treated with this poison, primarily through aerial application.

This all-out assault on an insect of limited problems for humans and highly dubious danger to agriculture with a toxic pesticide with even more tenacity in the chain of life than DDT is a classic example of the twisted priorities that have led us from one environmental disaster to the other.

Evidence that the continued widespread use of Mirex poses significant damages that far outweigh any possible benefits is overwhelming and has been recognized by key environmental agencies throughout the Federal Government and by scientific studies across the land.

In comments submitted on the USDA's environmental impact statement prepared this year in defense of the Mirex program, the President's Council on Environmental Quality, the Environmental Protection Agency, the Department of Health, Education, and Welfare, and the Department of the Interior all expressed grave concerns and presented strong objections to the present USDA strategy of broadsiding a whole section of the country with a toxic pesticide to cope with the fire ant.

The evidence against Mirex, which I will cite extensively in this statement, presents a compelling case for an immediate halt to the USDA's widespread application of this pesticide.

In lieu of the current program, we should establish for the short run a program of highly selective application in severely infested agricultural areas and in areas where humans could be highly exposed to the imported fire ants.

For a long-term solution, we should launch independent studies by qualified scientific experts to more precisely pinpoint the actual dangers of the imported fire ant, and to develop the most effective means of control where a hazard, if any, exists. Such studies should include an intensive effort to develop biological controls to eliminate the need for the toxic manmade poisons that have been posing serious domage to the environment and the entire food chain.

I would support Federal funds to achieve these aims.

Reviewing the wide-ranging concerns that have been expressed about the present USDA effort, the Environmental Protection Agency noted in its review that laboratory data have raised substantial questions about the safety of Mirex. This finding prompted the agency to commence an administrative review of the pesticide under the Federal Insecticide, Rodenticide, and Fungicide Act by issuing a notice that the registration of Mirex has been canceled under the act. The cancellation order—which could ultimately take Mirex off the market—has been appealed by the pesticide's manufacturer, Allied Chemical.

This decision alone raises serious questions about the wisdom of continuing to

use the pesticide, particularly through mass aerial application, until conclusive findings as to its safety have been made.

HEW pointed out that Mirex has been shown to be strongly persistent and appears to be retained in the body tissues more tenaciously than DDT. The Department also cited a study made by the Bionetics Research Laboratories where Mirex was found to be carcinogenic in two strains of mice, and more recent studies showing residues in food fish which "made it reasonable to conclude that Mirex is beginning to accumulate in the sources of human food."

HEW concluded, in its comments, that Mirex constitutes a possible hazard to human health, noting "that the margin between the dose levels at which Mirex shows serious ill effects on laboratory animals and the current tolerance levels for Mirex in foods has become alarmingly narrow."

Finally, on the basis of these findings, HEW recommended that the Federal Government should do everything possible to find other means to control the fire ant.

The Department of Interior, which has recently restricted the use of Mirex along with 32 other pesticides, on the 70 percent of all Federal landholdings under its management—cite: "Forty-Eight Pesticides Harnessed," Sport Fishing Institute Bulletin, 216:5, 1970—suggested that Federal assistance be provided to individuals and communities with emphasis placed on public education and making available small packages of specifically prepared bait designed for individual mound treatment.

Basing its comments on the USDA's evaluation and supporting documents, the President's environmental council concluded not only that the imported fire ant does not seem to be a significant health hazard, but that it is not a major agricultural pest.

And from the USDA's own evidence, the President's Council concluded that the continued widespread use of the pesticide Mirex raises "a significant possibility of serious adverse effects" that has yet to be eliminated by studies to date.

I ask unanimous consent that the Council's letter to the USDA commenting on the Agriculture Department's environmental impact statement on the program under the requirements of the National Environmental Policy Act be printed in the RECORD at the end of these remarks, along with the comments of the other Federal agencies.

Regarding these comments, there is a total absence of any substantative response in the environmental impact statement. Yet the Agriculture Department makes the unequivocal statement that it has given careful consideration to all comments and relevant data in coming to its conclusion that "the public interest will best be served by the continuation of this restricted cooperative Federal-State fire ant program."

USDA finds justification for the present program in its assessment of the imported fire ant as a serious agricultural pest and a substantial human health hazard which will continue to increase its range of infestation if not brought under control.

Studies on the imported fire ant, which are cited in the appendix of the environmental impact statement, dispute the conclusions of the Department regarding the characteristics of the insect. These studies are barely touched upon in the body of USDA's statement.

Most notably, a study conducted by the National Academy of Sciences in 1967, which was commissioned by the Agricultural Research Service, made the following relevant findings:

Except for some damage to haying and combining machinery, and to pasture lands, agriculture seems little affected by the imported fire ants,

Frequency and intensity of the fire ant sting is no greater than the sting of bees or wasps,

The northern limits of the fire ant's range seems to lie at about latitude 35 degrees which is the northern boundary of Mississippi, Alabama, and Georgia, and

Farmers are, individually, able to control the ant on their property—one estimate set the cost of control at $1.50 per acre.

The study concluded, on the basis of current knowledge, that eradication of the fire ant with Mirex bait is not considered biologically or technically feasible. Mr. President, I request that a copy of this study be inserted in the RECORD.

A 1959 study of the food habits of the imported fire ant, by S. B. and K. L. Hays, published in the Journal of Economic Entomology, demonstrated that the primary dietary items of the ant were insects and other invertebrates such as termites, weevils, and beetles, rather than plant material. This study was conducted by field observations of anthill cross sections.

Regarding the effects of Mirex application on nontarget organisms, the Department of Agriculture concludes that—

> The only non-target organisms known to be directly affected by the bait at this time are a few species of oil-loving ants.

Yet as pointed out by Harvard entomologist, Edward Wilson, elimination of other ant species could well destroy an important component in the ecosystem, creating further environmental imbalances, and could lead to the resurgence of serious agricultural predators such as the Argentine ant. Mirex was the fourth most frequently encountered pesticide residue in 5,000 samples of oysters and shellfish from estuaries on the Atlantic, gulf, and Pacific coasts. The Mirex concentrations were exceeded only by DDT, endrin, and toxaphene.

Furthermore, other continuing studies by the Bureau of Commercial Fisheries have shown that Mirex residues caused mortality increases in juvenile blue crabs, grass shrimp, and fiddler crabs tested in an estuarine-like environment.

The Department of Agriculture justifies its conclusions regarding the characteristics of the fire ant and the long-term effects of Mirex largely on a study conducted by George P. Markin, entomologist in charge at the fire ant research laboratory operated by the Agriculture Research Service at Gulfport, Miss.

Considering the weight of evidence that has been presented contesting the results of this study and the fact that it was conducted by the Department itself, it is my feeling that it does not constitute an adequate evaluation of the significant questions that have been raised concerning the present program.

It seems to me, therefore, that the best approach to this problem is to eliminate the present $7.8 million budget request for the Mirex program and order an in-depth review of the hazard presented by the imported ant and the most environmentally sound and economically feasible way of dealing with whatever hazard exists. Such a review should be conducted by qualified scientists designated by reputable organizations outside the Department of Agriculture. This would assure the credibility of the review and, hopefully, settle once and for all the question of how to best deal with the fire ant.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NELSON. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Russell E. Train, head of the Council on Environmental Quality.

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

COUNCIL ON ENVIRONMENTAL QUALITY,
Washington, D.C., March 18, 1971.

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: The Council on Environmental Quality has carefully reviewed the Department of Agriculture's draft environmental statement on the program to control the imported fire ant. The statement and the supporting documents accompanying it provide a good basis for evaluation of the program, but we disagree with the evaluation of this data and the conclusions drawn by the Department.

The draft states (p. 12) that there have been no confirmed cases of mortality, reproductive effect, or detrimental ecological upset (with the exception of related species of ants) due to the use of mirex. Although there is some dispute over this statement (see comments by the Department of the Interior) it is our view that the failure to observe effects at this point in time should not lead to the conclusion that such effects do not or will not occur. Field research is still in progress to determine whether adverse ecological effects have taken place (draft p. 8). The persistence of mirex and its concentration in the food chain, laboratory tests indicating adverse effects on a variety of species, and the current incomplete state of knowledge concerning the fate of mirex residues in the environment all lead to the conclusion that there is a significant possibility that serious adverse effects will occur in the future. Further data is needed before a firm conclusion on adverse ecological effects can be drawn.

With respect to the possible effects of mirex on human health, data and scientific knowledge is even more lacking. Only a few relevant tests have been conducted, and the interpretation of the results of these tests is subject to many uncertainties. However, we agree with the Mrak report recommendation cited in the draft (p. 14) that the use of mirex should be restricted because of its potential cancer-inducing properties.

The possible adverse effects of mirex must

be weighed against the benefits derived from the control program (draft p. 10). The fire ant is a significant nuisance to people in the Southeastern states.

However, it does not seem to be a significant health hazard, despite isolated incidences of severe adverse reactions in a few individuals. The data on the agricultural impact of the ant indicate that it is not a major agricultural pest. The questions raised about the adverse effects of mirex have been sufficiently substantial to warrant the initiation, by the Environmental Protection Agency, of cancellation proceedings against the pesticide.

On the basis of the above considerations, it is our conclusion that the second and third alternatives outlined in the draft statement would be preferable to continuation of the current Federal program.

If the Department of Agriculture should decide to continue the program, the scope of the program and the amounts of mirex used should be kept to the absolute minimum. There also should be provision for close surveillance by the Environmental Protection Agency of the effects of mirex use, and a continuing effort to find substitute methods for control of the fire ant.

Sincerely,

RUSSELL E. TRAIN,
Chairman.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD comment on the section 102 filed by the Department of Health, Education, and Welfare.

There being no objections, the comments were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE COMMENTS ON THE 102(2)(C) ENVIRONMENTAL IMPACT STATEMENT ON THE USE OF MIREX FOR THE CONTROL OF THE IMPORTED FIRE ANT

This Department has given very careful consideration to the impact statement and the studies reference therein and to the health hazards imposed by the imported fire ant and the pesticide mirex. There is general agreement that the imported fire ant is a pest that adversely affects human health and the agricultural economy in certain States of the South. The U.S. Department of Agriculture has cooperated with State governments in the Southeastern region since 1957 to control the insect. The first treatment using the insecticide heptachlor at a rate of two pounds per acre was made in November 1957. By 1962, mirex (a chlorinated hydrocarbon) had become a standard replacement for the more toxic heptachlor. The safety of mirex use has come into question over the past year. The issue is whether the benefits of the continued use of mirex on the imported fire ant justify possible risk associated with the use of the chemical.

Major considerations: The ant itself: The imported fire ant (solenopsis saevissima) is a small dark-colored ant noted mostly for its potent sting and the conspicuous earthen mounds it builds. The ant entered the United States sometime in the early 1920's, possibly aboard a ship from South America which unloaded at Mobile, Alabama. Since that time, it has become established in an area involving over 120 million acres of land in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.

There is no consensus among entomologists on the eventual range of the insect. If it were to spread into the drylands of west Texas and to California, control and/or eradication would obviously be more costly, both in terms of money required and amount of pesticide used, because of the additional millions of acres to be treated.

A mature community of ants contains 50,000 to 70,000 or more workers and other forms of the ant. They build mounds measuring up to three feet in diameter, 18 inches high and two to three feet underground. In an ideal habitat, 20 to 50 mature mounds will be found in an acre.

Infestation by the imported fire ant interferes considerably with the utilization of land for recreational and agricultural purposes. The ants are known to have invaded lawns, parks, playgrounds, school yards, golf courses and other areas where there are many opportunities to annoy the local population. The ant occasionally may feed on food crops such as grains, potatoes, cabbage, and broccoli. It interferes with harvesting by attacking farm laborers and its mounds can damage mechanized farm equipment.

The imported fire ant attaches itself to the skin of the victim with its jaws and injects venom with its caudally located stinging apparatus, usually at several places around the point of attachment. The seriousness of the attack depends chiefly on the number of stings and on a possible allergic reaction to the venom. The consequences of the sting are limited to immediate burning pain and, within a few hours, the formation of sterile pustules (blisters) at the site of each sting. These usually disappear in about ten days. Serious problems can arise if the pustules become infected or if a large dose of venom has been administered through extensive stings. If the victim is allergic to the venom, the attack may be life-threatening.

Morbidity is difficult to measure since illness resulting from stings by the imported fire ant are not routinely reported to public health authorities. Accordingly, there are no reliable statistics on which to base an estimate of the illness caused specifically by the imported fire ant. In 1963, Henry M. Parrish, M.D., Dr. P.H.; reported an analysis of 460 fatalities from venomous animals in the United States in the period 1950–1959. In that study, 4 deaths (0.8%) were attributed to unspecified ants. By comparison, 124 (27.0%) were caused by bees, 69 (15.0%) by wasps, 22 (4.8%) by yellow jackets and 10 (2.2%) by hornets.

Pesticides: Mirex is a chlorinated hydrocarbon insecticide which has the chemical name dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta (cd) pentalene. It is a highly chlorinated polycyclic hydrocarbon developed to eradicate the imported fire ant. The chemical is applied in a bait which makes it relatively specific for the imported fire ant and about 6–8 other ant species. Because the oily bait formulation deteriorates in a matter of several days, the mirex does not remain attractive to other wildlife.

The mirex itself is strongly persistent and appears to be retained by body tissues more avidly than DDT. Laboratory studies have developed disturbing evidence of toxicity of mirex. Twenty five (25) parts per million mirex fed to lactating rats resulted in cataracts in foster fed suckling pups; decreased survival of the pups was also noted.

Mirex was also found to be carcinogenic in two strains of mice in the Bionetics Research Laboratories study reported in 1969. It is noteworthy that mirex was fed at a dose of 26 ppm, contrasted to the much higher level of 140 ppm for p,p'-DDT. The animals receiving mirex failed to survive for the entire 18-month period of the test, and even so had a sizeable incidence of liver tumors.

Mirex has been used almost exclusively on the imported fire ant, mostly by or with the cooperation of an agency of the United States Government. Last year, about 60 thousand pounds of mirex were used. By contrast, DDT was applied in the U.S. at a rate of 58 million pounds per year average from 1952 to 1969. Before the development of mirex, heptachlor was the principal insecticide used to control this ant. This chemical was extremely damaging to wildlife. It had to be discontinued as a control measure, primarily because its use resulted in high residues in meat and fish. At this time there is no satisfactory alternative to mirex.

Current tolerances for mirex, established in 1969 by the Food and Drug Administration, are: negligible residues (0.01 ppm) in or on all raw agricultural commodities except that a residue not to exceed 0.1 ppm was established in eggs and the fat of milk, meat, and poultry.

There are recent reports that mirex is having harmful effects on wildlife and that it has appeared in the human food chain.

In the past the Food and Drug Administration's food surveillance program has not specifically analyzed for mirex.

Evidence of the presence of mirex residues in the food web is unsatisfactory in many respects. However, recent studies have determined that mirex was found in cat fish (Charleston area) at 61 ppb., in at least one sample oyster (Savannah area) at 36 ppb., and in milk (Monroe County, Georgia area) at 7.9 ppb. It is reasonable to conclude that mirex is beginning to accumulate in sources of human food.

The Law: Use of pesticides is regulated under the Federal Insecticides, Fungicides and Rodenticides Act (FIFRA), formerly administered by the Department of Agriculture. Under the Food, Drug, and Cosmetic Act, the Food and Drug Administration has had responsibility for establishing tolerances for residues of pesticides in or on raw food commodities and in certain sources of water.

On December 21, 1970, responsibility for administering FIFRA and responsibility for establishing tolerances for residues passed to the Environmental Protection Agency. The Food and Drug Administration retains responsibility for the surveillance of pesticide residues in food and the enforcement of pesticide tolerances in food in the channels of interstate commerce. At present Federal authority for control of use of pesticides depends upon the enforcement of pesticide label registration requirements and pesticide tolerances for residues in food.

CONCLUSIONS

1. The imported fire ant presents a low health hazard to humans in the United States.

2. Exposure to mirex constitutes a possible hazard to human health.

3. There is evidence of harm to wildlife from mirex under experimental conditions; information from exposures under natural conditions is fragmentary. A conclusion of possible hazard is appropriate.

RECOMMENDATIONS

1. The margin between the dose levels at which mirex produced serious ill effects in laboratory animals and the current tolerance levels for mirex in foods has become alarmingly narrow. The current tolerances for mirex should be examined critically in the light of all available toxicological information.

2. Surveillance of appropriate foods for residues should be maintained at a high level in the areas of use and the drainage basins of those areas.

3. Given that the use of mirex ultimately may have to be sharply curtailed or even discontinued for health reasons, DHEW would support for the present that program which would result in the least contamination, in terms of total burden, of the environment by mirex.

4. In order to identify that program, the Federal government must support or conduct scientifically designed studies of the behavior of Mirex in nature and the levels of residues which result from controlled applications in sharply limited areas. This will provide a basis for projecting the impact to be expected from any given level of application of the pesticide.

5. The Federal government should do everything possible to identify alternative means, either chemical or biological, for control or eradication of the imported fire ant.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from William D. Ruckelshaus, Administrator of the Environmental Protection Agency, addressed to the Secretary of Agriculture.

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

ENVIRONMENTAL PROTECTION AGENCY,
Washington, D.C., March 17, 1971.

HON. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR SECRETARY HARDIN: This is in reply to Dr. T. C. Byerly's letter of January 15, 1971, requesting our comments on a draft environmental impact statement dealing with the Department's proposed program for control of the imported fire ant. The proposed program involves the aerial use of bait containing the pesticide mirex to control this insect.

As you know, scientists in the various pesticide regulation programs of the Departments of the Interior, Health, Education, and Welfare, and Agriculture (Pesticide Regulation Division), which are now consolidated in the Environmental Protection Agency, have had the pesticide mirex under review for some time. Data have been accumulating primarily from tests in the laboratory, that raise substantial questions about the possible effects of mirex on the health of humans and other forms of life. These data include:

1. Rats fed 26 parts per million of mirex during their lifetime have a high probability of developing tumors.

2. Female rats fed 25 parts per million of mirex for 45 days produce significantly smaller litters and these litters have lower survival rates than control groups. Those young rats which do survive, as well as young rats born of untreated female rats, have a high probability of developing cataracts if they are suckled by female rats which have been fed mirex.

3. Very small amounts of mirex cause high mortality for a number of species, including juvenile crabs and crawfish.

4. Mirex is quite persistent. Once it is absorbed in animal tissue it is purged very slowly.

5. Mirex residues have been detected in some field samples of wildlife and other organisms.

Evidence available to us at this time does not allow us to determine how mirex moves through the environment and whether or not it is tending to accumulate in man and wildlife. In short, we cannot now determine to what extent the laboratory results are translatable to man and wildlife in the environment. Nevertheless, the laboratory data do raise substantial questions about the safety of mirex.

The Federal Insecticide, Rodenticide, and Fungicide Act requires pesticide products to meet certain requirements concerning safety and efficacy in order for them to be registered for distribution in interstate commerce. The registration of a pesticide product must be terminated whenever it is determined that the product no longer meets these statutory requirements. The burden of establishing the safety and efficacy of a product remains with the registrant from the time of initial application through continued registration of the product. In its January 7th decision concerning DDT the D.C. Court of Appeals directed that a determination to terminate the registration of a product must be made openly, permitting a full airing of the scientific and policy issues involved. The Court decreed, therefore, that whenever this Agency finds that there is a "substantial question" concerning whether a pesticide product continues to meet the statutory requirements, we must commence the administrative review process by issuing notices of cancellation. This threshold determination does not operate to remove the product from the market or prevent its use. Instead it calls for the presentation of evidence to aid us in determining whether registration should be continued. It is possible, as the Court explicitly recognized, that after an open discussion of the scientific and policy issues, this Agency might conclude that the particular registration in question is not in violation of the statutory requirements. In yet other cases, restricted patterns of use might be developed so as to minimize the potential for harm to human health and the environment.

We have determined that the laboratory evidence concerning the effect of mirex on animals raises a "substantial question" about the safety of continued use of pesticide products containing mirex. We are therefore initiating the administrative review process by issuing notices of cancellation. We would hope that this administrative review will help us determine to what extent these laboratory results are translatable to the environment and whether or not mirex products should continue to be registered for use.

In light of our decision to begin an administrative review of the registration of products containing mirex, we have the following comments on the Department's proposal to use this chemical in a program to control fire ants. The Department's program is by far the principal use of mirex as a pesticide in this country. As stated above, we have not yet determined whether or not the registered uses of mirex fail to meet the statutory requirements for safety for humans and the environment. We have determined that the use of mirex does not now constitute an imminent hazard to the public. Taking into account the nuisance created by the fire ants, the questions of safety such as those detailed above, and the extent to which the Department can minimize the environmental impact of the program, the Department may very well determine that the public interest is best served by continuing the program. If the Department were to decide to carry out its program, we would take steps to watch the progress of the program and the extent to which it has measurable effects upon the environment. Pursuant to our statutory mandate, should we determine at any time that the program constitutes an imminent hazard to the public, we would take steps to remove pesticide products containing mirex from the marketplace and would request you to discontinue the operation of your program immediately.

If the Department decides to carry out its program, we would also make the following suggestions:

1. The Department should revise its environmental impact statement so that it:

(a) Deals more adequately with the questions of safety as detailed above.

(b) Makes very explicit the precautions which the Department would take to reduce to a minimum the amount of mirex which reaches non-target species.

(c) Discusses fully the alternative approaches available to the Department in terms of the amount of mirex which would be distributed.

2. A complete monitoring program of the areas to be treated should be conducted in order to determine the extent of mirex residues in fish and wildlife both before and after treatment. Special emphasis should be placed on ascertaining how mirex moves through the environment.

3. The Department should be careful to select the exact areas to be treated so as to restrict the acreage covered by your program to the minimum needed and to reduce the possibility that the chemical will reach non-target species. State and local agencies concerned with environmental protection may be of substantial assistance to the Department in this selection process.

4. The Department should make further efforts to develop alternative methods of controlling fire ants.

In addition, we would welcome the assistance of your Department in ensuring that our administrative review has the benefit of all data available to the Department concerning mirex. We would also be glad to have the Department's views concerning the scientific and policy issues to be addressed in that review.

Sincerely yours,

WILLIAM D. RUCKELSHAUS,
Administrator.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD an affidavit filed in the U.S. District Court case of Environmental Defense Fund against Clifford M. Hardin, Civil Action 2319–70, by Edward Osborne Wilson.

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

[In the U.S. District Court for the District of Columbia, Civil No. 2319–70]

AFFIDAVIT

Environmental Defense Fund, et al. *v.* Clifford M. Hardin, et al.

State of Massachusetts, County of Essex Middlesex.

The undersigned, Edward Osborne Wilson, being duly sworn, deposes and says:

1. I presently reside at 52 Harding Road, Lexington, Massachusetts 02173.

2. I am a professional entomologist and biologist. I have received the B.S. and M.S. in biology from the University of Alabama (1949, 1950) and the Ph.D. in biology (specialty: entomology) from Harvard University (1955). I have been a member of the Harvard Faculty since 1956 and am currently Professor of Zoology. I am the author of one book and over 100 technical articles on various aspects of biology, mostly entomology. I am a member of the National Academy of Sciences and a Fellow of the American Academy of Arts and Sciences and American Association for the Advancement of Science. The latter organization awarded me the Cleveland Research Prize in 1967 for my work on ants, including the fire ant, the species to be discussed below. I conducted much of the original field work on the imported fire ant in the late 1940's and early 1950's and have used it as a research organism ever since. Most of my research on fire ants is summarized in the following review articles: "The fire ant," *Scientific American*, March 1958; "Chemical communication in the social insects," Science, 149: 1064–1071 (1965).

3. It is my professional opinion that:

United States Department of Agriculture cannot legitimately claim to foresee the impact of mirex applications on the environment, as implied in its Environmental Statement of January 15. Its experimentations, as exemplified by the Cat Island project, have been limited to a small fraction of the habitats and animal species that can be affected by mirex. Consider, for example, the insect fauna that surrounds the fire ant population. The Environmental Statement admits that "An eradication program might also eradicate one or more species of oil-loving ants in the treated area." Aside from the aplomb with which the extinction of one or more native insect species is treated, this is an understatement; the oil-loving ant species of the southern United States includes large numbers of species in *Solenopsis Monomorium, Iridomyrmex, Tapinoma,* and other

groups, many of which are dominant elements of the insect fauna. Ants, including the groups just cited, are major predators of other insects. In many, perhaps most habitats, they are responsible for more energy turnover than all the mammals, birds, and other vertebrates combined. They turn as much or more soil and humus than all of the earthworms. In short, to eliminate or even to severely reduce the imported fire ant would certainly perturb a principal component of the terrestrial ecosystem. And this much can be safely said without even further considering the remainder of the terrestrial fauna.

I believe that the USDA should assume a greater responsibility for research on the effect of mirex on the environment. If it proceeds with control on a limited basis, as it proposes in its January 15, 1971, statement, it must move carefully and with far more extensive and deeper ecological analysis. Simultaneously, it should expand its studies of the basic biology of the fire ant in an effort to obtain still better control methods with minimal environmental influence.

The problem with the USDA fire ant program has been, in my view, that research has been too tightly bound to the immediate control effort. The research on basic biology and ecology has been inadequate because it has gone up and down with the vicissitudes of the control program, and has never been sustained at sufficient intensity to achieve its purposes. The USDA has competent scientists willing and able to do this work, including competent scientists willing and able to do this work, including Dr. G. P. Markin and others now associated with the program (who have had to cope on short notice with extremely complex problems during the present controversy). These scientists should be provided with sufficient funds, freedom, and time to build the requisite knowledge of the fire ant and its ecology. Such a decision would take much of the heat from the controversy and, ultimately, achieve goals satisfactory to both the pubic and critics of the current control program.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD an affidavit filed in the U.S. district court case of *Environmental Defense Fund* v. *Clifford M. Hardin*, Civil Action No. 2319–70, by Joseph Charles Headley.

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

[In the U.S. District Court for the District of Columbia, Civil No. 2319–70]

AFFIDAVIT

Environmental Defense Fund, et al. versus Clifford M. Hardin, et al., State of Missouri, County of Boone.

The undersigned, Joseph Charles Headley, being duly sworn, deposes and says:

1. I presently reside at 1311 Bradshaw, Columbia, Missouri 65201.

2. I am a professional agricultural economist. My professional credentials and experience are as follows:

(a) Degrees held, B.S., M.S., Ph.D.

(b) Positions held:

Assistant Agricultural Economist, University of Arizona, 1955–57

Associate Specialist, University of California (Davis), 1959–1960

Assistant-Associate Professor, University of Illinois, 1960–1966

Associate Professor, University of Missouri, 1966–Present

(c) I have devoted the last six years of my professional life to the study of the economics of pest control.

(d) Author with J. N. Lewis of the book: *The Pesticide Problem: An Economic Approach to Public Policy*, Resources for the Future, Inc., 1967. I have also authored several papers dealing with the economics of pesticide use at the aggregate level.

(e) Member of the National Academy of Sciences Committee on the Imported Fire Ant, 1967.

(f) Member of the American Association of Agricultural Economics and Sigma Xi, a professional research honorary.

3. In my opinion the expenditure of public funds for eradication of the Imported Fire Ant is not justified as suggested by the U.S.D.A. in its Environmental Statement of January 15, 1971. First, the estimated direct damages of $18,000,000 annually is an extremely loose figure not based on well developed research findings. It is not clear that the damages can amount to that much when disinterested scientists report that the damage from the ant to growing crops and livestock is small. Second, from the standpoint of public investment, the proposed program does not satisfy economic criteria for public investment:

(a) *A program that cannot be handled by individuals.*

The fire ant can be *controlled* by individual actions on farms and homesteads.

(b) *A program providing national benefits.*

There is not sufficient evidence to convince me that the benefits from this program will make a net contribution to national income as conventionally accounted to say nothing of the non-market costs and benefits such as the effects of mirex on wildlife and fish.

(c) *The marginal benefits under a constrained budget must equal or exceed benefits in alternate investments in the economy.*

In my opinion if the costs of this program are accounted in terms of the value of the funds used in alternate employments in the economy, such as education, rural economic development and health care, the benefit-cost ratio for the eradication program proposed by the U.S.D.A. in their statement of January 15, 1971, would be less than one.

JOSEPH CHARLES HEADLEY.

Subscribed and sworn to before me this 20th day of February 1971.

DOROTHY M. JOST,
Notary Public.

My commission expires April 11, 1973.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD comments made by the Department of Interior.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C. February 19, 1971.

DEAR DR. BYERLY: In reply to your cover letter of January 15 to Mr. Walter W. Dykstr we are herein providing Interior Department comment on your draft P.L. 91–190 Environmental Impact Statement on use of Mirex for the control of imported fire ant.

Unfortunately, the statement leaves much to be desired. We will be pleased to discuss with you or members of your staff our item-by-item reactions to those portions of the statement in which we cannot concur or have specific question. For purposes of general discussion, our areas of disagreement appear to fall into five categories: (1) efficacy and need for the control technique, (2) persistence of the chemical, (3) environmental residue build-up, (4) acute non-target hazard, and (5) biological resistance developed by target organism.

EFFICACY AND NEED FOR THE CONTROL TECHNIQUE

We concur in the statement that the imported fire ant is a nuisance pest that primarily affects man himself rather than his crops or livestock. We question the relative importance USDA places upon controlling this pest in light of the fact that the Florida Division of Health rates the imported fire ant a lesser problem than flies, mosquitos, gnats, dogfiles, bees, wasps, chiggers, and other mites.

The assumption that the general public will automatically misuse Mirex if applied on an individual mound basis is overly pessimistic. This problem appears to be one of public education and of developing an individual mound treatment formulaton. Public education could also insure proper timing so that the degree of control achieved by the mound treatment technique would more nearly approximate that reportedly possible by aerial blanketing.

PERSISTENCE OF THE CHEMICAL

Although uncollected bait material loses its attractiveness to the fire ant within a few days as a result of weathering and rancidity, there is evidence to demonstrate that Mirex itself is quite persistent in the environment. The chemical nature of Mirex would lead one to expect this chemical to be strongly resistant to biodegradation, to be difficult to locate in water (since it is insoluble in water), and, with sufficient environmental exposure, to contaminate the food web.

Studies have demonstrated all three expectations. The extent and variety of trophic levels contaminated with Mirex residues further illustrates this chemical's high degree of environmental persistence.

Although Mirex metabolites are not known to be an immediate problem, there is the possibility of future difficulties. A statement relating the occurrence and possible effects of such metabolites would seem to be in order.

ENVIRONMENTAL RESIDUE BUILD-UP

The "Impact Statement" consistently understates the degree to which Mirex concentrates as it moves through various ecosystems. Residues exceeding the 0.1 ppm Federal tolerance for poultry are presently being found in wild birds such as kingfisher, heron, egret, rail, bluejay, robin, blackbird, brown thresher, anhinga, kingbird, quail and turkey. A Mississippi State University study of two standard Mirex applications, 6 months apart, showed residue levels up to 104 ppm in the fat of birds one year after the second application. There are no Federal residue tolerances for Mirex in fish or shellfish; however, the USDA's August 1970 petition (1E1025) for a tolerance of 1.5 ppm illustrates the extent of contamination that can be expected by the shellfish industry and the newly developing fish farming industry of the Southeast. Further, evidence indicates that a similar situation may be found in certain mammals; up to 4.4 ppm Mirex has been found in leg muscles of raccoon.

These high residue levels cannot be brushed aside with the claim that there are no observed adverse effects. We would not expect to observe acute effects from what are considered to be chronic problems. A similar statement regarding observed effects could be made for the first ten years that DDT was used. Our point is simply that there now is sufficient evidence to warrant a more thorough examination of environmental hazard. We are just beginning to learn of this chemical's delayed and sublethal effects within a broad ecological context.

ACUTE NON-TARGET HAZARD

There appears to be some misunderstanding of the purpose for which the Charleston, South Carolina, estuarine study was designed. During the preliminary discussions leading to this contract. Interior representatives explained that residue monitoring studies could not demonstrate biological effects relating to Mirex. Confirmation of bioassay findings was not to be an objective of

the study. The study was designed to learn more about the fate and movement of Mirex in an estuarine system.

Any study attempting to determine effects over a 10 to 14-day period of a specific application in an estuary would be fraught with difficulty. An estuary is an extremely active biological system that is further complicated by tidal action which floods and flushes it twice daily. The slightest incapacitation or loss of reflex would spell death to an estuarine organism. We are sure similar difficulties were encountered in the USDA study of Mirex applications on *Cat Island,* off the coast of Mississippi. This study revealed that only one-fifth of the adult crab population remained after exposure to Mirex; of these, 20 percent were dead and 30 percent were paralyzed. Shrimp populations were reduced by 95 percent. Twenty-three days after application one live crab and no shrimp were found.

Since Mirex is a broad spectrum toxicant, we also are concerned about its demonstrated effects on native terrestrial organisms. For example, the populations of 14 species of native ants were reported severely reduced on a treatment area during a fire ant control campaign in Georgia. Following reduction of the native ants there was observed a tremendous population increase of termites with a ubiquitous distriLution of kings and queens. Apparently those organisms which preyed on termites were also attracted to an oil bait.

The ecological implications inherent in eradicating or extirpating a consumer niche has ramifications that we are unprepared to predict without more detailed studies of the specific situation.

BIOLOGICAL RESISTANCE DEVELOPED BY THE TARGET ORGANISM

We agree that target resistance is a factor that must be considered in any insect control program. We fail to see the rational supporting the hypothesis that overdosing by mound treatment would result in a low continuing exposure of the insecticide and would lead to possible resistance. It was the opinion of the Committee on the Imported Fire Ant, National Research Council, that the pressure of a large-scale eradication campaign was very likely to develop biological resistance in the target organism.

We suggest the following program alternatives be considered:

1. Continue present imported fire ant quarantine practices.

2. Provide Federal assistance to individuals and communities with emphasis placed on public education and on making available small packages of specially prepared bait designed for individual mound treatment.

3. Conduct this effort through the Extension Service, the Public Health Service and related State and Federal agencies.

Sincerely yours,

JACK O. HORTON,
Assistant to the Secretary.

Mr. NELSON. Mr. President, I just conclude by saying that the Department of Agriculture, contrary to all the scientific evidence that has been produced thus far, is proceeding with a program which has potential for environmental disaster throughout all of the Southeastern States.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NELSON. I yield myself 2 more minutes.

There is a perfectly rational approach to this problem, and that is to design and carry out a comprehensive study of the environmental effects of Mirex, and, second, carefully applied applications of Mirex by the individual farmer on his own cropland, rather than this massive dosage of Mirex all over 120 million acres of Southeastern United States.

I ask unanimous consent that the comprehensive study of this problem which was done by the National Research Council of the National Academy of Sciences under the direction of a group of distinguished scientists, be printed at this point in the RECORD.

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

REPORT OF COMMITTEE ON THE IMPORTED FIRE ANT TO ADMINISTRATOR, AGRICULTURAL RESEARCH SERVICE, U.S. DEPARTMENT OF AGRICULTURE

COMMITTEE ON THE IMPORTED FIRE ANT

Dr. Harlow B. Mills (Chairman), Visiting Professor, Department of Biology, University of Wisconsin, Racine.

Dr. F. S. Arant, Head, Department of Zoology and Entomology, Auburn University, Auburn, Alabama.

Dr. Maurice F. Baker, Research Forester, International Forest and Range Experiment Station, U.S. Department of Agriculture Provo, Utah.

Dr. W. S. Creighton, Professor of Biology (Retired), College of the City of New York.

Dr. J. Charles Headley, Associate Professor, Department of Agricultural Economics, University of Missouri, Columbia, Missouri.

Dr. Alexander C. Hodson, Head, Department of Entomology, University of Minnesota, St. Paul, Minnesota.

Dr. Rodney C. Jung, Director of Health, City of New Orleans.

Dr. Justin W. Leonard, Chairman, Department of Wildlife and Fisheries, University of Michigan, Ann Arbor, Michigan.

Dr. Ralph March, Dean, Graduate Division, University of California, Riverside, California.

Dr. L. D. Newsom, Head, Department of Entomology, Louisiana State University and Agricultural and Mechanical College, Baton Rouge, Louisiana.

Dr. Ray F. Smith, Professor, Department of Entomology and Parasitology, University of California, Berkeley, California.

Dr. Bernard V. Travis, Professor, Department of Entomology, Cornell University, Ithaca, New York.

GENERAL CONCLUSIONS

After considering all available information, the Committee feels that an eradication of the Imported Fire Ant is not now biologically and technically feasible. Further, in view of its conclusions as to the importance of this insect relative to other pest species, and the values to be achieved through its eradication, the Committee has very grave doubts whether an attempt to eradicate it would be justified, even if it were shown to be feasible at a later date.

If additional funds are to be expended for research on the imported fire ant, the Committee feels that efforts toward a better understanding of its biology, ecology, and behavior should be emphasized, although research seeking better methods of control, or refining methods now known, should continue. A fundamental examination of the species, in depth, is essential to really basic answers.

The Committee feels that the Department of Agriculture deserves commendation for its development of the Mirex bait, its investigation of new methods of application, such as the Decca System of aircraft guidance, its interest in undertaking an enlarged research program, and its development of statistical methods for evaluating the success of treatments and for defining the periphery of the infestation.

INTRODUCTION

The history of the imported fire ant (*Solenopsis saevissima*) in the United States is sufficiently well known that it need not be enlarged on here. It was first noted in the port city of Mobile, Alabama, where its introduction may have resulted from the dumping of soil ballast prior to 1928. It seems likely that it may have been introduced as early as 1918, but the first positive identification was not made until 1930.

This imported species was not recognized immediately because of the difficulty in distinguishing it from the native species, *S. qeminata* and *S. xyloni.* This same difficulty complicated early control efforts.

The original form (*richteri*) was dark, with an orange spot on the first gastric segment. In most areas this form has now been replaced by lighter ones; there is at the present time a very large color variation, from dark to light, and a general disappearance of the original form. Thus the trinomial, *S. saevissima richteri,* appears no longer applicable in the United States.

SOURCES OF INFORMATION

The Committee contacted, either directly or through correspondence, a large variety of sources. The United States Department of Agriculture through Dr. Donald R. Shepherd, Acting Director of the Department's Plant Pest Control Division, and Mr. C. C. Fancher, in charge of its Gulfport, Mississippi, laboratory, were called on freely and gave much information. Dr. C. H. Hoffman, Entomology Research Division, and his staff were most helpful. Further information was received from the staff of the Bureau of the Budget and from control officials and agencies in the Southeast. Mr. W. A. Ruffin of the Alabama State Department of Agriculture, Mr. Richard Carlton, State Entomologist of Louisiana and chairman of the Southern Plant Board, and Mr. Phil Campbell, Georgia Commissioner of Agriculture were especially helpful. All of these persons and their colleagues went to great pains to furnish data to the Committee and the Committee expresses is appreciation. Further information was elicited from agronomists, foresters, animal science specialists, departments of conservation, departments of health, agencies responsible for maintenance of levees, soil conservation agencies, recreation officials, and state park administrators. To these the Committee is also much indebted.

The Committee examined available scientific literature pertaining to the imported fire ant.

The Committee met three times to obtain data, to examine these data, and to discuss the problem. The original meeting, on organization and procedure, was held in Racine, Wisconsin, May 14–15. This was followed by a meeting June 22–24 in Auburn, Alabama, to take testimony and make on-site examinations of infested areas. Several of the group then travelled to the Gulfport laboratory, and to Baton Rouge, Louisiana, to study that part of the imported fire ant area and to discuss the issues with various informed individuals associated with the problem. The final meeting was held in Washington, D.C., August 21 and 22. In the interims there was frequent communication between committee members by telephone and letter.

CHANGES IN CONTROL ACTIVITIES

A decade ago, control of the imported fire ant utilized non-selective chlorinated hydrocarbons which were highly effective, providing residual control for several years. There were, however, side effects from these materials which were of concern to many and which militated against their use in area-wide control programs. Since that time a new material, called Mirex,[1] has been developed and widely employed. This material is for-

[1] Decachlorooctahydro-1,3,4-Metheno-2 H-Cyclobut (ed) pentalene; General Chemical Division, Allied Chemical, New York, N.Y.

mulated as a bait attractive to the imported fire ant and to some other ant species, and does not entail a number of the problems encountered earlier.

Mirex approaches many of the requirements for an ideal control chemical for the ant. It is relatively specific as formulated, rather than a broad-spectrum toxicant. It is comparatively nontoxic to vertebrates and to many other animals. It is a highly toxic and advantageously slow-acting stomach poison for the ants, and can be formulated as an attractive bait with potential for low-dosage broadcast in granular form. The chemical itself is exceedingly stable and of low volatility, although present bait formulations do lose their attractiveness and effectiveness in a relatively short period of time.

A new electronic plane guidance system, the Decca system, is now being tried with considerable success in the aerial application of Mirex baits. This system appears to represent a substantial improvement over older methods for directing the flight of planes used to apply insecticides over large areas.

POSSIBLE SPREAD OF THE IMPORTED FIRE ANT INTO NEW TERRITORY

At least two attempts have been made to project the maximum possible spread of the imported fire ant in the United States into territory beyond that presently infested. It is not entirely clear how the details of these estimates were arrived at. Apparently one of them, at least, is based on the fact that the southern limit of the South American range of *S. saevissima* lies at Lat. 42° South. If one assumes a corresponding situation in the northern hemisphere, the northern limits of the ant in the United States might be expected to lie at Lat. 42° North. Such an extrapolation may not be valid, however, for there is no part of South America in the Antarctic Zone and only a very small part of the continent (southern Patagonia and Tierra del Fuego) can be considered subantarctic. The climatic effect of this small area on adjacent areas to the north can hardly be compared to the effect of the extensive arctic and subarctic areas in Canada, Alaska, and Greenland on more southerly areas in North America.

It seems clear that an accurate estimate of the probable range of the imported fire ant in the United States will require careful study of climatic and other ecological factors determining biological parameters in South America.

For instance, it appears that in South America the southern limits of the ant lie close to the July (mid-winter) isotherm of 45° F. and also to the 20-inch isohyet. If it is reasonable to assume that these two factors govern the distribution of this ant in North America, it is unlikely that the ant will in fact occupy substantial portions of the United States which have been proposed as potential areas of infestation.

Despite the rapid spread of the imported fire ant in the United States in the 1950's there seems good reason for believing that in the past decade there has been no significant northern extension of the periphery of the range. Instead, the range appears to have flattened so that its northern boundary now lies along a fairly smooth line south of Lat. 35°. In this connection, it may be noted that although the ant was introduced into North Carolina as early as 1952, it has not entered Virginia during the past 15 years. The Committee finds no persuasive evidence that the slowing down of northern movement is wholly attributable to control measures instituted along the northern periphery, which measures, incidentally, do not appear to have been complete along the whole periphery. It seems equally reasonable, if not more so, that the ant is approaching its northern ecological limits in the United States.

The Committee recognizes that there may be at any time an adaptive change in the present population which could make further spread to the north possible. But unless such a change occurs, the Committee believes that the preponderance of the evidence supports the conclusion that there is now little possibility of the pest extending its range much beyond the present northern limits.

EFFECTS OF IMPORTED FIRE ANTS ON HUMANS AND THEIR ACTIVITIES

Some of the early reports concerning this pest in the United States indicated that it was an important crop pest and that it caused considerable injury to livestock and game animals. Except for damage to haying and combining machinery, and to pasture lands, agriculture seems now to be little affected by imported fire ants, nor is wildlife importantly involved. By all odds the greatest difficulty arises from attacks on people. On the basis of the information obtained by the Committee, the following summary statements appear to express the present concensus concerning the activities of this insect.

Forestry—the imported fire ant is not considered a problem of any magnitude in forest operations, with the possible exception of occasional minor injury to personnel. It may even have some beneficial effects as a predator on certain forest insect pests.

Levee protection—There has been some concern that cattle grazing on levees might be injured and that dikes might leak during periods of high water because of damage by ants. Some years ago there was a real problem in the mowing of ant-infested levees because the mounds interfered with mowing machinery. Similar difficulties arose in the handling of turf areas. These problems are now largely solved by regular applications of insecticides.

Recreation—Reports from infested states vary. Most indicate little difficulty resulting from attacks on visitors to recreational areas, although there appears to be a problem in Louisiana in picnic, playground, and camping sites. Some park officials place this pest at the bottom of a list of arthropods attacking humans in areas under their jurisdiction.

Agriculture—There seem to be few problems with row crops; imported fire ants appear not to maintain colonies successfully in areas where the soil is regularly disturbed.

However, there are still occasional reports of damage to potatoes, and there may be some difficulties encountered in strawberry fields.

The real problems—and these are the aspects wherein the ant most significantly affects agriculture—are in connection with hay fields and meadows. The mounds, which are compact in heavy soils, damage machinery, and there is some reduction in hay yield in infested fields. Bales of hay left in fields overnight become infested with ants which then sting farm laborers handling the bales. It is sometimes difficult to harvest clover seed crops from infested fields.

Animal Husbandry—It has been estimated that, in some regions, as much as three to five percent of the pasture areas are occupied by mounds. Cattle are said by some to avoid mounds, others felt that the animals graze the mounds without regard to the ants. In at least one pasture examined by the Committee, near Auburn, Alabama, mounds were heavily grazed. There is practically no evidence of direct damage to livestock. Animal husbandmen state that while it would be possible for a newly-born animal to be attacked by ants, they have not seen this personally and believe such an event, if it occurs at all, to be exceedingly rare.

Wildlife—Available evidence indicates that the imported fire ant is not a menace to fish and wildlife. It is possible that some hatching ground-nesting birds or newly-born small mammals might be attacked. The concensus of those queried is that this is not a common occurrence and there is no detectable depression of wildlife populations in areas infested by the ant as compared with uninfested areas. There is limited evidence that a few game fish are killed if they consume large numbers of the ants, but fishery experts point out that in areas where this has been observed there is usually an over-population of fish and that the ant-caused losses are not detrimental to the populations.

There is no evidence that Mirex, as used in ant control, has any immediate adverse effects on fish and game. What may be the long term effects, if any, are at present unknown.

Effects on humans—The imported fire ant attacks viciously when disturbed. Typically, the sting causes immediate pain and results in the development of a sterile pustule. After healing takes place, a scar may remain. Persons who are abnormally sensitive (allergic) to components of the venom may develop massive swelling about the lesion, or the lesions may appear as large hemorrhagic blebs. A very small percentage of the population exposed to fire ant stings experiences anaphylactic reactions. This is a critical and life-threatening illness of which the most important symptoms are difficulty in breathing and drop in blood pressure (anaphylactic shock). To date there are two known fatal cases of anaphylaxis due to imported fire ant stings. The frequency of sensitivity to these ant stings is comparable to, and no greater than, the frequency of sensitivity to bee and wasp stings.

The effects of the imported fire ant sting are not generally considered by public health officials to constitute a major public health problem. They are, rather, considered a nuisance, ranking in importance below other biting and stinging insects. The director of the Board of Health in one southeastern state wrote, "It [the imported fire ant] would be rated below mosquitoes, sand flies, dog flies or stable flies, midges, tabanids, and stinging caterpillars as a human nuisance." It is indicative of their lack of concern that some public health officials elected to forward the Committee's request for information to someone in another branch of state or local government for attention and reply.

Clearly, however, the presence of these pests in parks, playgrounds, cemeteries, gardens, and lawns definitely interferes with the normal activities of communities unless control measures are practiced. Even though in some states the actual acreage which is heavily infested is small, such acreages may be in close proximity to large concentrations of people and thus of very real concern.

In areas where the imported fire ant has been abundant for many years the public expresses less concern than in areas where the insect has been numerous for only a few years. Only a very small percentage of persons stung by fire ants seek medical treatment or complain to an official agency about stings, unless such complaints are solicited. The number of persons seeking medical treatment for fire ant stings, in areas where the infestation is of long standing, is less than the comparable number seeking treatment for bee and wasp stings.

RESISTANCE TO PESTICIDES

It appears that neither the officials involved with control nor those concerned with research have considered adequately the possibility of emerging resistance to pesticides. It is the opinion of the Committee that if the imported fire ant is subjected to the pressure of a large scale eradication campaign resistance is very likely to develop. Should this occur, the problem of eradication would become immensely more difficult.

NEEDED RESEARCH

The need for increased and accelerated research on the imported fire ant is recognized by control officials, by research per-

sonnel of the United States Department of Agriculture, and by the Committee. The Committee feels, however, that it is unwise to append a research program onto a large action program such that continuation of the first depends upon continuation of the second. Nevertheless, the Department is to be commended for its research interest and for organizing a meeting on this subject at Hyattsville, Maryland, on May 18–19, 1967.

The Committee feels that information is needed on the following subjects, realizing that this list does not exhaust research possibilities and that some data are already available on many of the items.

A. Biology, Ecology, and Behavior [2]:

1. Flight range.
2. Factors affecting initiation of flight.
3. Colony establishment.
4. Colony consolidation.
5. Factors affecting development of alates.
6. Mating habits.
7. Inter-colony competition.
8. Inter-specific competition.
9. Factors limiting:
(a) Colony size.
(b) Distribution.
10. Parasites and Predators.
11. Pheromone production, reception, and function.

B. Genetic Studies:

1. Methods of inheritance.
2. Speed with which characters appear and are assimiliated into the population.

C. Control research:

1. Standardization of bait materials.
2. Development of techniques to prevent application failures.
3. Understanding of possible escape mechanisms.
4. Timing and frequency of applications.
5. Continued improvement of detection systems at low population levels.
6. Precautions needed to prevent spread and reinfestation.
7. Causes of variability in effect of Mirex on different ant colonies or at different seasons.
8. Substitute methods of control.
9. Evaluation of the potential for development of resistance to Mirex.

D. Economic Research:

1. Estimate costs to farmers of imported fire ant control, and returns resulting from such control.
2. Estimate costs of control by municipal or other groups in urban areas and compare with costs to individuals in the same areas.

E. Human behavior:

1. Factors that govern human reactions to the pest.

THE PROBLEM OF ERADICATION

The Committee considered the matter of eradication very carefully and the issue at length not only as it applies to the imported fire ant but as it might apply to any pest. As one southeastern entomologist, who held the view that the imported fire ant should be eradicated, expressed it, "I would, however, like to call your attention to the fact that I would place the eradication of the fire ant in the same category as the eradication of a native insect, since it is now so widely spread."

Although the word *eradication* has from time to time been used with several shades of meaning, it is subject to but one rigorous interpretation. Webster's Third New International Dictionary (1967) defines *eradicate* as "to do away with, root out, destroy completely," and lists as a direct synonym the word *exterminate*. This second word, in turn, is defined as "to drive out or away (as from the boundaries of a country), banish, expel, to get rid of (as by killing), put an end to, root out, eradicate, extirpate, put out of existence, utterly destroy, annihilate."

Within the framework of these definitions, the Committee would define *eradication* as:

The total elimination of a species from an area of its range sufficiently large to preclude its reintroduction into this area by natural means.

This definition would limit the use of the word in this report to the infestation of the fire ant, *Solenopsis saevissima*, in the continental United States only, and not in its entire range.

Efforts to eradicate any pest might be reasonably undertaken if each of the following seven criteria are met:

1. If an eradication program can be devised that is biologically and technically feasible.

2. If the population densities attainable by control measures short of eradication cannot be tolerated.

3. If the costs of eradication are commensurate with the economic and sociological benefits.

4. If eradication would prevent spread into uninfested areas where it can be expected to be an important pest.

5. If there are no significant adverse effects on other organisms as a result of the eradication methods, or from removal of the organism under consideration.

6. If the impact of the species to be eradicated adversely affected broad segments of society.

7. If the likelihood of reintroduction of the pest species is low.

With these guides enunciated and agreed upon, the Committee considered the imported fire ant in relation to each and reached the following conclusions:

Criterion 1: On the basis of current knowledge, eradication of the imported fire ant with Mirex bait is not considered biologically and technically feasible.

Criterion 2: The imported fire ant can be kept at tolerable levels with local control measures now recommended, and by means short of eradication.

Criterion 3: We do not know what the cost of a program would be to effect eradication and therefore cannot take a position on this issue at this time. Since we do not know of a feasible program, we cannot assign a cost figure.

Criterion 4: Without eradication the imported fire ant probably would consolidate its range and in new areas would be a problem about equal to that in adjacent comparable areas. The views of the Committee on the extension of the periphery have been stated earlier in this report. Large expenditures should not be rationalized on the assumption that this pest would, in the absence of an eradication program, move significantly to the north or west.

Criterion 5: Mirex bait treatment has a relatively specific, rather than a broad-spectrum, insecticidal action. Nevertheless, the likelihood of effecting other species is good. It is reported that the Mirex bait may kill 39 other species of ants. From information currently available it is not possible to determine what adverse effects may result, such as a reduction in beneficial predators, and of other species of ants.

Criterion 6: There is evidence that the imported fire ant, where it is currently found, affects certain aspects of agriculture and is a nuisance to both rural and urban people in their daily living. These effects cross county and state borders. Information is not available to permit evaluation of the impact of the ant on industry and populations beyond the infested area.

Criterion 7: The chances of natural reintroduction are virtually nil, but the likelihood of transport by commerce from the ant's natural range in South America to the United States constitutes a continuing threat.

ECONOMIC FACTORS RELATED TO ACTIONS AGAINST THE IMPORTED FIRE ANT

Any public program undertaken to control or eradicate the imported fire ant must, in addition to being biologically and technically feasible, meet certain criteria of economic justification. These criteria are: 1) the extent to which the insect can spread from one decision unit (farm, county, state) to another, due to failure or inability of other decision units to control the pest; 2) the extent to which action by more than one decision unit is required to control the ant; 3) the extent to which damages from the ant or benefits from its control or eradication are realized by decision units removed from the infested area, but required to share the costs of a control or eradication program; and 4) the extent to which all of the benefits of a public control or eradication program exceed the costs of such a program.

Information available to the Committee on fire ant damage, the elimination of which could fairly be considered a benefit attributable to control or eradication of the insect, has been general and somewhat vague. Damages claimed to occur have been categorized. but not quantified. Damages of economic importance may be consolidated as follows:

1. Reduced carrying capacity of pastures.
2. Damage to haying machinery.
3. Possible weight loss in animals or loss of animals themselves.
4. Interference with orderly harvest of crops.

Damage outside of agriculture, commonly mentioned, included:

1. Increased cost of road or levee maintenance.
2. Damage to wildlife values.
3. Danger to persons allergic to venom.
4. Nuisance to humans in yards, parks, campsites, farms, etc.

It should be pointed out that the Committee heard testimony that tended to be conflicting on all damage categories with the exception of 1) damage to haying machinery and loss of some hay, 2) danger to allergic persons, and 3) as nuisances to people. The testimony made it abundantly clear that the imported fire ant was an extremely irksome pest.

Apart from the damages enumerated to the Committee, some evidence was presented that there were certain beneficial aspects, e.g. in situations where the ant appeared to use some forest pests as food, where it preyed measurably on pests of sugar cane, and where it may have depressed populations of Argentine ants and ticks.

Farmers are able to control the ant on their hay and pasture land properties. One estimate set the cost of this control at about $1.50 per acre per year. Home owners can achieve control by repeated applications of insecticides on lawns and adjacent vacant lots. Similar action can be and is taken by appropriate units in parks, school grounds, along roads, and in other public areas where the ant is a nuisance.

The Committee found no compelling quantitative evidence that the imported fire ant is a pest having damage potential and national import equal to the boll weevil, the European corn borer, and other well known pests. That it significantly affects land values, the labor market, agricultural productivity, or national health and welfare was not effectively demonstrated.

Mr. McGEE. Mr. President, may I ask if our friend from Wisconsin is requesting the yeas and nays on this question.

Mr. NELSON. I am.

Mr. McGEE. We should make that request now.

Mr. NELSON. I ask for the yeas and nays.

[2] A continuation, intensification and enlargement of the research program in these fields, in the part of South America where the *richteri* form is native, is encouraged.

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The yeas and nays were ordered.

Mr. McGEE. Mr. President, what is the time limitation on this amendment?

The PRESIDING OFFICER. Fifteen minutes to the side.

Mr. McGEE. Mr. President, the committee would have to oppose this amendment.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. McGEE. I yield myself such time as may be required.

The reason is that the Agriculture Department, through ARS convinced us that they are moving posthaste in their research to find alternatives to present control programs; second, that the existence of the fire ant now is an ongoing problem at this time, not one in the future, as far as some affected sections of our country are concerned. Therefore, we are requesting that this program be speeded up and that the transition be made as rapidly as it can be, given the impact on some of the areas that have been affected by the menace of the fire ant. That is why we are opposed to approaching the problem in this way.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. McGEE. I yield.

Mr. NELSON. I have searched all the reports and have read the National Academy of Science report and all of the statements made by the scientists. Can the Senator tell the Senate what compelling human danger is caused by the fire ant and what crop damage is caused by the fire ant? The Department of Agriculture has not produced any such evidence.

Mr. McGEE. I will yield to the Senator from Mississippi to reply.

Mr. STENNIS. Mr. President, I can certainly answer the Senator's question in part. I come from an area of this country where the fire ant has gotten into the pastures. They are very large ants. They bore holes in the ground and bring out soil in great cones and volume and develop very rapidly and soon destroy the pasture and the soil for immediate use. It is not known how long it takes to restore it. They get into wood lots and do the same thing.

For 20 years, in our part of the country, the counties have been appropriating money and the State has been appropriating money to try to control the situation. The Federal Government came into the program rather slowly, but this committee has been appropriating money for years. It is difficult to get at the problem. If nothing is done to stop them, it can keep going right into the State of Missouri and we do not know how much farther north. We do not know how far north they may go, but it is a menace that must be stopped.

I know the Department of Agriculture people are not lacking in interest for people or lacking in interest of what is best for the country as a whole. They are concerned about this problem and are doing the best they can.

The amendment would say, "Well, it is not perfect. We are going to cut out the money." That is the very wrong way to approach the problem. There is nothing mandatory about the appropriation; it is discretionary with the Department of Agriculture. For goodness' sake, give them a chance and give the areas a chance to continue to combat this problem and try to work out a solution.

I can say there is damage done. I have seen it. I have been out in the fields. I have walked through the land. I know what I am talking about.

I tried to answer the Senator's question as to where the damage is. It is to the land.

Mr. NELSON. I will say to the Senator that none of the studies indicate any danger to the land at all; as a matter of fact, in some respects it is helpful in aerating the land. Scientific studies do not support any allegation of damage.

Mr. STENNIS. Either somebody has misinformed the Senator or it is a joke to say it helps the land. It destroys the land—not totally, we hope, and not forever, we hope, but I have witnessed the damage for a period of years. It goes back to the early 1950's. It is a grave menace—do not doubt that. We cannot be certain of the right method, but do not kill this method. Let us move on with it. We have been trying to get more money. We need more.

Mr. McGEE. Mr. President, I yield 2 minutes to the Senator from Nebraska (Mr. HRUSKA).

Mr. HRUSKA. Mr. President, through the past several years there have been justifications before our Agriculture Subcommittee on this subject. There is no doubt that the conclusions drawn by the Senator from Mississippi are correct. There is vast danger. It is a real danger. There are even some documented cases of injuries and fatalities to human beings on account of these fire ants.

Mr. ELLENDER. And to cattle.

Mr. HRUSKA. The argument that we can solve the problem by cutting out this money does not make sense.

The argument made by the Senator from Wisconsin is a powerful one. It should travel on its own feet, however, and should be dealt with in terms of harmful use of Mirex, or whatever is being used, and should not go to the point of trying to solve the problem and alleviate the damage being inflicted. We have this comment from the hearings on this problem:

> The environmental controversy over the use of mirex to control the fire ant has increased to such an extent during the past few months that no cooperative control work will be undertaken during the remainder of the fiscal year 1971 by 7 States. New methods of treatment for control must be developed as rapidly as possible through a crash program of research.

How are we going to have that crash program research and get at the problem and get the money for it?

The House did take steps to appropriate $7.7 million, but the House placed in reserve $2 million to await the response to the cooperative efforts by the States.

I highly recommend to the Members of this body that we defeat the amendment and keep the money in there. If there are harmful pesticides to be used, deal with it on that basis, but do not deal with it by shutting one's eyes to reality, because it is a real danger and it is inflicting vast harm and the threat is increasing rapidly. Goodness knows how far north it is going to go.

Mr. AIKEN. Mr. President, I would like to make the suggestion that instead of trying to exterminate the fire ants, why would it not be better for us to appoint a congressional committee to study the ways of the fire ants, because they apparently are much more efficient in the field of self-government and self-protection and looking after themselves than we are and they could undoubtedly teach us their methods. It would be a great advantage to have the committee study the fire ants, instead of trying to exterminate them.

Mr. STENNIS. Mr. President, will the Senator yield me 1 minute?

Mr. McGEE. I am glad to yield 1 minute to the Senator from Mississippi.

Mr. STENNIS. Mr. President, these are not the domesticated ants the Senator from Vermont knows about. These fire ants we are talking about are highly ferocious ants. They pull out the soil into large dunes. I have seen them that high. And they come right on into town; do not think that they stay out in the rural areas. They get in the lawns; they get everywhere.

Mr. AIKEN. Do they have an organization, with a Washington office?

Mr. STENNIS. I would not be surprised. But this is a deadly serious matter. The last thing we should do is try to kill the program. Let us try to improve it.

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

Mr. McGEE. I yield the Senator from Iowa 1 minute.

Mr. MILLER. Mr. President, I am alarmed at the remarks of the Senator from Mississippi that these fire ants are moving into town. We have a Subcommittee on Rural Development in the Committee on Agriculture and Forestry. I think this matter ought to be referred to that committee. I see that the Senator from Minnesota is very much aware of these fire ants, and is deeply interested in the problem. Perhaps we might be able to keep them from moving into town if the committee will do a good job on it. I see that the Senator from Minnesota agrees.

Mr. HUMPHREY. Yes.

Mr. NELSON. Mr. President, I do not expect to prevail on this issue. But I do predict that 10 years from now, I will not be here, but someone will be on the Senate floor saying, "I told you so," just as happened in the case of DDT.

The program that the Department of Agriculture is following simply does not make sense, and they cannot defend it on any rational basis. The fact is that they have proposed spraying 120 million acres from airplanes with Mirex, three times, at the rate of 1.25 pounds per acre, which is about 450 million pounds.

The first fire ant showed up in Mobile, Ala., in 1919, and the Department of Agriculture has not made a comprehensive study to this day.

Nobody is suggesting that we should not use some kind of careful, pest control procedure, and, when necessary apply Mirex on a careful selective basis, not indiscriminately. It should be applied specifically to those ant hills by the farmer who owns the land. That is the way it should be done.

I have no notion that we will have sense enough around here to halt a very foolish program, to follow what the National Academy of Sciences suggests or to listen to the criticism of HEW, the Department of Interior, the Environmental Protection Agency. We are not about to be that sensible here in the Senate. But I want the rollcall so we will have a record.

Now let us see what the National Academy of Sciences says in the report that they prepared at the request of the Department of Agriculture. This report was prepared in 1967, on a study under the direction of Dr. Harlow Mills. In commenting on this pest and on the danger of this pest, let us see what the National Academy of Sciences said, after about 20 distinguished scientists had studied the fire ant:

> They are, rather, considered a nuisance ranking in importance below other biting and stinging insects. The director of the Board of Health in one southeastern state wrote, "It—the imported fire ant—would be rated below mosquitoes, sand flies, dog flies or stable flies, midges, tabanids, and stinging caterpillars as a human nuisance." It is indicative of their lack of concern that some public health officials elected to forward the Committee's request for information to someone in another branch of state or local government for attention and reply.
>
> Clearly, however, the presence of these pests in parks, playgrounds, cemeteries, gardens, and lawns definitely interferes with the normal activities of communities unless control measures are practiced.

The rational control measure would be to apply the pesticide to the ant hill, and not to fly all over the southeastern United States, 120 million acres, spraying Mirex in an oil mixture out of an airplane, and polluting the soil, rivers, lakes, streams, and the ocean.

I say to the Senate, if you want to go that route, go ahead. Let us just have a rollcall.

Mr. HART. Mr. President, will the Senator yield me 1 minute?

The PRESIDING CFFICER. Who yields time?

Mr. NELSON. Mr. President, if I have time, I yield.

The PRESIDING OFFICER. The Senator has 1 minute remaining. The Senator from Michigan is recognized.

Mr. HART. Mr. President, I suspect that I may be among the majority here, but after having listened to the Senator from Mississippi describe what seemed to be a real live problem, I am disturbed by what the Senator from Wisconsin says with respect to the program that is under way. If his amendment is adopted, would there be available this pesticide for farmers to apply to the ant hills?

Mr. NELSON. The objection is to an appropriation in the bill to the Department of Agriculture to proceed with a program which is irrational. What we ought to do is say, "Fine, we will give"——

Mr. HART. Would it make the pesticide available?

Mr. NELSON. Not in this bill. This would stop the Department of Agriculture from their present Mirex program.

Mr. HART. Would there be a Mirex available to the Senator from Mississippi?

The PRESIDING OFFICER. All time of the Senator from Wisconsin has expired.

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

The PRESIDING OFFICER (Mr. PROXMIRE). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Wisconsin (Mr. NELSON). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. JACKSON), the Senator from North Carolina (Mr. JORDAN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Illinois (Mr. STEVENSON) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH), is absent on official business.

I also announce that, if present and voting, the Senator from Washington (Mr. JACKSON), would vote "nay."

I further announce that, if present and voting, the Senator from Illinois (Mr. STEVENSON), would vote "yea."

Mr. SCOTT. I announce that the Senator from New York (Mr. BUCKLEY), the Senator from Vermont (Mr. PROUTY), the Senator from Ohio (Mr. SAXBE), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Michigan (Mr. GRIFFIN) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

On this vote, the Senator from Oregon (Mr. HATFIELD) is paired with the Senator from Vermont (Mr. PROUTY). If present and voting, the Senator from Oregon would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 28, nays 53, as follows:

[No. 145 Leg.]

YEAS—28

Case	Javits	Percy
Cranston	Mathias	Proxmire
Dominick	McIntyre	Ribicoff
Eagleton	Metcalf	Roth
Fulbright	Miller	Schweiker
Gravel	Mondale	Taft
Hart	Moss	Tunney
Hartke	Muskie	Williams
Hughes	Nelson	
Humphrey	Pell	

NAYS—53

Aiken	Cooper	McClellan
Allen	Cotton	McGee
Allott	Curtis	Montoya
Anderson	Dole	Packwood
Baker	Eastland	Pastore
Beall	Ellender	Pearson
Bellmon	Ervin	Randolph
Bennett	Fannin	Scott
Bentsen	Fong	Smith
Bible	Gambrell	Spong
Boggs	Goldwater	Stennis
Brock	Gurney	Stevens
Burdick	Hansen	Symington
Byrd, Va.	Hollings	Talmadge
Byrd, W. Va.	Hruska	Thurmond
Cannon	Inouye	Tower
Chiles	Magnuson	Young
Cook	Mansfield	

NOT VOTING—19

Bayh	Jackson	Prouty
Brooke	Jordan, N.C.	Saxbe
Buckley	Jordan, Idaho	Sparkman
Church	Kennedy	Stevenson
Griffin	Long	Weicker
Harris	McGovern	
Hatfield	Mundt	

So Mr. NELSON's amendment was rejected.

Mr. MANSFIELD. Mr. President, will the Senator from Wyoming yield me 1 minute on the bill?

Mr. McGEE. I yield 1 minute on the bill to the distinguished Senator from Montana.

The PRESIDING OFFICER. (Mr. PROXMIRE). The Senator from Montana is recognized for 1 minute.

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, it is anticipated that there will be three more amendments on which there will be little or no talk, and they will be disposed of quickly, and then we will get to third reading based on what we know at the present time.

Mr. COOK. Mr. President, on behalf of myself, and Senators TOWER, COOPER, DOMINICK, BELLMON, BROCK, BENTSEN, MANSFIELD, BAKER, HOLLINGS, ANDERSON, ALLOTT, HANSEN, STEVENS, FANNIN, GOLDWATER, DOLE, MONTOYA, JAVITS, and ELLENDER, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment as follows:

> On page 6, line 1 delete "$179,683,000" and insert in lieu thereof, "$180,183,000"; and on line 25 of page 6 delete "$99,654,650" and insert in lieu thereof "$100,154,650".

Mr. COOK. Mr. President, this will take a very short period of time to explain. The amendment would increase funds for the Agricultural Research Service by $1 million. The purpose of my amendment is to combat the recent epidemic of Venezuelan equine encephalomyelitis which, as you know, Mr. President, is now running rampant in Texas.

The outbreak of the disease has caused a quarantine of over 400,000 horses in Texas. It has also infected several humans, particularly children, who have been hospitalized with symptoms such as headaches, fever, and chills.

One half of the funds $500,000 that we are asking for will go toward research which would cover three principal areas:

First, to further investigate the live VEE vaccine.

Second, to investigate the potential of a chemically treated (killed) vaccine, because only the present vaccine is live.

Third, research of vector control which would include the behavioral control of mosquitoes.

The other $500,000 would be spent for nationwide control of the present epidemic.

In view of the importance of controlling this disease, which is deadly to horses and does spread to humans, I hope that we may be able to persuade the manager of the bill to accept the amendment.

Mr. McGEE. The amendment is acceptable in view of its urgency.

Mr. COOK. Mr. President, I ask unanimous consent to have printed in the RECORD an article which was published in this morning's Washington Post on this subject and would like now to yield to the distinguished Senator from Texas (Mr. TOWER).

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

TEXAS FIGHTS DEADLY VIRUS IN HORSES

(By Tim O'Brien)

An estimated 400,000 horses in Texas were quarantined yesterday as a task force of federal and Texas officials battled to check the spread of a deadly equine sleeping sickness virus.

The disease is moving rapidly up the Texas Gulf Coast toward the rich horse country around Houston and has already killed about 500 horses. The disease, largely borne by mosquitos, is called Venezuelan equine encephalomyelitis—named after the country where it first occurred. It has been sweeping northward for three years. Last month in Mexico the virus killed about 6,000 horses.

The virus can be spread to humans, but it is rarely fatal. Seven persons at Brownsville, Texas, have been hospitalized with symptoms—influenza-like headaches, fever and chills—of the disease. Three remain in hospitals.

Mexican health authorities said about 600 persons contracted symptoms of the disease in the state of San Luis Potosi alone.

The virus can be spread from horses to human beings if a mosquito first bites an infected horse and then bites a human, health authorities said.

The ban against movement of horses between Texas counties and out of state has caused cancellation of rodeos, horse shows and county fairs. Fifty horses in the Ringling Brothers and Barnum and Bailey Circus, playing an engagement in Dallas, were ordered kept in the city. Another Ringling Brothers troupe, carrying 60 horses, left Dallas for Shreveport, La., before the quarantine was imposed.

DEADLY VIRUS PERILS HORSES IN TEXAS AREA

Texas veterinarians are pessimistic about checking the disease quickly.

Dr. J. B. Coulter, president of the Lower Rio Grande Valley Veterinary Medical Association, predicted that more than 2,000 horses could die in the two counties which border Mexico.

John Arnold, a spokesman for the federal-state task force operating in Southern Texas, estimated that "at least" 500 horses had died already. The 90-man task force is a cooperative effort between the U.S. Department of Agriculture, the Texas Agriculture Department, the U.S. Public Health Service and the U.S. Air Force.

In addition to the quarantine, the task force has embarked on a massive vaccination effort. Veterinarians are inoculating horses with an experimental vaccine, TC83 which was developed by the Department of Defense. According to Dr. Robert Jones of the Department of Agriculture staff in Washington, approximately 700,000 doses of the vaccine have been sent to southern Texas, while another 100,000 doses are in Austin.

Air Force planes are spraying the Lower Rio Grande River valley with the insecticide malathion in an attempt to kill the culex and salt water mosquitoes believed to carry the disease.

The spray was used last year to fight the mosquito-breeding effects of Hurricane Beulah and was approved by the U.S. Public Health Service and the Texas State Department of Health for use by the task force in its battle against the sleeping sickness.

Oklahoma, Louisiana, and New Mexico—three states adjacent to Texas—have all banned the movements of Texas horses across their respective borders.

Dr. Frank Wheeler, Louisiana State Veterinarian, said the Texas epidemic poses a great threat to that state's horse population. He said the state would be fighting a losing battle to get Louisiana's 100,000 horses vaccinated.

Noting that the federal government has refused to release the experimental vaccine, Wheeler said: "Trying to get the vaccine out of Texas is a monumental task."

Ranchers in Texas buried horse carcasses where they lay in the fields, while in Mexico workers wearing masks over their faces to escape the stench gathered thousands of horse corpses and burned them in huge piles.

Mr. TOWER. Mr. President, in view of the fact that Venezuelan equine encephalomyelitis, a serious disease affecting all horses, and in some instances human beings, has entered the United States by crossing the Mexican border into south Texas, I strongly urge funding of a study which will investigate preventive methods and medication of VEE.

The USDA, cooperating with Texas officials and U.S. Public Health officials, have begun spraying operations in south Texas and have released an experimental vaccine for use in controlling further spread. Although I feel that the USDA was slow in acting, I am aware of the problems which existed in releasing the vaccine as a result of the lack of information available. I urge the adoption of the amendment.

Mr. BENTSEN. Mr. President, Texas today is ravaged by this dread horse disease, which has spread across the border from Mexico. I have been pressing the Department of Agriculture for weeks now, beginning with urgings of needed action before it reached the United States.

To its credit, the Department of Agriculture joined in a joint program with Mexico in efforts to stop the disease from spreading across the border. However, not enough was done, not enough was known to do the job adequately.

Veterinarians have known of the advance of the disease from South America for months. The big problem is the lack of knowledge of how it is actually transmitted, how it affects horses, and how it affects human beings.

Fortunately, the U.S. Army had a vaccine available, although it had not been fully tested in horses. The vaccine, I am told, was actually developed for use in human beings, and its effect and immunization qualities in horses had not been adequately proven. The reluctance of the Department of Agriculture is understandable, but failure to provide adequate funds for prevention of such an epidemic is inexcusable.

All reports indicate that the vaccine is working, and that horses are being adequately immunized. But there are many questions to be answered, and many tests to be made. There must be better control, better understanding of how it is transmitted, and how rapidly it can move.

We have learned an expensive lesson in Texas. We have lost scores of horses, and face the loss of hundreds or thousands more. The multi-million-dollar horse industry in Texas, and throughout the United States, is threatened. The losses are already counted in the millions.

More important than the threat to horses is the danger to humans. Doctors do not really know the effects. In Mexico, for example, there have been some deaths among human beings due to the disease, to say nothing of the estimated 5,000 to 6,000 horses lost.

This $1 million we ask for it a pittance compared to the loss threatened by the disease. It should be passed, not just for Texas, but for all the States which have a horse industry.

FINDING A CURE FOR EQUINE ENCEPHALITIS

Mr. MONTOYA. Mr. President, in the past few days, a dreaded disease has begun to strike at both human beings and livestock across the Southwest. Equine encephalitis has crossed the border from Mexico, killing animals in significant numbers. It is vital that we move immediately to take measures that will not only halt the spread of this scourge, but to prevent its recurrence.

The key is research. We have the resources and people to cope with this problem. It is, therefore, vital that we bring those resources to bear. One way is thrcugh the amendment offered by my distinguished colleague from Kentucky. He seeks an appropriation of $1 million for such work, and I believe his is a timely and worthy solution.

I am pleased to join him in sponsorship of this amendment to the agriculture appropriation measure. Senators from States where such diseases do not hit with full force should be informed of what it does to the livestock and economies of such areas. Entire counties can lose millions of dollars worth of extremely valuable animals. The suffering of these poor beasts is heart rending.

Worst of all is the fact that such a disease can be transmitted from an animal to a person, and several such cases have already occurred in Texas. Mosquitoes are known to be the bearers of this illness. We must explore all possible means of eradicating them or their breeding places. Perhaps some biological means can be found to prevent their reproduction. Certainly we must seek some method of immunizing people against it. I believe there is no time to lose, as daily it is spreading across the West.

Mr. COOPER. Mr. President, I commend my colleague from Kentucky (Mr. COOK) for his initiative and foresight in offering the pending amendment, which I am glad to cosponsor.

I have talked today with Secretary of

Agriculture Hardin. The Department of Agriculture and the Public Health Service, under the Surgeon General, are working together to contain the epidemic, now very serious in Texas, and to prevent its spread in our country.

Secretary Hardin noted that the disease is dangerous to human beings as well as to horses, and that the live vaccine has not yet been fully proven. He assured me that if the disease spread to other States and threatened Kentucky, immediate steps would be taken to inoculate the horse population of Kentucky and that vaccine would be made available. Senator COOK's amendment will assist in this program, not only for this emergency, but for needed research for protection in the future. I am glad to support the amendment.

The PRESIDING OFFICER. All time is yielded back on the amendment.

The question is on agreeing to the amendment of the Senator from Kentucky.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BELLMON. Mr. President, I have an amendment at the desk. I ask that it be read.

The assistant legislative clerk read as follows:

On page 26, line 13, strike out "$97,665,000," and insert in lieu thereof "$106,250,000,".

Mr. BELLMON. Mr. President, the purpose of the amendment is to provide an appropriation of $8,585,000 for the Farmers Home Administration, to enable that administration to administer better the vast, expanded program of housing that Congress charged it with, and also to administer funds for the drought program, a program which has made progress in my State and throughout the Southwest.

I believe that the chairman of the subcommittee is agreeable to accepting the amendment.

Mr. McGEE. Yes; I will accept the amendment. I think the ranking minority member of the subcommittee will agree to that.

Mr. HRUSKA. Mr. President, I concur in the Senator's statement. We will take it to conference and do the best we can with it.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. BELLMON. I yield back the remainder of my time.

Mr. McGEE. I yield back the rest of my time.

The PRESIDING OFFICER. All the time is yielded back. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

RADIO-TELEVISION CAMPAIGN SPENDING

Mr. SCOTT. Mr. President, will the Senator from Nebraska yield me 1 minute?

Mr. HRUSKA. I yield 1 minute on the bill to the Senator from Pennsylvania

Mr. SCOTT. Mr. President, a news report today reads:

Declaring the "American voter cannot be bought," five democratic presidential hopefuls have agreed among themselves to limit radio-television spending to a nickel per eligible voter in next year's primaries.

Our friends on the other side of the aisle feel, evidently, that the voter cannot be bought for a dime, but that he can be bought for a nickel.

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

Mr. SCOTT. I yield.

Mr. MANSFIELD. Somebody has got to try to get the nickel back into circulation. It used to be a good coin. So in the process, we intend to do something about inflation, hopefully; about unemployment, hopefully; and to bring good cheer, hopefully.

Mr. SCOTT. What the Democrats have done to the nickel over the last 20 years is enough to make Thomas Jefferson turn over in his grave.

Mr. MANSFIELD. Yes; but think of Warren Gamaliel Harding and what happened in his time.

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9270) making appropriations for the agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

A CORRECTION

Mr. McGEE. Mr. President, I ask unanimous consent that the figure on page 38, line 10, of $950,000 be changed to $963,000.

This represents an adjustment to which both managers of the bill have agreed should be made.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PERCY. Mr. President, I send to the desk an amendment that I believe can be disposed of very quickly.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk proceeded to read as follows:

The Senator from Illinois (Mr. PERCY) proposes an amendment as follows:

On page 40, line 18, delete "of" through line 20 "program;".

Mr. PERCY. Mr. President, I yield myself such time as I might require.

Mr. President, I expressed yesterday in the full session of the Appropriations Committee concern about the ambiguous language in the agricultural appropriations bill of 1971, H.R. 9270. It has been brought to my attention that the Department of Agriculture is apparently interpreting this language in light of comments made by the distinguished Representative from Mississippi, Representative WHITTEN, during debate on the House version of the bill.

The language concerns a possible limitation on the authority of the Secretary of Agriculture to spend any more funds from section 32 that the Congress has elsewhere authorized.

My concern stems from a point raised by Assistant Secretary of Agriculture Lyng, 2 weeks ago, whereby he stated that the House-passed agriculture appropriations bill contained language limiting the use of section 32 funds only to their appropriated amount. In effect, Assistant Secretary Lyng was saying that the appropriations bill overrode H.R. 5257, which became law June 30 (Public Law 92-32) and which permitted the Secretary of Agriculture to use up to $100 million in section 32 funds in fiscal year 1972 for implementing free and reduced-priced meals.

Although H.R. 5257 was an "allocation" measure and simply gave the Secretary authority to use already appropriated and available funds, it did pass both Houses overwhelmingly, and it would be a mistake for the Congress to take away with one hand what it gave with another.

Representative WHITTEN made a statement on the floor of the House when it was considering the agricultural appropriations bill. He said that the $11.2 million to be provided in the committee amendment—for summer feeding programs—"represents a maximum that the Department could use." He did not say that that was a maximum as to summer feeding or all child feeding. Even if it was as to summer feeding only, the Office of the Management and Budget, in announcing an increase of $15 million in available funds, has already exceeded that limitation, if a limitation it actually be.

Mr. President, for that reason the amendment I have offered would make it crystal clear what we actually do mean.

Mr. McGEE. Mr. President, I yield to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I submit an amendment on behalf of myself, Senator JACKSON, and Senator HART as a substitute for the pending amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

On page 41, line 4, insert the following: "SEC. 5. Nothing in this measure shall be construed to limit the use of Section 32 funds for the implementation of Public Law 92-32."

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the amendment is not in order because it is not a substitute for the amendment of the Senator from Illinois, but pertains to another place in the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be taken out of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McGEE. 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. PERCY. Mr. President, I have

examined the language of the amendment offered by the distinguished Senator from Washington. The language is perfectly acceptable to me. It accomplishes the same purpose in a very straightforward manner.

I withdraw my amendment on the basis that we will have an opportunity to see whether they will accept the amendment of the distinguished Senator from Washington.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MAGNUSON. Mr. President, I submit the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

On page 41, line 4, insert the following:

"SEC. 5: Nothing in this measure shall be construed to limit the use of Section 32 funds for the implementation of Public Law 92–32."

Mr. MAGNUSON. Mr. President, as the Senator from Illinois well said, the amendment I have offered covers the matter he and I are concerned with. The language merely makes it clear that none of the funds or implied limitations in this appropriation bill, H.R. 9270, would apply to the use of section 32 funds as authorized under Public Law 92–32. That is all it does; it makes it perfectly clear that the Secretary of Agriculture can use section 32 funds for the purposes authorized by Congress in Public Law 92–32. This morning the administration indicated that it would not implement section 6 of Public Law 92–32. This is a terrible mistake because a special commodity distribution program is needed to feed hungry people across the Nation. I hope that this amendment makes it perfectly clear that Congress intends for the Department of Agriculture to use section 32 funds to implement this important hunger program.

Mr. President, I ask unanimous consent to have printed in the RECORD Public Law 92–32, which is involved in this matter; a letter from myself to the Secretary of Agriculture, written on July 9, 1971; a further statement of the background and the need for the amendment; and finally, a news release issued by me today which covers all the reasons and the needs for this amendment.

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

PUBLIC LAW 92–32

An act to extend the school breakfast and special food programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National School Lunch Act (42 U.S.C. 1752) is amended by adding at the end of the Act the following new section:

"SEC. 15. (a) In addition to funds appropriated or otherwise available, the Secretary is authorized to use, during the fiscal year ending June 30, 1971, not to exceed $35,000,000 in funds from Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out the provisions of this Act, and during the fiscal year ending June 30, 1972, not to exceed $100,000,000 in funds from such section 32 to carry out the provisions of this Act relating to the service of free and reduced-price meals to needy children in schools and service institutions.

"(b) Any funds unexpended under this section at the end of the fiscal year ending June 30, 1971, or at the end of the fiscal year ending June 30, 1972, shall remain available to the Secretary in accordance with the last sentence of section 3 of this Act, as amended."

SEC. 2. The first sentence of section 4(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(a)) is amended to read as follows: "There is hereby authorized to be appropriated for each of the fiscal years 1972 and 1973 not to exceed $25,000,000 to carry out a program to assist the States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in schools."

SEC. 3. (a) The first sentence of section 4(c) of such Act (42 U.S.C. 1773(c)) is amended by striking out "to reimburse such schools for the" and inserting "to assist such schools in financing the".

(b) The last sentence of such section 4(c) is amended to read as follows: "In selecting schools for participation, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist, to those schools in which a substantial proportion of the children enrolled must travel long distances daily, and to those schools in which there is a special need for improving the nutrition and dietary practices of children of working mothers and children from low-income families.".

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

SEC. 5. Section 4(e) of the Child Nutrition Act of 1966 is amended by striking out the sentence reading "In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies," and inserting the following: "Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably on the basis of criteria which, as a minimum, shall include the level of family income, including welfare grants, the number in the family unit, and the number of children in the family unit attending school or service institutions; but any child who is a member of a household which has an annual income not above the applicable family size income level set forth in the income poverty guidelines shall be served meals free or at reduced cost. The income poverty guidelines to be used for any fiscal year shall be those prescribed by the Secretary as of July 1 of such year. In providing meals free or at reduced cost to needy children, first priority shall be given to providing free meals to the neediest children. Determination with respect to the annual income of any household shall be made solely on the basis of an affidavit executed in such form as the Secretary may prescribe by an adult member of such household. None of the requirements of this section in respect to eligibility for meals without cost shall apply to nonprofit private schools which participate in the school breakfast program under the provisions of subsection (f) until such time as the Secretary certifies that sufficient funds from sources other than children's payments are available to enable such schools to meet thse requirements."

SEC. 6. In addition to funds appropriated or otherwise available, the Secretary of Agriculture is authorized to use, during the fiscal year ending June 30, 1972, not to exceed $20,000,000 in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for the purpose of carrying out in any area of the United States direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food. Food made available to needy children under this section shall be in addition to any food made available to them under the National School Lunch Act or the Child Nutrition Act of 1966. Whenever any program is carried out by the Secretary under authority of the preceding sentence through any State or local welfare agency, he is authorized to pay the administrative costs incurred by such State or local agency in carrying out such program.

SEC. 7. (a) The first sentence of section 13(a)(1) of the National School Lunch Act (42 U.S.C. 1761(a)(1)) is amended to read as follows: "There is authorized to be appropriated $32,000,000 for each of the fiscal years ending June 30, 1972, and June 30, 1973, to enable the Secretary to formulate and carry out a program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions.".

(b) In section 13(c)(2) of the National School Lunch Act (42 U.S.C. 1761(c)(2)) after the first sentence insert: "Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to equipment and services.".

U.S. SENATE,
Washington, D.C., July 9, 1971.

Hon. CLIFFORD M. HARDIN,
Secretary, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: As a co-signer of Senator Case's letter regarding the Summer Lunch Program, I was extremely pleased that the President has decided to use Section 32 in order to provide the necessary funds for this program.

Under Section 6 of recently enacted amendments (P.L. 92–32) to the National School Lunch Act, $20,000,000 in funds is authorized from Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) to be used for the purpose of:

"* * * carrying out in any area of the United States direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food. Food made available to needy children under this section shall be in addition to any food made available to them under the National School Lunch Act or the Child Nutrition Act of 1966. Whenever any program is carried out by the Secretary under authority of the preceding sentence through any state or local welfare agency, he is authorized to pay the administrative costs incurred by such State or local agency in carrying out such program.

Thus, the language of Section 5 clearly authorizes funds to be used to supplement the existing food stamp program. The most just and fair form of distribution of funds authorized under Section 5 would be according to the need of a particular area and according to the severity of existing economic conditions facing that area. I, therefore, urge you to give first consideration to Washington State which is suffering from economic conditions worse than those experienced during the Great Depression, and the severest rate

of unemployment in the United States except for Alaska.

I am writing the Governor of my state urging that Washington State immediately apply for Section 5 funds now that the Administration has made it clear that it will use these funds to implement P.L. 92–32.

Additionally, I am concerned about statements made by the Regional Director of the Department of Agriculture regarding the legality of having both a food stamp and a supplemental feeding program operating at the same time in any single county. Senator Hollings advised me that in Beaufort and Jasper Counties of South Carolina three food programs are in simultaneous operation (food stamps, supplemental feeding and free food stamps).

As previously mentioned, Washington State faces a severe economic emergency and if a three-part program is or will be possible under existing law P.L. 92–32 and P.L. 91–671 or under demonstration or test programs, then I urge that the hardest hit areas in Washington State be considered for such a program.

Your immediate attention to this grave problem facing needy and hungry citizens in Washington State will be most appreciated. I would also welcome, with other members of the Washington State delegation, the opportunity to discuss this matter with you next week or as soon as you have had a chance to review the question raised in this letter.

Sincerely,

WARREN G. MAGNUSON.

THE HUNGER ISSUE IN WASHINGTON STATE

UNEMPLOYMENT

Almost 164,000 people were unemployed in the State in May. That is 11.6% of the total labor force. Over 70,000 persons exhausted their unemployment compensation benefits during 1970.

The King-Snohomish labor market has the worst unemployment of any major labor market in the nation. In June 15.2% of the area's workers were unemployed. That is over 97,000 people.

13.6% of the Pierce County labor force was unemployed in June. That is over 19,000 people.

10.3% of the Spokane area's labor force was unemployed in June. That is over 12,000 people.

20 of the State's 39 counties have had unemployment double the national average since 1970.

FOOD STAMPS

In May, about 91,000 households—over 263,000 people—in the State were receiving Food Stamps.

NEIGHBORS IN NEED PROGRAM

This is the church-feeding program in Kings County. It distributes donated food to anyone who says he is in need. They estimate they are now feeding 8,000 people per week. (They say they could feed 20,000 needy people if they had enough food.) They have served over 170,000 people in seven months.

PUBLIC LAW 92–32, SECTION 6

1. This Section authorizes the expenditure of $20,000,000 of Section 32 funds during F.Y. 72.

2. For a *program* or a *system* of direct distribution, to provide, in the immediate vicinity . . . an adequate diet to needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food. Food made available to needy children under this section shall be in addition to any food made available to them under the National School Lunch Act or the Child Nutrition Act of 1966.

3. This program is authorized to distribute food without regard to whether such area is under the food stamp program or a system of direct distribution.

SENATOR MAGNUSON'S REQUEST TO THE AGRICULTURE DEPARTMENT

1. Since the President has expressed a strong concern for hunger and has approved the use of Section 32 funds for the Summer Lunch Program, the Department should now approve the use of Section 32 funds as authorized under Section 6 of P.L. 92–32.

2. The Department should use these funds in areas suffering under the *worst economic conditions* and in areas that need an additional distribution program or system. Washington State is suffering an economic recession worse than that experienced during the Great Depression and needs an additional distribution program.

3. Congress clearly wanted these funds used in areas hardest hit by current economic conditions.

PRESS RELEASE OF SENATOR MAGNUSON, JULY 15, 1971

The State's congressional delegation, led by Senator Warren G. Magnuson, has pledged redoubled efforts to secure surplus food commodities for needy persons in the State, despite a refusal by the Department of Agriculture to implement such a program. The refusal came today at a meeting with the Washington delegation and key Agriculture officials in Magnuson's office.

"The Delegation will continue its fight for human needs," said Magnuson, "even though the Administration is 'hard-hearted' about hunger."

"A callous disregard of the basic human needs existing throughout the Nation because of a sick economy" is the way Magnuson described the Administration's refusal to implement a key section of the latest Agriculture law. He said the law grants authority for such programs and that $20 million is provided for funding.

"Apparently," said Magnuson, "the Administration does not want to recognize the fact that their economic policies have brought economic disaster and severe hunger to millions of people across the United States. They even told Governor Evans they would do something about the Washington State situation—but, from today's meeting, it would appear they have no intention of fulfilling that promise."

In that meeting, Assistant Secretary Lyng stated flatly that the Department of Agriculture has no intention of implementing a section of the new law which would allow a state to conduct a commodity distribution program at the same time it has a food stamp program.

"Further," said Magnuson, "Secretary Lyng told us that the Department could see no circumstances in which they would utilize the authority anywhere in the United States at this time."

Lyng further told the meeting, according to Magnuson, that his office had surveyed Washington State and that a hunger problem did not exist that couldn't be met by the food stamp program.

Mr. McGEE. Mr. President, we have agreed to accept the amendment.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. McGEE. I yield back the remainder of my time.

Mr. MAGNUSON. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

FUNDING RURAL ELECTRIFICATION LOANS

Mr. PERCY. Mr. President, as a Senator whose State encompasses important elements of all three of our Nation's major economic segments—agriculture, labor, and industry—I wish to call attention to one item in the bill before us which is closely related to the objective of building a better rural-urban balance.

I refer to the item proposing to fund rural electrification loans at the level of $545 million. This is the amount passed by the House and recommended now by the Senate Appropriations Committee.

Although this is considerably higher than the level of recent years, it is my judgment that the results in terms of the public interest will more than justify the increase.

First, the Congress has committed itself to the policy—quoting title IX of the Agricultural Act of 1970—that "the highest priority must be given to the revitalization and development of rural areas." To be realistic, we must ask ourselves what things are essential to the revitalization and development of rural areas, and on any list will be good electric service in rural areas. In today's world, nothing is accomplished without the aid of electricity. We must do our best to see that rural America has good electric service.

Second, Congress has not kept appropriations abreast of the problems experienced by rural electric systems in providing the necessary service, and has permitted a serious shortage of loan capital to develop.

In Illinois, for example, current capital requirements of the rural electric systems far exceed the amounts that the Rural Electrification Administration could make available at the current program level despite the best efforts of Administrator Hamil and his staff to stretch loan funds as far as possible. I consider it one of my important duties to keep in touch with the Illinois rural electric systems individually and through their statewide organization, the Association of Illinois Electric Co-ops. The general manager of that association, Mr. Thomas H. Moore, is particularly helpful in providing technical information and enabling me to gain the facts I need for the discharge of my senatorial duties, and I have heard from representatives of several of the cooperatives as well. I appreciate the no-nonsense approach of the people in the rural electric systems and have a high regard for their integrity. In the course of our interchanges, I have learned that Illinois electric cooperatives at the end of calendar year 1970 were forecasting the need to borrow more than $6 million during the 6 months just ended plus $14 million in the fiscal year that is just beginning—a total of $20¼ million for the 18 months.

Unfortunately, I have not been able to provide encouragement to my constituents in their hopes of borrowing the funds they need. When Administrator Hamil testified before the subcommittee of the Senate Appro-

priations Subcommittee which handles the agriculture-environmental and consumer protection bill, he stated that REA expected to start the new fiscal year with $360 million in applications on hand and to receive additional applications totaling $450 million during the year. This would make a total of $810 million in applications to be considered during the fiscal year, the Administrator testified. However, the program level of recent years, which would be continued if the Congress were to let the backlog grow, is only $345 million. I repeat: $345 million to apply against applications of $810 million.

Under the system created by the Congress in response to unmet needs of past, REA borrowers have virtually no source of capital other than REA. Congress has said to the rural electric systems, in effect: You provide "area coverage"—service to everyone in your area without special charges to those in remote locations—and we the Congress will see that you have adequate capital. Another reason for the shortage in funds is that REA holds the mortgages; private lenders have not been able to compete, if they had wanted to. I am happy to say that the cooperatives have recently formed their own supplemental financing institution with the expectation of borrowing from private lenders, and REA is arranging to accommodate its liens under proper circumstances so that both the Government and private lenders may have security. However, the new financing institution, CFC, is not able to meet a substantial part of the current need for capital at this time; nor will it be able to do so in the year ahead.

The bill we are considering recommends, as it did last year, that the REA should encourage the borrowing systems to speed up the capitalization of CFC by deferring repayments of principal to REA with the understanding that like amounts be invested in CFC. I endorse this recommendation. We should hasten the progress of CFC. At this time, however, it would be unwise to predict how much CFC will be able to lend in the next few years. Meanwhile, if the burgeoning backlog of demand for capital is allowed to grow, irreparable harm may be done not only to the rural electric systems as business enterprises but, even more important, to the hopes and aspirations of the people of this Nation who need the jobs and business opportunities associated with rural economic development. I would point out again that rural development is dependent upon good rural electric service, and electric service is dependent upon adequate capital.

My third point is the reminder that capital provided for rural electrification, after making its impact on the rural economy and the rural-urban balance, returns to the Treasury of the United States with interest. The repayment record of the REA borrowers is excellent. The loans made to them are, for all practical purposes, no risk loans. The rural electric systems are well run, dependable free enterprise institutions operating under the same principle as that of the Associated Press—providing service to members at cost. The Government costs of administering the rural electrification program are very small in relation to results achieved in the public interest.

In the Agricultural Act of 1970 to which I referred earlier, we stated the following in section 901(a) of title IX:

> The Congress commits itself to a sound balance between rural and urban America. The Congress considers this balance so essential to the peace, prosperity, and welfare of all our citizens that the highest priority must be given to the revitalization and development of rural areas.

I submit that the appropriation of $545 million for loans to rural electric systems is an overdue step toward the fulfillment of this commitment.

Mr. HANSEN. Mr. President, the senior Senator from Oregon (Mr. HATFIELD) is away from the Senate today on official business. I know of his strong support for increased assistance to our small towns under the FHA rural water and sewer programs.

Senator HATFIELD prepared some remarks in support of the full appropriation for the FHA program in this area, and I ask unanimous consent that his remarks appear at this point in the RECORD.

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

STATEMENT OF SENATOR HATFIELD

Recent years have seen the beginning of a community facilities program for the rural United States, administered by the Farmers Home Administration of the Department of Agriculture.

This program has resulted in about six thousand water and sewage disposal systems for smaller communities and areas of the countryside where modern systems never existed before.

Most of this accomplishment has been achieved in the last five years, with fiscal year 1971 being the high point to date.

In the year just ended, the Farmers Home Administration loaned $260 million to an estimated 1,500 communities, and committed $40 million in grants to 575 communities that could not build their projects with loan financing alone.

Both the Congress and the President took actions during the past year that increased the loan resources for this program.

Congress last winter passed the Byrnes Bill, making it possible to use government loan insurance authority for all loans of this type, and fund them with the money of private investors. That measure added considerable new loan resources to the effort. The President was able to increase FHA's lending authority for the program to the record level of $260 million last year, and to schedule an even higher level in fiscal 1972.

We might congratulate ourselves on this showing, except for two things—

First—at the end of fiscal year 1971, there were more than $95 million worth of approved projects piled up in the Farmers Home Administration's national Finance Office, waiting for money to become available in the new fiscal year so that funds for these projects could be reserved. To provide for those projects, $25 million was needed in the form of grants.

Inasmuch as the proposed 1972 budget calls for a total of only $40 million for grants to match a proposed $300 million loan authority, this year's grant money was more than half gone the moment the year began. Obviously, $40 million is totally inadequate to meet the needs of the coming year.

The committee action in support of the full $100 million limit deserves our complete support.

And as a second point to discourage self-congratulation—at the present rate of progress in this program, it will take about 30 more years to bring water and sanitary services up to minimum adequate standards as a general condition of living in the United States.

We still have far to go. There still are more than 30,000 rural communities that need water systems, and more than 40,000 that need sewer systems before we can say that modern services truly prevail in this country.

Some are being served, but progress remains at a snail's pace for thousands of communities where the people go on, year after year, enduring bad water, bad wells, bad sanitary conditions and suffering all the lag of community development imposed by substandard community facilities.

It is incredible how little is being allocated under the national budget to the need for these water and sewer improvements. They are fundamental to solving the problems of pollution, and to building and restoring communities that will be good and fit places to live. These are among the highest demands of the people today upon their government.

Yet in the fiscal year just ended, we applied only about one five-thousandth of the national budget to grant support for new water and sewer services in rural areas.

Out of the $200 billion mass of federal expenditures we squeezed a scant $40 million for grants to the rural water and sewer program.

This dribble of funding has held the program to a level far short of need and demand.

As an example, my state of Oregon has been able to carry out 85 projects in 10 years—17 last fiscal year, when our share of financial assistance available from the Farmers Home Administration totaled about $1.9 million in loans and $615,000 in grants.

But pending now in Oregon is a backlog of applications for 48 projects carried over into the new fiscal year. They require more than $7 million in loans and $5.6 million in grants. They should be approved and built within the coming year.

In the nation as a whole, applications on hand as the new fiscal year begins total 2,500 projects which represent an immediate, carryover need for $500 million in loans and $100 million in grants.

Moreover, for every application Farmers Home has been able to accept for active status now, some 20 more potential and badly needed projects are in abeyance—this for lack of prospects that funds would be available in the foreseeable future what with the parsimonious rate of budgeting that now prevails.

Oregon's real need as reflected by FHA surveys is for 480 new or improved water systems, each serving one or more rural communities, and 476 new or improved sewer systems in its rural towns. The financing requirement is estimated at $136 million.

The national need as surveyed by FHA indicates that it will require $11.3 billion, over the shortest possible period of years, to accomplish real modernization of the nation's rural water and sewer services in this modern age.

An answer, as we know, to the decline of towns, the flight of people in distress from country to city, where their troubles compound the burdens already borne by our cities, is to revitalize rural communities.

Bring their public services up to a state of adequacy for accommodating new enterprise and modern homes.

Build the same quality into new communities out in the open spaces, which still abound in this country, where people can

find decent work and living conditions in a better environment.

Lack of basic facilities such as sewer systems has stopped homebuilding in some developing communities of Oregon. This obstacle is retarding the development of year-round and summer communities on our coast and in the Willamette Valley.

And throughout the country, lack of sewer systems is a major roadblock to homebuilding in the rural areas. New communities, and new subdivisions of existing communities, often cannot be built for lack of central waste disposal systems. In many places, building codes require perhaps half an acre of ground or more, for every house relying on an individual septic waste disposal system. This large and costly site requirement pushes the cost of an adequate home beyond the reach of thousands of families of low or modest income.

It is easy enough to look away from this need, in the towns and countryside if you are sheltered in a Washington office and yourself fully accommodated by modern plumbing.

But you might not want to live or put your industry into a town, or even stop for the night in a motel that lacked the advantage of modern plumbing.

We must support the full $100 appropriation in this area.

In addition, Mr. President, I have introduced in this session, with the co-sponsorship of nearly 30 of my colleagues in the Senate, a bill that would move this program up to a level more commensurate with the need.

This bill, S. 391, would constitute both a declaration by the Congress of its recognition of the need—its high priority in the scale of our spending that must come first in service to the American people—and a strong measure of action to get results.

This bill would double the present authorization of the Farmers Home Administration to make grants, which are necessary to supplement loans, for rural waters and waste disposal systems. The authorization for project construction grants would be raised from $100 million to $200 million a year; and for comprehensive planning of rural water and waste disposal services from $15 million to $30 million a year.

Mr. President, we have the machinery in the Farmers Home Administration to help rural communities move far more of these projects into construction.

I hope and urge that the Senate will give early consideration to this measure, and that action will be forthcoming this year—both from the Congress and budget authorities in the Administration—to bring the rural water and waste facilities program up to a level more in line with what the national interest demands.

I hope others of the Senate will signify their support of this cause by joining us as co-sponsors and as active advocates of this bill.

Mr. HUMPHREY. Mr. President, I am delighted that the Senate Committee on Appropriations acted yesterday to fund the section 702 water and sewer grant program at $700 million. I can think of no more important item in the appropriations legislation before the Senate today. Towns and cities around the country have a desperate need for water and sewer facilities. Although these communities are conscientiously trying to provide adequate water and sewer facilities, they have no source of funds in many cases. In some cases municipalities have been given a deadline for cleaning up their water and sewer systems by the Environmental Protection Agency.

The section 702 program is a good program—it is a program designed to help the Nation's communities meet their urgent needs for improved water and sewer facilities and it is designed to support our national housing goals. Its purpose is to correct the most basic pollution problem in America—the problem of proper disposal of the waste of the Nation's towns and cities.

As chairman of the Rural Development Subcommittee, I have a special interest in seeing that the Nation's small towns are able to finance water and sewer systems. Without an adequate water and sewer system, the small towns of the Nation cannot expect to grow; they cannot expect to hold the rural population which is now migrating to metropolitan areas.

The section 702 program is not aimed at small towns. It is not aimed at large cities. It is aimed at towns, cities, and communities of all sizes. However, 71 percent of the available funds are going to towns of 50,000 and under.

The section 702 program is oriented toward the orderly growth and development of an area. In order to qualify for assistance the grant application must conform to a unified or officially coordinated areawide water and sewer facilities system.

Although the section 702 program has been an excellent one, its funding has been far from adequate. Last year the Congress appropriated $500 million for the program. The President vetoed the appropriation bill, stating that the Congress had appropriated too much money for water and sewer facilities.

When the appropriations legislation went through the Congress again, the figure for section 702 was $350 million. However, the President refused to spend $200 million of this amount. For the water and sewer needs of towns and cities of the Nation, the administration spent only $150 million during the past fiscal year.

In the current budget request the administration asked for no money for the section 702 program for fiscal year 1972. The administration stated that it intended to spend $100 million of last year's appropriation for water and sewer facilities in the first 6 months in fiscal year 1972. On May 13, Secretary Romney testified before the Senate Appropriations Committee and stated that only $100 million would be spent because the administration would merge the section 702 water and sewer grant program into the new urban community development revenue sharing program. The Secretary stated that he did not think that his Department could properly and efficiently spend the money appropriated under section 702 and that it would be better to distribute this money to the States to spend as they wish.

However, 1 month later, on June 14, Secretary Romney wrote to the Chairman of the Agriculture Appropriations Subcommittee and stated that the administration had decided to take the section 702 program out of its urban community development revenue sharing program. He stated that now the administration has decided to utilize in fiscal year 1972 the full $200 million of section 702 money that it refused to spend in fiscal year 1971.

Mr. President, the section 702 water and sewer grant program has proven worth. It has been extremely successful and it is urgently needed by the towns and communities of the Nation. I hope that Secretary Romney will make up his mind as to whether his Department can administer this program and spend the money appropriated by the Congress. I hope that the will of the Congress will not again be frustrated by the administration's refusal to spend money for water and sewer grants.

I would suggest that if the President is really serious about relieving the financial crises of the Nation's communities and towns, that he will allow the expenditure of the money that is so badly needed to meet the water and sewer needs of these towns.

Mr. President, at this point I present for the RECORD a table presented to the House Banking and Currency Committee in June of 1970 by the National Association of Counties. The table gives a State-by-State breakdown of grant applications for water and sewer assistance which were not funded by the Department of Housing and Urban Development.

LOCAL GOVERNMENT GRANT APPLICATIONS FOR WATER AND SEWER ASSISTANCE NOT FUNDED BY DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

State	Number of grant applications	Grant applications amount (millions)	Total project cost (millions)
Alabama	51	$15.68	$33.66
Alaska	15	7.27	17.15
Arizona	31	11.85	26.30
Arkansas	52	20.97	45.57
California	271	158.17	365.25
Colorado	73	19.71	48.62
Connecticut	95	59.82	155.36
Delaware	8	3.30	6.99
Florida	135	69.12	164.03
Georgia	43	19.64	46.39
Hawaii	19	5.78	14.12
Idaho	3	.69	1.39
Illinois	191	89.58	201.96
Indiana	77	48.57	131.00
Iowa	67	20.58	44.89
Kansas	60	13.60	28.89
Kentucky	28	55.89	136.54
Louisiana	107	70.17	158.16
Maine	48	8.31	18.58
Maryland	47	22.44	51.12
Massachusetts	225	93.33	227.23
Michigan	308	331.20	722.95
Minnesota	63	42.49	68.76
Mississippi	29	10.88	28.48
Missouri	104	34.06	80.56
Montana	14	2.47	4.89
Nebraska	45	16.80	48.64
Nevada	16	4.30	11.27
New Hampshire	27	11.84	27.00
New Jersey	163	92.55	209.20
New Mexico	13	2.61	6.83
New York	426	441.50	887.13
North Carolina	48	19.12	51.30
North Dakota	7	2.01	3.51
Ohio	255	204.45	420.62
Oklahoma	51	15.31	36.68
Oregon	47	26.18	65.68
Pennsylvania	317	158.68	343.72
Rhode Island	26	16.93	39.08
South Carolina	44	16.93	48.40
South Dakota	17	3.76	8.07
Tennessee	47	16.33	38.91
Texas	224	55.39	130.52
Utah	60	14.01	33.41
Vermont	33	7.41	16.89
Virginia	55	47.10	101.47
Washington	63	17.06	40.51
West Virginia	36	25.13	35.54
Wisconsin	85	37.79	84.74
Wyoming	5	.37	.79
Puerto Rico	25	5.78	13.81
Virgin Islands	1	.14	.29
National total	4,308	2,496.75	5,538.22

Mr. BOGGS. Mr. President, I should like to comment on that portion of H.R. 9270 which appropriates funds for the activities of the Environmental Protection Agency. The bill calls for expenditures of nearly $2.5 billion for the work of the Environmental Protection Agency during fiscal year 1972. This nearly doubles the sums appropriated in fiscal 1971, when the components of EPA were divided among several agencies.

An increase of this magnitude is vital if we are to carry out effectively the programs for enhancing the quality of our air, our water, and our land.

Late last year, the Congress adopted extensive amendments to the Clean Air Act. To meet the challenge of healthy air quality everywhere by the middle of this decade, more funds must be spent this fiscal year to implement air quality programs. Therefore, this legislation calls for an appropriation for air pollution program totaling $162,114,000 this fiscal year, an increase from the $108,840,000 appropriated in 1971.

Mr. President, I was honored to cosponsor and support the amendment offered by the distinguished Chairman of the Committee on Public Works (Mr. RANDOLPH) increasing the funds available to support air pollution control programs operated by the States.

Current Federal legislation clearly establishes the policy that the primary responsibility for controlling pollution rests with the States. Since the amendments to the Clean Air Act last year imposed heavy new State responsibilities for control of air pollution, I believe we are wise to increase dramatically the program grant funds to the States.

Chairman RANDOLPH'S amendment increased these funds in fiscal year 1972 to $52,900,000 from the $42,900,000 proposed in the budget and the $30,200,000 appropriated for this purpose in fiscal year 1971.

To combat water pollution, the bill appropriates $2,151,364,000, an increase from the $1,116,627,000 appropriated last year. The greatest portion of this increase is due to a doubling of the funds for construction of municipal waste treatment facilities. The 1972 fiscal appropriation of $2 billion for these sewage treatment grants matches the President's request. I might point out that a comprehensive study by the Environment Protection Agency charts an existing backlog of approximately $12 billion in needed facilities over the next 3 years to meet the existing water quality standards established on our rivers and lakes.

On other aspects of the water pollution program—program grants to the States, research, enforcement, and so forth—the bill appropriates $151,364,000, an increase from last year's $116,627,000.

This legislation also includes $43,378,000 for programs to combat solid waste pollution, a major increase from the $19,591,000 appropriated last year. While relatively small, this portion of the EPA program is one of the most significant covered by this entire bill. I am referring in particular to the funds in support of section 208 of the Solid Waste Disposal Act, the section authorizes projects to demonstrate resource recovery systems.

The budget requested $4,093,000 for section 208. The Appropriations Committee is recommending to the Senate that $19,093,000 be appropriated for that aspect of the EPA program during fiscal year 1972. I would like to explain the reasons the committee believed it was necessary to increase the funds above the level requested in the budget and approved in the House version of the bill.

Section 208 was a part of the Resource Recovery Act of 1970. This legislation became law on October 26, 1970. This section, I believe, is the most significant aspect of last year's act. It enables the Federal Government to go beyond resource recovery research into a strong program to demonstrate the effectiveness of such systems. This section will move resource recovery out of the laboratory into the marketplace to show what programs are feasible.

The Committee on Public Works, in its report on this legislation—Senate Report 91–1034—observed:

> The nation can no longer afford to await more study and analysis. We must move from the great deal of information presently available to full-scale demonstration of recovery systems.

To move this program forward, the Congress authorized $80 million for section 208 during fiscal year 1972. That $80 million exceeds the sums authorized in fiscal 1972 for all other solid waste programs administered by the Environmental Protection Agency.

The budget seeks $4,093,000 for section 208 this fiscal year. In response to questions during the hearings, EPA indicated that $4 million would enable the agency to initiate two demonstration projects.

I believe that $4,093,000 and two projects is inadequate to the magnitude of the solid waste problem. Americans spend something in the neighborhood of $5 billion each year for the collection, processing, and disposal of municipal trash. And after that money is spent, more square miles of America have been turned into dumps and valuable materials lost to any possible reuse.

Section 208 provides the mechanism for moving technology into the cities and suburbs to halt the trend of rising costs paid by the public for handling solid wastes. It provides the mechanism for saving precious resources.

But recycling will be an answer to the solid waste problem only if the materials recovered from the municipal trashpile can be successfully marketed. Pilot and research programs have demonstrated that many viable technological answers exist to recycling. Only a program of demonstration projects can show if a steady stream of reusable materials can be successfully marketed.

The Appropriations Committee received considerable testimony in support of increased appropriations for section 208. Gov. Russell W. Peterson of Delaware testified most eloquently that resource recovery was the only feasible long-term answer available to a small but well-developed State, like Delaware.

Governor Peterson pointed out the imaginative work begun by the State of Delaware toward the design and construction of a recycling plant in Wilmington. This plant, which could ultimately qualify for a section 208 grant of as much as 75 percent toward the total cost of about $11 million, would take most of the solid wastes from northern Delaware and extract reusable metals, compost, and other materials. Delaware, to demonstrate its commitment, has appropriated $1,000,000 toward design of this plant.

I am informed that several dozen similar recycling plants are under development across the Nation. I believe it would be unwise to initiate only two projects this year. An appropriation of $19 million would enable EPA to find a sufficient number of demonstration projects in order to test a variety of recycling concepts.

The Executive Branch has initiated a state-of-the-art study on resource recovery to assess which types of systems appear most promising for section 208 grants. This study will be completed by the latter part of the summer and the EPA should be in a position to accept official grant applications by September. It is my belief that EPA must have the funds to initiate several section 208 grants in order to find the best answers to the problem of solid waste pollution.

An imaginative section 208 program represents an investment—a start—toward that day when we convert solid wastes from an environmental problem into a resource for our people.

Mr. President, in closing, I would commend the work by the chairman of the subcommittee (Mr. MCGEE) and by the subcommittee's ranking member (Mr. HRUSKA). Their cooperative spirit has been most helpful to me, and I am confident to all members of the Subcommittee on Agriculture, Environment, and Consumer Protection.

Further, I want to commend the excellent work by the subcommittee's staff under the direction of Dudley Miles.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 9270) was read the third time.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time on the bill?

Mr. MCGEE. I yield back all remaining time on the bill.

Mr. HRUSKA. I yield back all remaining time on the bill.

The PRESIDING OFFICER. All time has been yielded back. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Indiana (Mr. BAYH), the Senator from Oklahoma (Mr. HARRIS), the Senator

from Washington (Mr. JACKSON), the Senator from North Carolina (Mr. JORDAN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Illinois (Mr. STEVENSON) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), the Senator from North Carolina (Mr. JORDAN), and the Senator from Illinois (Mr. STEVENSON) would each vote "yea."

Mr. SCOTT. I announce that the Senator from New York (Mr. BUCKLEY), the Senator from Vermont (Mr. PROUTY), the Senator from Ohio (Mr. SAXBE), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from Idaho (Mr. JORDAN) are absent on official business.

The Senator from Michigan (Mr. GRIFFIN) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

If present and voting, the Senator from Oregon (Mr. HATFIELD), the Senator from Idaho (Mr. JORDAN), the Senator from Vermont (Mr. PROUTY), and the Senator from Arizona (Mr. GOLDWATER) would each vote "yea."

The result was announced—yeas 78, nays 2, as follows:

[No. 146 Leg.]

YEAS—78

Aiken	Ellender	Mondale
Allen	Ervin	Montoya
Allott	Fannin	Moss
Baker	Fong	Muskie
Beall	Fulbright	Nelson
Bellmon	Gambrell	Packwood
Bennett	Gravel	Pastore
Bentsen	Gurney	Pearson
Bible	Hansen	Pell
Boggs	Hart	Percy
Brock	Hartke	Proxmire
Burdick	Hollings	Randolph
Byrd, Va.	Hruska	Schweiker
Byrd, W. Va.	Hughes	Scott
Cannon	Humphrey	Smith
Case	Inouye	Spong
Chiles	Javits	Stennis
Cook	Magnuson	Stevens
Cooper	Mansfield	Symington
Cotton	Mathias	Taft
Cranston	McClellan	Talmadge
Curtis	McGee	Thurmond
Dole	McGovern	Tower
Dominick	McIntyre	Tunney
Eagleton	Metcalf	Williams
Eastland	Miller	Young

NAYS—2

Ribicoff	Roth

NOT VOTING—20

Anderson	Harris	Mundt
Bayh	Hatfield	Prouty
Brooke	Jackson	Saxbe
Buckley	Jordan, N.C.	Sparkman
Church	Jordan, Idaho	Stevenson
Goldwater	Kennedy	Weicker
Griffin	Long	

So the bill (H.R. 9270) was passed.

Mr. McGEE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McGEE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McGEE, Mr. STENNIS, Mr. PROXMIRE, Mr. BYRD of West Virginia, Mr. ELLENDER, Mr. TALMADGE, Mr. HRUSKA, Mr. YOUNG, and Mr. FONG conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, it is with the greatest pleasure that I commend the distinguished senior Senator from Wyoming (Mr. McGEE). His handling of the agriculture appropriation measure was magnificent. His deep devotion and outstanding advocacy were joined by his clear understanding of the farm requirements of the Nation. I believe this is Senator McGEE's first bill since he has become chairman of this subcommittee. With it he has demonstrated already a fine expertise. He has shown beyond question that he is a valuable friend of the Nation's farm population.

Joining Senator McGEE and deserving equal praise was the distinguished Senator from Nebraska (Mr. HRUSKA). He, together with Senator AIKEN, and others, contributed to make this a truly bipartisan effort in behalf of the Nation's farm interests. The Senate is deeply grateful.

Other Senators also deserve commendation. The Senator from Indiana (Mr. BAYH) offered his own strong and sincere views about certain features of the bill. The Senator from South Dakota (Mr. McGOVERN), the Senator from Ohio (Mr. TAFT), the Senator from Utah (Mr. Moss), and other Senators, did likewise. Among them were the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Wisconsin (Mr. NELSON).

Amendments, as is often the case, were greeted favorably in some instances and not favorably in others. All in all, however, the debate was of the highest caliber. All Senators who participated may take credit.

Personally, I wish to thank the Senate as a whole for the splendid cooperation which assured final disposition of this most important money measure today.

The PRESIDING OFFICER. What is the will of the Senate?

PAYMENTS LIMITATION UNDER THE FEDERAL FARM COMMODITY PROGRAMS—SENATE RESOLUTION 153

Mr. HUMPHREY. Mr. President, I call up my resolution (S. Res. 153) and ask for its immediate consideration. I have modified the resolution, and have sent it to the desk with appropriate amendments.

The PRESIDING OFFICER (Mr. PROXMIRE). Does the Senator ask unanimous consent to proceed to its immediate consideration?

Mr. HUMPHREY. I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

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

Mr. HUMPHREY. Mr. President, briefly, to save the time of the Senate, the changes in the proposed resolution have been cleared, with the cooperation and assistance of the distinguished ranking minority member of the Committee on Agriculture and Forestry (Mr. MILLER), and I think we are in full agreement. I have discussed the matter with the distinguished chairman of the committee and with other Senators, and I believe we are now in accord.

The PRESIDING OFFICER. The resolution as modified will be stated.

The assistant legislative clerk read the resolution.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, the leadership on both sides of the aisle—the majority leader and the minority leader—have discussed the resolution with the distinguished Senator from Minnesota, and they have no objection to its immediate consideration or to its passage at this time. The matter has also been cleared with the distinguished Senior Senator from Vermont (Mr. AIKEN) and he has no objection, I am told by the majority leader.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That within sixty days after the end of the current individual crop years for each commodity covered under the Agricultural Act of 1970, the Secretary of Agriculture should submit to the Chairman of the Senate and House Agriculture Committees his findings based upon a detailed investigation of the operation and administration of the current $55,000 payment limitation. Such a study should include a report detailing the extent to which those participants in the program who previously received in excess of $55,000 annually have reconstituted or divided their farming operations since this limitation was imposed. The Secretary of Agriculture should also provide the House and Senate Agriculture Committee Chairmen with his evaluation of the impact of the $55,000 limitation on program sign-ups for the current crop years as well as what he anticipates the impact on programs would be if a $20,000 payment limitation were imposed in subsequent crop years.

The preamble was agreed to.

The resolution with its preamble reads as follows:

Whereas the Federal Farm Commodity Programs are designed to benefit both the producers as well as the consumers of farm commodities;

Whereas the effectiveness and merit of these programs have contributed to the basic health, vitality and stability of American agriculture;

Whereas the future viability of this important sector of the economy depends upon the continuation and effective management and administration of these commodity programs;

Whereas the Congress has stated that it does not wish any single individual or corporation to unduly benefit from these programs supported by American taxpayers.

Whereas the Congress has specifically im-

posed a $55,000 payment limitation in the Agricultural Act of 1970; and

Whereas there have been reported abuses or circumventions of the $55,000 limitation: Now, therefore, be it

Resolved, That within sixty days after the end of the current individual crop years for each commodity covered under the Agricultural Act of 1970, the Secretary of Agriculture should submit to the Chairmen of the Senate and House Agriculture Committees his findings based upon a detailed investigation of the operation and administration of the current $55,000 payment limitation. Such a study should include a report detailing the extent to which those participants in the program who previously received in excess of $55,000 annually have reconstituted or divided their farming operations since this limitation was imposed. The Secretary of Agriculture should also provide the House and Senate Agriculture Committee Chairman with his evaluation of the impact of the $55,000 limitation on program sign-ups for the current crop years as well as what he anticipates the impact on programs would be if a $20,000 payment limitation were imposed in subsequent crop years.

INCREASED AUTHORIZATIONS FOR PLANNING GRANTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 247, Senate Joint Resolution 52.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 52) increasing the authorizations for comprehensive planning grants and open-space land grants.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection the Senate proceeded to consider the joint resolution.

Mr. BYRD of West Virginia. Mr. President, this joint resolution has been cleared on both sides of the aisle. The distinguished senior Senator from Alabama, the chairman of the Committee on Banking, Housing, and Urban Affairs (Mr. SPARKMAN), has discussed it with the leadership. He is very eager to have it passed today.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 52) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth sentence of section 701(b) of the Housing Act of 1954 is amended by striking out "$420,000,000" and inserting in lieu thereof "$470,000,000."

SEC. 2. Section 708 of the Housing Act of 1961 is amended by striking out "$560,000,000" and inserting in lieu thereof "$660,000,000".

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-254), explaining the purposes of the measure.

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

WHAT THE RESOLUTION WOULD DO

Senate Joint Resolution 52, would authorize the appropriation of an additional $50 million for the comprehensive planning grants (sec. 701(b) of the Housing Act of 1954) and an additional $100 million for the open space land program (sec. 708 of the Housing Act of 1961). This additional authorization would be provided by increasing from $420 million to $470 million the statutory limits on the amounts which may be appropriated for section 701(b) and would increase from $560 million to $660 million the amount which may be appropriated for the open space land program.

The President's budget program for fiscal 1972 proposes an appropriation of $100 million for the section 701 comprehensive planning grant program and an appropriation of $200 million for the open space land program. These program levels, which had not been formulated in time to be submitted during the consideration of the Housing and Urban Development Act of 1970, are an integral and important portion of the Department's activities in providing needed assistance to the communities of this Nation.

As the President indicated in his message of February 8, transmitting a program to save and enhance the environment, appropriations requested for the open space program would be used in connection with the program's new emphasis on the acquisition and development of additional park lands in urban areas, including the provision of facilities such as swimming pools to add to the use and enjoyment of these parks. The additional appropriations requested for the comprehensive planning program would be used to carry out the program's new objectives contemplated for 1972, which are designed to strengthen the executive and managerial capabilities of State and local governments.

Existing authorizations for these programs, as increased by the Housing and Urban Development Act of 1970, will fall short of providing the authority for the requested appropriation by $41 million in the comprehensive planning grant program and $91 million in the open space land program. The $41 million is the authorization needed to meet the President's budget request for the regular section 701 program independent of the approximate $26 million unused earmarked authority for community development districts. Because of the nature of the appropriations process, unless additional authorizations are enacted prior to the time the Appropriations Committee acts, consideration of these two requests would have to be split between the annual appropriation bill and a supplemental appropriation bill.

The committee reports the resolution at this time so that the Independent Offices and Department of Housing and Urban Development appropriations bill before the Senate can include the full amount requested in the President's budget program for fiscal 1972 for both comprehensive planning grant program and the open space land program. It is expected that this appropriation bill will be reported to the Senate within the very near future.

ELIMINATION OF REDTAPE AND DELAYS

In reporting Senate Joint Resolution 52, the committee is mindful of the testimony it has received concerning the delays and large amounts of unnecessary paperwork which has encumbered the program. The committee urges the Department of Housing and Urban Development to put into effect a plan which would drastically reduce paperwork required for 701 applications. To make this effective, the committee recommends that the Department work out self-imposed period of time for the Department to consider an application and to provide an answer to the applicant. One group of witnesses before the committee suggested that a reasonable time for such a period would be 60 days.

SUPPORT FOR STATE AND REGIONAL COUNCILS OF GOVERNMENT

Testimony submitted to the committee documented the increasing needs for 701 funds to assist the Councils of Governments in carrying out their project review and coordination responsibilities under existing law.

The State and regional project review functions are carried out in accordance with the requirements of the Intergovernmental Relations Coordination Act of 1968. The actual review process which a State and regional Council of Governments is requested to follow is contained in the Office of Management and Budget Circular A-95, and the review is known as the A-95 process.

The A-95 review activity has proved extremely valuable in avoiding project duplication and project conflicts at the regional and State level. The Office of Management and Budget has documented that these review activities have, since the inception of the program, netted substantial savings to the government over the last few years. A more recent limited review conducted by the National Service to Regional Councils estimated these savings to be over $300 million. If properly supported, we are convinced that the State and Council of Governments review activities function as required under A-95 can reflect even greater savings to Government. We encourage HUD to use the increased funds to take whatever steps appropriate to help improve the project review process at the State regional level.

PROPOSED LEGISLATION

In urging the Senate to pass this bill, we do not wish to imply that we necessarily support the substance of the proposed title II of S. 1618, which would establish an executive management planning program to replace the existing 701 urban planning assistance program.

While we agree that the executive management planning functions as outlined in S. 1618, which HUD wants at the local mayor and State Governor level is important and is worthy of Federal aid, we do feel that the committee may want to set more refined procedures and objectives for the program when substantive legislation is recommended. HUD has had authority to fund mayors and Governors in this general manner for some time, but in the case of mayors and other elected local executives, the agency has never requested the additional funding required for this purpose.

DESCRIPTION OF THE COMPREHENSIVE PLANNING GRANT PROGRAM

The comprehensive planning grant program is authorized by section 701 of the Housing Act of 1954, as amended. Under this section, the Secretary is authorized to provide comprehensive planning assistance to State, areawide, and local public agencies. * * * for solving planning problems, including those resulting from the increasing concentration of population in metropolitan and other urban areas and the outmigration from and lack of coordinated development of resources and services in rural areas; to facilitate comprehensive planning for urban and rural development, including coordinated transportation systems, on a continuing basis by such governments; and to encourage such governments to establish and improve planning staffs and techniques on an areawide basis * * *.

Grants may be made for up to two-thirds of the total cost of planning work. However, grants may cover up to 75 percent of the planning costs for localities in designated redevelopment areas, in areas facing a substantial reduction in employment because of Federal Government action, in economic development districts (and cities, counties, and municipalities located in such districts) and for regional commissions established by the Appalachian Regional Development Act. The Housing and Urban Development Act

of 1970, also authorized grants of not more than 75 percent of the cost of certain activities necessary to the development or implementation of plans and programs in areas whose development has significance for the purposes of national growth and urban development objectives.

The statute clearly sets forth comprehensive planning as a process to assist State and local elected officials in formulating and then implementing policies for growth and development. Comprehensive planning provides a framework for individual development and management decisions spanning a broad range of governmental activities, services, and investments. This framework guides the selection, sequence, and timing of specific functional planning and enhances coordination with comprehensive overall policies and objectives. This comprehensive scope of the program distinguishes it from the other Federal planning assistance programs that are limited to functional interests.

DESCRIPTION OF THE OPEN SPACE LAND-GRANT PROGRAM

The open space land programs were authorized under title VII of the Housing Act of 1961, as amended. The original program elements were: (1) Acquisition and development of undeveloped land; (2) urban parks; (3) urban beautification and improvement; (4) historic preservation; and (5) demonstrations, studies, and publications.

Title IV of the Housing and Urban Development Act of 1970 combined the former program elements, and clarified and broadened statutory authorities. The amended program provides for grants to States and local public bodies to acquire and develop open space land. In addition to providing parks and recreation areas, the program helps curb urban sprawl and prevent the spread of urban blight and deterioration, encourages more economic and desirable urban development, assists in preserving areas and properties of historic or architectural value, and helps provide necessary conservation and scenic areas.

As provided in the HUD Act of 1970, up to 50 percent grants may be made to help finance the acquisition of title or other interest in open space and the development of open space or other public land in urban areas, including development of publicly owned or controlled land. Grants of up to 75 percent may be made for the acquisition if interest in undeveloped or predominantly undeveloped land which would have special significance in helping to shape economic and desirable patterns of urban growth. Up to 50 percent of the non-Federal share of a project may be made up by donations of land or materials. Where appropriate, temporary use of leaseholds, with limited development activities, may be provided through the program. The cost of relocation payments and services shall be made as part of a project involving acquisition.

ORDER FOR RECOGNITION OF SENATORS DOMINICK, BYRD OF VIRGINIA, AND GRAVEL TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, immediately following the recognition of the two leaders under the standing order, the following Senators be recognized, each for not to exceed 15 minutes, and in the order stated: Messrs. DOMINICK, BYRD of Virginia, and GRAVEL.

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

TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon the completion of the statements tomorrow by the Senators just named, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to exceed 15 minutes.

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

SENATE RESOLUTION 100—ADDITIONAL EMPLOYEES, VETERANS' COMMITTEE — UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of the period for the transaction of routine morning business tomorrow, the Senate proceed to the consideration of the motion to take up the motion to reconsider Senate Resolution 100.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? Without objection, it is so ordered.

Mr. BYRD of West Virginia. I ask unanimous consent that time on the motion to proceed to consider the motion to reconsider Senate Resolution 100 be limited to 30 minutes, the time to be equally divided between the distinguished Senator from Indiana (Mr. HARTKE) and the distinguished chairman of the Appropriations Committee (Mr. ELLENDER);

Provided further, that in the event the motion to take up the motion to reconsider is agreed to, there be a time limitation on the motion to reconsider of not to exceed 30 minutes, with the time to be equally divided between the Senator from Indiana (Mr. HARTKE) and the Senator from Louisiana (Mr. ELLENDER), and that a motion to table may be in order at any time;

Provided further, that in the event the motion to reconsider is agreed to the time on the resolution (S. Res. 100) be limited to 30 minutes, to be equally divided between the distinguished Senator from Louisiana (Mr. ELLENDER) and the distinguished Senator from Indiana (Mr. HARTKE), and that time on any amendment thereto be limited to 10 minutes, to be equally divided between the mover of such amendment and the Senator from Louisiana (Mr. ELLENDER).

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 unanimous-consent agreement reads as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Friday, July 16, 1971, following the transaction of routine morning business, the Senate proceed to consideration of the motion to take up the motion to reconsider the vote by which S. Res. 100, additional employees, Veterans Committee, was agreed to, and that the time on that motion be limited to 30 minutes to be equally divided and controlled by the Senator from Louisiana (Mr. ELLENDER) and the Senator from Indiana (Mr. HARTKE).

Provided further, That if the motion to take up the motion to reconsider is agreed to, that debate on the motion to reconsider be limited to 30 minutes to be equally divided and controlled by Senator ELLENDER and Senator HARTKE. *Provided*, That a motion to table the motion to reconsider be in order at any time.

Ordered further, That if the motion to reconsider is agreed to, debate on the resolution be limited to 30 minutes to be equally divided between Senator ELLENDER and Senator HARTKE, and that any amendment to the resolution be limited to 10 minutes to be equally divided between the mover of the amendment and the Senator from Louisiana (Mr. ELLENDER).

ORDER FOR CONSIDERATION OF DEPARTMENT OF THE INTERIOR APPROPRIATIONS

Mr. BYRD of West Virginia. I ask unanimous consent that upon the disposition of Senate Resolution 100, the Senate then proceed to the consideration of H.R. 9417, the bill making appropriations for the Department of the Interior.

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. I presume that this will be the last quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

PROGRAM

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

The Senate will convene at 10 a.m. Immediately after the recognition of the two leaders under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes and in the order stated: Messrs. DOMINICK, BYRD of Virginia, and GRAVEL.

Following the recognition of the Senators aforementioned, there will be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

At the conclusion of the period for the transaction of routine morning business, the Senate will proceed, under a limited time agreement, to the motion to take up the motion to reconsider Senate Resolution 100, to provide additional employees for the Veterans Committee. There may be a yea-and-nay rollcall vote on this.

Upon the disposition of Senate Resolution 100, the Senate will proceed to the consideration of the bill making appropriations for the Department of the In-

terior, H.R. 9417. A time agreement has been entered into thereon. There will be 2 hours on the bill; there will be 30 minutes on any amendment thereto. The yeas and nays have already been ordered on final passage of that bill. Senators are reminded, therefore, that there will be at least one yea-and-nay vote on tomorrow.

The majority leader has asked me to remind Senators, also, that beginning next week, the Senate may be in session on Saturdays—in view of the fact that the August recess is almost upon us—and the Senate hopes to complete action on a number of important bills and resolutions prior to such recess. Senators are on notice—may I emphasize—that there may be Senate sessions on Saturdays, beginning next week.

ADJOURNMENT UNTIL 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 adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Friday, July 16, 1971, at 10 a.m.

NOMINATION

Executive nominations renewed by the Senate July 15, 1971:

DIPLOMATIC AND FOREIGN SERVICE

Howard P. Mace, of Ohio, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 15, 1971:

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The following-named persons to be members of the National Commission on Libraries and Information Science for the terms indicated:

For a term expiring July 19, 1971:
Andrew A. Aines, of Virginia.
Catherine D. Scott, of the District of Columbia.

For a term expiring July 19, 1972:
Martin Goland, of Texas.
Louis A. Lerner, of Illinois.
Charles A. Perlik, Jr., of Virginia.

For a term expiring July 19, 1973:
John G. Kemeny, of New Hampshire.
Bessie B. Moore, of Arkansas.
Alfred R. Zipf, of California.

For a term expiring July 19, 1974:
Joseph Becker, of Maryland.
Carlos A. Cuadra, of California.
John E. Velde, Jr., of Illinois.

For a term expiring July 19, 1975:
W. O. Baker, of New Jersey.
Frederick Burkhardt, of New York.
Leslie W. Dunlap, of Iowa.

FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW

The following-named persons to be members of the Federal Metal and Nonmetallic Mine Safety Board of Review as indicated:

W. W. Little, of Arizona, for the remainder of the term of 5 years expiring September 15, 1971.

Peter J. Bensoni, of Minnesota, for the remainder of the term of 5 years expiring September 15, 1972.

Robert W. McVay, of Missouri, for the remainder of the term of 5 years expiring September 15, 1973.

Charles E. Schwab, of New York, for the remainder of the term of 5 years expiring September 15, 1974.

Howard L. Hartman, of California, for the remainder of the term of 5 years expiring September 15, 1975.

EXTENSIONS OF REMARKS

DISCONTENT WITH DULL WORK IS A GROWING GLOBAL PROBLEM

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1971

Mr. PUCINSKI. Mr. Speaker, in the past week I have read with interest articles in the Washington press dealing with the discontent of today's white- and blue-collar workers with the work they do.

This situation is not wholly related to inflation and wage disparities. For the most part it is directly related to the nature of the work people do to earn their paychecks.

It is a new and apparently growing phenomenon and is not confined to the United States. A large number of British workers also report a dissatisfaction with what they do to earn their living.

The root causes of the problem must be examined at the highest levels of government and industry. We in the Congress are closest to the people and we must concern ourselves with the quality of their lives and their well-being. Management and labor share a grave responsibility for abolishing the creeping anonymity that so characterizes today's skilled and semiskilled crafts.

If in our bigness we have lost sight of the usefulness of one man's individual contribution to society, we have lost something highly significant to all of us.

Today as never before people want, need, and expect jobs that are useful and worth doing. Too much of our planning for that mythical future some decades hence, however, has been an obsession with coping with "masses" of people and "masses" of details.

Instead of concentrating on developing a society where a man's character can expand and grow, too often we have concentrated on expanding our wondrous technology, with no thought of the inevitable consequences.

Whether or not the industrialized nations revise present work standards by making the work there is to be done more enriching or using other methods, such as the 4-day/40-hour week to enable people to enjoy 3 full days to themselves each week, we must begin now to treat this expanding problem with the attention it is demanding and that it deserves.

Mr. Speaker, these thought-provoking articles follow:

JOB ENRICHMENT A WEAPON IN "REVOLUTION": HATRED OF DULL JOBS BREEDS GROWING NATIONAL DISCONTENT

(By Samuel Sharkey, Jr.)

WASHINGTON.—The third revolution in work, centered around employes who hate their jobs, is gathering speed across the nation, and its impact will affect all levels of jobs for years to come.

The heart of the movement is full utilization of manpower, mainly through job enrichment. Recent surveys show that dissatisfaction with all aspects of work, from monotonous jobs to executive compensation, is a major factor in the national tide of discontent.

This third revolution follows two others a century apart—the Industrial Revolution of 1770 and the Scientific Management Revolution of 1870.

The trend is the focus of intense study by government, management, labor and the outside experts who work with all three blocs. Congressional hearings are planned this summer, potentially leading to legislation to redirect the often floundering federal efforts in this field.

WORK MOTIVATION

One of the top corporate experts is Dr. Robert N. Ford, personnel director for manpower utilization at the American Telephone & Telegraph Co., and one of the fathers of the "third revolution in work" concept.

He calls for job enrichment, "the releasing of employes to perform meaningful work."

"The important factor in work motivation," Ford says, is "the work itself. Enrich the job. Don't hope to offset a poor job solely through such factors as benefits, friendly relations and comfortable surroundings. The core item is the job."

At a recent Williamsburg (Va.) conference cosponsored by the Upjohn Institute for Employment Research and the Ford Foundation, the AT&T expert, and other panelists, criticized "Taylorism," named after Frederick Taylor, "the father of job fragmentation."

This concept for years was regarded as a key to improving worker productivity by breaking one job down into many, so each individual function was performed faster. Now it's falling into disrepute.

"FRAGMENTATION" MERGED

AT&T's Ford, for example, cites a dramatic improvement in worker attitudes when 21 separate jobs involved in assembling a phone directory were pulled together under one worker. That worker did the entire job, Ford said, and took pride in the fact that the finished directory was "her book."

While job satisfaction problems exist in the executive suite, the impact is worse at lower job levels. Dr. Harold L. Sheppard, a top social scientist with the Upjohn Institute, warns of the "discontented blue-collar workers."

"There is a prevalent feeling that something has gone wrong for many lower-middle-class Americans," Sheppard declared of the group he calls "workers with the blues."

"Older better-educated workers have the highest proportion with the blues," Sheppard says. As a result, he adds, it is probable that "the greater a person's education achievements, the greater are his life and job aspirations," and the greater his discontent if he fails to achieve those hopes and dreams.

This becomes a potentially grave omen in view of the steadily rising educational levels of the work force, Sheppard warns.