

SENATE—Friday, July 16, 1971

The Senate met at 10 a.m. and was called to order by Hon. BOB PACKWOOD, a Senator from the State of Oregon.

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

O God our Father, not in our merit but in our need we come to Thee. Free our minds of all lower thoughts that we may now contemplate only that which is beautiful and good and true. May these days of crisis and intense work be times of enrichment of life and of strengthening character, when the spiritual nature is nourished and we grow in the ways of Thy kingdom. Help us to think and act on those things which make for a better nation and a more righteous people. May the peace we seek for the nations begin in us and abide in the hearts of all who serve Thee in this Chamber.

We pray in the Redeemer's name. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 16, 1971.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. BOB PACKWOOD, a Senator from the State of Oregon, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. PACKWOOD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 15, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the legislative calendar beginning with Calendar No. 248 and ending with Calendar No. 255.

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

HIGHEST STATE APPELLATE COURT LIBRARIES AS DEPOSITORY LIBRARIES

The bill (S. 2227) to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 19 of title 44, United States Code, is amended by adding at the end thereof the following new section:

"§ 1915. Highest State appellate court libraries as depository libraries

"Upon the request of the highest appellate court of a State, the Public Printer is authorized to designate the library of that court as a depository library. The provisions of section 1911 of this title shall not apply to any library so designated."

(b) The chapter analysis of such chapter is amended by adding at the end thereof the following new item:

"1915. Highest State appellate court libraries as depository libraries."

THE HUMAN COST OF SOVIET COMMUNISM

The resolution (S. Res. 142) authorizing the printing of the study entitled "The Human Cost of Soviet Communism" as a Senate document was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. RES. 142

Resolved, That there be printed as a Senate document the study entitled "The Human Cost of Soviet Communism", prepared by Robert Conquest at the request of the late Senator Thomas J. Dodd for the Internal Security Subcommittee of the Senate Committee on the Judiciary, and that there be printed ten thousand additional copies of such document for the use of that committee.

THE 72D ANNUAL REPORT OF THE DAR

The resolution (S. Res. 150) authorizing the printing of the 72d annual report of the National Society of the Daughters of the American Revolution as a Senate document was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. RES. 150

Resolved, That the seventy-second annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1969, be printed, with an illustration, as a Senate document.

PRINTING THE PRAYERS OF THE CHAPLAIN OF THE SENATE AS A SENATE DOCUMENT

The concurrent resolution (S. Con. Res. 34) authorizing the printing of the prayers of the Chaplain of the Senate during the 91st Congress as a Senate document, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. CON. RES. 34

Resolved by the Senate (the House of Representatives concurring), That there be printed with an illustration as a Senate document, the prayers by the Reverend Edward L. R. Elson, S.T.D., the Chaplain of the Senate, at the opening of the daily sessions of the Senate during the Ninety-first Congress, together with any other prayers offered by him during that period in his official capacity as Chaplain of the Senate; and that there be printed two thousand additional copies of such document, of which one thousand thirty would be for the use of the Senate and nine hundred seventy would be for the use of the Joint Committee on Printing.

SEC. 2. The copy for the document authorized in section 1 shall be prepared under the direction of the Joint Committee on Printing.

MURALS IN THE HOUSE WING OF THE CAPITOL

The joint resolution (H.J. Res. 169) authorizing the acceptance, by the Joint Committee on the Library on behalf of the Congress, from the U.S. Capitol Historical Society, of preliminary design sketches and funds for murals in the east corridor, first floor, in the House wing of the Capitol, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

FEDERAL AND STATE STUDENT AID PROGRAMS, 1971

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 31) authorizing the printing of the compilation entitled "Federal and State Student Aid Programs, 1971" as a Senate document, which had been reported from the Committee on Rules and Administration with an amendment on page 1, line 6, after the word "printed", strike out "sixty-two" and insert "sixty-eight"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That the compilation entitled "Federal and State Student Aid Programs, 1971", prepared by the Library of Congress for the Senate Committee on Labor and Public Welfare be printed as a Senate document; and that there be printed sixty-eight thousand two hundred additional copies of such document, of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives, ten thousand three hundred copies shall be for the use of the Senate, ten thousand copies shall be for the use of the Senate Committee on Labor and Public Wel-

fare, and four thousand copies shall be for the use of the House Committee on Education and Labor.

Sec. 2. Copies of such document shall be prorated to Members of the Senate and the House of Representatives for a period of sixty days, after which the unused balances shall revert to the respective Senate and House document rooms.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

AUTHORIZATION FOR CERTAIN PRINTING FOR THE COMMITTEE ON VETERANS' AFFAIRS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 242) authorizing certain printing for the Committee on Veterans' Affairs, which had been reported from the Committee on Rules and Administration with an amendment, on page 1, after line 9, strike out:

That after the conclusion of the second session of the Ninety-second Congress there shall be printed for the use of the Committee on Veterans' Affairs of the House of Representatives fifty-six thousand one hundred copies of a publication entitled "Summary of Veterans Legislation Reported, Ninety-second Congress," with an additional forty four thousand copies for the use of Members of the House of Representatives.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

HISTORY OF THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

The Senate proceeded to consider the resolution (S. Res. 69) authorizing the printing as a Senate document of the history of the Senate Committee on Government Operations, which had been reported from the Committee on Rules and Administration with amendments, in line 6, after the word "printed", strike out "five" and insert "two"; and, after line 7, strike out:

Sec. 3. One hundred copies shall be bound with a buckram cover and gold lettering for the use of the Committee on Government Operations.

So as to make the resolution read:

Resolved, That there be printed, with illustrations, as a Senate document a compilation of materials relating to the history of the Senate Committee on Government Operations in connection with its fiftieth anniversary (1921-1971).

Sec. 2. In addition to the usual number, there shall be printed two thousand copies of such document for the use of the Committee on Government Operations.

The amendments were agreed to.

The resolution, as amended, was agreed to.

PRESIDENT NIXON'S FORTHCOMING TRIP TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. SCOTT. Mr. President, the surprise which the country felt in the an-

nouncement of the President last night was surely coupled with a considerable amount of relief that we are going to be able, again, to open a dialog with 750 million people.

My own position with regard to the Nationalist Government of China on Taiwan has not changed. I support that government. The President has made it clear that his decision is not in any sense directed against or in any sense hostile to any other nation. That, too, is good.

The President's announcement has worldwide implications. Many things may come from it. First of all, a general lowering of tensions, a movement toward more peaceful relations among the nations, a betterment of our understanding, and the opportunity to exchange relationships with mainland China on a political, journalistic, cultural, and on other bases.

Mr. President, I hazard the modest suggestion that in the past, when Presidents have engaged in foreign policy visits abroad, they have, on occasion, elected to take with them representatives of the Senate of the United States which shares certain foreign policy obligations with the President.

I have no idea what the President's views are in this regard, but it is, I think, well known that the majority leader and I on other occasions have indicated our entire willingness to do whatever the President had in mind. I, myself, am volunteering again, should the occasion arise; but, in any event, I am sure the President will keep Congress—particularly the Senate—fully advised.

Mr. President, I believe that some representation by the legislative branch at the time the trip of the President to the People's Republic of China is made, in my opinion, would be most desirable. It is better for me to say that now, before I know whether it is included in the plan, rather than afterwards.

Furthermore, I think that the impact of the President's announcement will be considerable on Hanoi. It is the old play which the Romans knew as "vis a tergo," that is, to push from the rear—the sudden movement from behind. Therefore, Hanoi is bound to be looking over its shoulder and speculating. I imagine that every room in every chancellery in Hanoi is abuzz today because they have no way of knowing whether the opening of this new form of relationship with mainland China may not, indeed, dilute to some degree the heretofore absolute reliance on their big brother.

Thus, I imagine that some good may flow from this and that something may happen in Paris. But, in any event, a giant leap forward has been taken by the President and I congratulate him on it. The country is the better for it.

Mr. MANSFIELD. Mr. President, I, too, wish to commend the President of the United States for the initiative he has shown in his constant attempts, since he has assumed office, to bring about a degree of normalization between the United States of America and the People's Republic of China.

I know of the President's intense, per-

sonal, and life-long interest in China and the Far East. I am aware of the moves which he has made, beginning in February of 1969. I want the record to show that I think he is heading in the right direction, at the right pace, and with the right amount of circumspection.

It is to be hoped that this visit which the President announced that he will undertake on the invitation of Chou En-lai within the next 9 months will bear some fruit in bringing about a stabilization of the situation in East Asia and the western Pacific, and in bringing about also a quicker end to the war in Vietnam.

The President has for several months been carrying on probes through third persons, third parties and third governments, and I am assuming that one of these probes has been with Peking. I assume also that, on the basis of what has taken place, Peking as well as Moscow might well have been consulted by Le Duc Tho, a key member of the North Vietnamese politburo, before he arrived at Paris and before the seven-point proposal of Madam Binh.

So the President has undertaken another step. One of the earlier steps was to do away with certain trade restrictions between this country and China that had been imposed since 1951 in the nature of a primary and secondary boycott—a useless policy.

The President has also broadened the number of types of professions and people who would be given valid passports by this Government to go to China. He still has on the books the promise that this Government would be willing to send newsmen into China and in return Peking could send an equal number of newsmen here.

The President has moved in the direction of allowing certain nonstrategic type of materials to be traded to mainland China. And now his latest move—which I must admit in all frankness and candor came as a total surprise to me—is a continuation of what he has done previously and is a continuation of the plan he announced at the beginning of his term.

I express my appreciation for what has been done and my appreciation of the fact that Dr. Kissinger did not have tummy trouble. Out of this has come the results which the President has now relayed to the American people. I might observe that the President got the most important impact out of the shortest speech of his career.

Mr. SCOTT. Mr. President, if the Senator would yield for a moment, I would like to observe in the words of Confucius that perhaps it may be said, "Man who have stomach trouble in Karachi take pot to China." [Laughter.]

THE UNITED STATES AND NATO: TROOP REDUCTIONS—VIII

Mr. MANSFIELD. Mr. President, in a recent issue of the New York Post, there appears a commentary by Mr. Max Lerner on the European troop reduction

amendment which was defeated in the Senate several weeks ago.

Mr. Lerner is most perceptive, it seems to me, in noting that there is more involved in this issue than the question of numbers of U.S. forces in Europe and their cost. What is involved, as he points out, is a whole system of relationships—economic, political, social and, one might add, psychological—between the United States and Europe which have revolved around the military alliance.

While NATO has been the core of that system, it is still but one factor. Moreover, the number of U.S. forces assigned to NATO is a fraction of that factor. It is true that a change in the core of the complex is bound to affect the entire relationship. But that is precisely the point of the troop reduction amendment. The amendment would not only cut costs and redeploy U.S. forces, it would also act to move the entire system of U.S.-European relationships away from past concepts which, in my judgment, are acting as a drag on the rational evolution of this system. Within these antiquated concepts Europe is seen, as it was two decades ago, as dependent in a many-sided fashion on the United States. This overlong clinging to what is long since past is most glaring, I believe, in the atrophying of the U.S. role in NATO and the sacrosanctity with which the size of the troop deployment has been surrounded.

In any event, I am most happy to share Mr. Lerner's astute observations with the Senate. May I add that with many of them I am in complete accord, such as his reference to the possibility of a European commander of NATO. I ask unanimous consent that the article referred to, a series of three articles by Nick Thimmesch and other material be inserted at this point in the Record.

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

TRANSATLANTIC PARTNERS

(By Max Lerner)

Despite my disagreement with Sen. Mansfield's determined drive to get half the American troops out of Europe, and whatever its final outcome, I am glad he has stirred the slumbering issue to life.

Unexamined assumptions are dangerous, in public policy as in private life. Mansfield has made me, for one, dust off my own encounters with the NATO problem, my travels and conversations in Europe, to rethink the Europe-America partnership.

That's what it is. Make no mistake about it. The Senators and commentators who treat troop cuts just as a matter of saving some money, and getting soldiers back to Kansas and away from the sin-places of Europe, are ripping a single thread out of a whole coat.

The coat is nothing less than an alliance system, stretching far beyond the military, between Europe and America. It is probably the most crucial alliance system in the world, since it links two creative continents, Europe and America—two culture clusters very much in ferment, two power structures which are unequalled by any other combination in the world. Don't give it up or let it be broken too cavalierly.

The heart of the alliance—NATO, the defense system—came into being 25 years ago. It isn't anywhere near the whole Europe-

America story, which includes the business investments, the currency exchange system, the trade union relations, the scientific and technological exchange, the intellectual interplay.

But the common defense of Europe, and through it the defense of America, is part of it. We have all but forgotten that millions of young Americans died in two monster wars because European stability broke, and its breaking engulfed America.

In his pre-Nixon phase, in 1965, Henry Kissinger wrote a sharp analysis of what he called "The Troubled Partnership" (Anchor Paperback). I should myself call it the Tired Partnership. A 25-year marriage is a long marriage between continents as between a man and a woman, but in neither case do you opt out just for the hell of it. As in a marriage also, there have been neurotic interactions between these transatlantic partners.

The Europeans went into NATO to resist Russian invasion; they have stayed in it to get the umbrella of American nuclear protection. They make their contribution to the NATO conventional forces grudgingly—just enough to keep American forces there, but not so much as will make the nuclear umbrella unnecessary.

America in turn wants the ground and air resistance to be more than a token, so that a Soviet attack will meet "multiple options" and a "flexible response," instead of triggering a nuclear response automatically.

To freshen the alliance I am all for putting more pressure on the European partners to carry their weight and do more to achieve adequate force levels. I am also for helping them move forward an independent European nuclear deterrent, if possible, to get them free of dependence on America. And obviously I am for talks with Russia and the Warsaw Pact group about mutual troop reductions on both sides, which is the only thing that makes sense.

But we must change the psychology of the partnership. It's time for the U.S. to drop its old habit of having the commander of the NATO forces always an American, and time also to cut the top European group into consultations on nuclear policy. Finally it is time to recognize that while NATO itself can't become a bargaining unit for a European detente—a thaw in relations with the Russians—its members can do it bilaterally.

That is just what Chancellor Brandt has been trying to do in his Ostpolitik, and he needs more encouragement from the State Department and the sap is flowing again in Europe depends not only on a military power balance, which NATO has supplied, but also on a sense that the congealed waters are running again and the sap is flowing again in the trees.

Brandt made it clear, in a sharp statement on the Mansfield sortie, that the Germans must be sure of America's presence in Europe if they are to bargain effectively for detente with the Russians.

Nixon brought out an array of bigwigs to back up his anti-Mansfield drive. For me what counts is not so much their authority as the witness they bear to the long partnership, which has kept the peace too well to be unraveled in a fit of alliance fatigue.

[FROM FORBES, JULY 15, 1971]

FACT AND COMMENT

A CHOICE THAT REALLY IS NO CHOICE

The bipartisan unanimity of Washington's ex and present statesmen on not reducing our armed forces in Europe by half was impressive only because most of these fellows in private—and sometimes public—

conversations usually speak of one another with the utmost disdain.

I found the point of view in which they were in agreement about as sense-making as the inflexible Indochina policy pursued by Dean Rusk for eight years.

In the turbulent decade or two that followed World War II's end, NATO and our huge manpower-money commitment to it made sense. NATO had a real military capability, and served to shield Western Europe from aggression.

In the totally unlikely event that the Russians should suddenly march against Free Europe, NATO as an effective military force simply no longer is—Ask any battalion or regimental commander about the instant-ready status of his force, and no informed source in any world capital would be surprised at the answer.

The fact is our 300,000 men in Europe and their nearly that-many dependents are there as hostages—merely as numerical proof to friend and foe alike that this country will inevitably be "in" any major conflict.

For some years FORBES has pointed out the prohibitive expense of maintaining such an unnecessarily huge number of troops in Europe.

Less than half the number of military personnel would serve the hostage purpose.

Meantime, the cost of supporting them is contributing enormously every day to the dollar flood which so endangers Europe—and us—economically and politically.

And NATO's incomprehensively dilatory, almost negative response to the Russian offer mutually to reduce troop forces indicates NATO doesn't even seem aware of what it's there for.

The Mansfield proposal was licked, but it is far from dead.

Given a choice of restoring some integrity to the dollar and thus preserving the economic and political stability of Free Europe, or maintaining a hostage force of Americans at present "strength," there really is no choice.

It just seems that it will take a little more time for this to become apparent to the chess players.

THERE IS A DIFFERENCE

The chances for this country to have adequate military forces without a draft are nil, and political cant to the contrary can't change that unfortunate fact.

Instead of trying to proceed down that impossible path, we should set about promptly to make for those individuals who make a career of military service a life that is decently paid, including attractive, meaningful fringe benefits.

Realistically, it's unaffordable to have every one of a couple of million or more in the armed services paid on a scale commensurate with civilian jobs of the same sort. But can you name me one *really* good reason why the man who is making a career of the services shouldn't be paid considerably more than the draftee who is serving because he has to and is counting the days and hours until he's out? Half of his hitch is spent trying to make him slightly useful for the last half. Pay at most any scale won't make too many draftees want to stay on.

Our defense, though, depends near-totally on the career man in the field and sky and at sea. By any rational measure he should be paid more, considerably more, vis-a-vis draftees who are reluctantly in the ranks today and out at the first possible tomorrow.

The President and the majority of Congress should axe unaffordable billions of dollars called for by across-the-board military pay raises. Across-the-board shouldn't have a thing to do with it. Long-term enlistees—that is, career men—should get a

substantial raise and every feasible additional "perk."

And, by the way, if we ever were to have nearly enough volunteers to man the forces and with only a modicum of draftees, this is about the only way it could happen.

[From the Los Angeles Times, July 7, 1971]
NATO GRAPPLES WITH SHIFTING PRIORITIES
IN U.S., OTHER NATIONS
(By Nick Thimmesch)

BRUSSELS.—The men who serve as NATO representatives here as well as the International Secretariat staff tend to be academic types best suited for contemplating the European power balance and Soviet intentions. International political questions of the 15 member nations are less to their liking. These days, however, the NATO men are forced to give the internal questions almost the same priority as the omnipresent Soviets.

NATO isn't coming apart, but it is suffering strains, as all aging alliances eventually do. In the recent debate in the U.S. Senate over cutting U.S. troop levels by half in Europe, it was a lady, Sen. Margaret Chase Smith (R-Me.), who spoke the frankest: "We have carried the brunt of military liberation and protection of Western Europe for nearly 30 years now," she said. "We have done it through the sacrifice of our military personnel and their families and through the billions of our taxpayers' dollars.

"We lifted Western European countries off their backs and provided their economic recovery through the generous Marshall Plan and other forms of economic aid.

"And what have we gotten in return? Continued slaps in the face. Continued biting of our hands that fed them. Continued failure of the nations of Western Europe to carry their fair share of the cost and personnel for the NATO that keeps them free nations."

NATO and other European leaders are startled to think of a greatly diminished U.S. presence in Europe. Maybe this is why they agreed last December to increase their contribution to the NATO defense system by \$950 million in the next five years.

Without strong participation by the United States, it is possible that first the small West European nations would take the Swedish neutralist approach, with the larger nations (France, Germany and Italy) following suit.

Ironically, it is once again Germany, West that is, which is pivotal to the situation. The West Germans are on an economic binge. True, Chancellor Willy Brandt has eased relations with East Germany, at the same time reaffirming his nation's dependence on NATO. But what will West Germany do 5 or 10 years from now when its economy cools off—as it must—and it gropes about for stability, through nationalism perhaps?

The Soviets have vivid memories, and so do other Europeans, of German armies. Faced with a Germany searching for stability, the Russians might agree to an accommodation with West Germany. And if that happens it is very likely that the rest of Europe would follow, and reluctantly accept German-Russian power.

There is even the notion that the Soviets for the present, would prefer having an American presence in West Germany rather than a new West Germany army there. The Soviets know that if a clamor for national identity develops, Germany's young generation will be a part of it, and as one NATO official put it, "The Soviets would be very uncomfortable with 70 million German perfectionists on their flank."

With all the dreadful possibilities spinning through their heads, the NATO gentlemen see the need to press their governments for greater contributions of men and money to

the NATO defense effort. The idea that the United States would force its European partners to do more, says Jorge Kastl, assistant secretary general for political affairs, is as wrong as the European idea that U.S. involvement is automatic.

Indeed, some theorists believe that Sen. Mike Mansfield (D-Mont.) was only trying to get the United States to appreciate the need for NATO. If NATO fell apart, through American neglect, the United States would risk a war and also losing U.S. enterprises in Europe valued at an estimated \$100 billion.

For the present, then the U.S. government tries to mark time while Europe regains its pre-De Gaulle momentum, appreciates the United States a little more and kicks in more money and men to NATO.

The British, for instance, showed their good intentions by recommissioning the aircraft carrier, Ark Royal, an 18-year-old splendor, for NATO service. Meanwhile, a new Italian navy sits in port because Italy won't pay for it to steam anywhere.

There are many facts which amount to a negative for NATO these days. There is hope that when the present situation straightens out, there will be new, positive facts about NATO solidarity.

After all, as outgoing U.S. ambassador to NATO, Robert Ellsworth, told me: "When you deal with the Russians, it's important to deal in facts, not words. The Russians only respond to facts."

[From the Los Angeles Times, July 8, 1971]
U.S. ARMY, EUROPE, FACING RACIAL
PRESSURE

(By Nick Thimmesch)

HEIDELBERG, WEST GERMANY.—Out of necessity, perhaps, the Army, of late, tries to be a "nice guy" to its troops, giving them the impression that military life isn't that much different from the "outside." Well, the more that the Army and the outside get together, the more the Army suffers what outside society suffers, including race trouble, of which the Army now has plenty.

Outside society has Black Panthers; clinched fist, Black Power salute; strife between young blacks and whites including arguments over whether to play "soul" or country and western music; a high incidence of crime among blacks and a goodly portion of white racism.

The Army has all this too, but it tends to be intensified when men are trained to fight only to find themselves in a boring, caretaker mission like serving in the defense of Europe. Soldiers have always brawled. Black militancy adds a new dimension.

"I don't want to talk about it," said a white private first class in Frankfurt. But in a moment, he did. "Many blacks come into the Army to make the worst of it. They have chips on their shoulders, and some of the whites do too. We had a white captain who was relieved of his command because he singled out two black guy's quarters to be searched. They found hash (drugs) and the black guys were busted, only they protested they were discriminated against. I guess the captain should have searched everybody's stuff."

Another white GI said: "Officers should discipline blacks the same as whites and not transfer troublemakers just to get rid of them."

There is much muttering among white officers that blacks get off too lightly, both in military and West German courts. Yet an estimated 45% of prisoners in Army stockades are blacks, and the American Civil Liberties Union keeps a close watch here.

Black militants are not a shy bunch. If inclined, they will terrorize, even assault, superior officers, white or black. What used to be

called "mutiny" in the old Army, now pops up in strike threats. One group of blacks at the Air Force base at Wiesbaden struck in a dispute over the observance of Martin Luther King's birthday. The Black Panthers are present. One, a former GI was jailed twice by German authorities on charges of distributing printed matter hostile to the U.S. government and NATO.

Whites who like to play racist strike back. One white GI from Ninety-Six, Greenwood, South Carolina, was charged with wearing a K.K.K.-hood and then stabbing a black soldier. A black GI who went AWOL to Denmark, before being apprehended, claimed he fled because he was afraid of being attacked by vengeful whites.

Blacks also feel a fair amount of hostility from Germans. Some are Neo-Nazis. Others picked up bigoted attitudes of American whites, and think it's best to emulate them. Still others are afraid of increasing violent crimes by blacks. This tension causes polarization, with blacks sticking together in mess halls, in recreation areas and off duty. There is one bar in Frankfurt which actually prohibits whites.

The race situation got bad enough here last year that the Army started special programs to cope with it. An interracial "flying squad" of officers suddenly visited units to check records on legal charges, promotions and issuance of passes. A Housing-Referral Office was established to help black soldiers find off-post housing. GIs were forbidden from renting from German landlords who refused to sign nondiscriminatory agreements.

Black studies and sensitivity training were instituted for noncommissioned officers (the guys who give most of the orders) and officers alike. An Equal Opportunity and Human Relations Conference for U.S. Army, Europe, was held. Black officers held "rap" sessions, gritted their teeth when cursed and called Uncle Tom by black troops, but managed to persuade some that every Army order wasn't white racism.

At best the Army hopes to prevent widespread race trouble in its ranks and to maintain its capability to defend Western Europe's threshold to the East. Despite the special programs, race upheavals haven't diminished. Before he left here recently for a new command, Brig. Gen. George Patton, in the verbal style of his celebrated father, told an officer's meeting:

"You show me a commander or leader who says he doesn't have race trouble, and I'll show you a dumb —"

[From the Los Angeles Times, July 11, 1971]
U.S. ARMY, EUROPE, FACING RACIAL
PRESSURE

(By Nick Thimmesch)

FRANKFURT, WEST GERMANY.—This isn't the greatest Army the United States has fielded in Germany. In years past it was more purposeful for the Army to be conqueror or part of the rebuilding. Now as West Germany bristles with work and prosperity, life for most of the U.S. military is garrison routine. That means restlessness and boredom even in the midst of Europe's wonders.

Sure, 220,000 soldiers and airmen do enough to keep the charts and reports current. The tanks roll as they have for a generation. On a current training mission near Heidelberg an M-60 went off a bridge, killing the three crewmen.

The no man's land on the East German border with its mines and barbed wire installed by the Communists is patrolled by American planes and troops. Infantry and airborne training units hold regular exercises against a foe which might never come.

Alas, the frauleins who slept with GIs of the occupational army for chocolate bars and cigarettes are grandmothers now. American soldiers rode in new buses through the smashed towns 26 years ago while Germans walked in broken shoes. Now the GIs ride in rattletrap buses while hearty German tourists glide by in luxurious Mercedes-Benz coaches equipped with beautifully upholstered seats and cafe bars.

Outside of German officialdom, the Americans are at least an accepted bother and at most an unwanted menace. "It can take six months to straighten out a bad community situation," an Army colonel told me.

Release from boredom in extreme form can mean muggings, robberies, rape and murder. In Ansbach recently many inhabitants stayed at home because of the fear engendered by the knife-slashing of a Gasthaus operator. Two U.S. soldiers confessed they were involved. City leaders and Army commanders conferred, and the Army promised to increase Military Police patrol.

In Bad Kissingen, German-American Friendship Week was canceled when the Germans charged that MPs failed to respond to the reported rape of a German girl by GIs. If the MPs were indeed delinquent, it might be because it is increasingly difficult to get good MPs, their duties are that rough.

Some Army officers like to say there's a different kind of discipline now, but the noncommissioned officers, called lifers by the short-termers, complain there is very little at all. The GIs are aware of their legal rights, and if they get into a jam there are the likes of Melvin Belli, the civil-righteous lawyer, around to protect them. Small wonder that some officers have to look the other way at thefts and threatened strikes.

Housing seems to be a major problem. To protect all GIs against exorbitant rents by German landlords and black GIs against racial discrimination, the Army established a housing referral office. About 90% of 3,000 landlords contacted agreed to the Army's terms, and there is hope that this new system will greatly improve relations between the 25,000 GIs and their families who live off-post.

Furnished two-bedroom apartments range from \$65 to \$150 per month, but Germans ask for long-term leases and large down payments.

The majority of GIs live on-post (if single) or in the American ghettos, as one officer calls Army housing for married soldiers. Last winter, Overseas Weekly, a lively independent paper whose sensational contents GIs devour, did an expose of a Slums of the Week series on bad Army housing.

Bats in the billets, flooded basements, clogged plumbing and flaking walls were reported and contrasted with the clean, pleasant barracks German troops enjoy in their caserns. The Army tries to rehabilitate barracks, not build new ones, for who knows how long or how big the U.S. presence will be in West Germany?

Many GIs seek their own level in West Germany, and that means the gut sections of B-girl bars, whorehouses and lively discotheques where they mingle with willing Germans and Turkish, Spanish and Italian workers also on a duty of sorts in Germany as laborers.

The GIs are looking for an elevation in social status soon when Southern Europeans are hired to relieve them of all KP duty.

It's hard to fault the Army for the way matters are with its troops here. Most GIs don't want to be here, don't feel they are needed and view the Soviet threat as an abstraction. The Germans give them the impression that they share this estimate.

But there is one great exception to the general attitude of bare sufferance of GIs in Germany:

"They love us in Berlin," a sergeant told me. "The people there greet us and make us feel big."

Berlin, of course, has an ugly wall, many incidents of attempted crossings from East Germany and a deeply symbolic feeling about the whole trouble between East and West.

[From the Wall Street Journal, July 12, 1971]

GERMANY IS SEEN READY TO PAY \$1.9 BILLION TO U.S. TO OFFSET COST OF TROOPS THERE

BONN—West Germany is ready to agree to loans and payments equivalent to about \$1.9 billion over two years to the U.S. to offset American foreign exchange costs of keeping some 200,000 troops here, German government sources said.

The package's value is computed on the basis of the mark's previous parity of 3.66 to the dollar, or 27,3224 cents.

Such payments would approach Washington's demand that Germany should offset 80% of the annual \$1.2 billion American foreign exchange outlay involved. A final decision is up to the German cabinet. But there are signs that the talks on the offset payments, which were deadlocked last week, will reconvene at the end of the month or shortly thereafter.

The previous American-German offset agreement expired June 30, but new arrangements couldn't be concluded because of a wide gap between America's demand and West Germany's offer.

Germany has rejected the American proposal that Bonn should grant Washington an interest-free loan. But since the deadlock apparently cannot be overcome by other measures, Willy Brandt's socialist-liberal coalition government seems ready to subsidize credit, so that America would enjoy low-interest loans.

In effort to avoid repeating the previous procedures of buying medium-term American Treasury bonds, Bonn is considering granting America a credit out of Bundesbank funds to the value of \$273 million. Part of the interest would be borne by the Bundesbank.

West Germany would also make direct cash payments to the American government out of its regular budget. Under Bonn's present concept, these would total about \$218 million over the coming two years.

Another \$98 million would be earmarked as German payment for renovation of American barracks and airfields in West Germany.

West German military purchases in the U.S. also to be included in the offset agreement will total some \$874 million over the coming two years. But the West German proposal that about \$273 million of the funds earmarked for the purchase of 175 American single-seater Phantom aircraft should be taken into account under the offset agreement is still highly controversial in the eyes of the American government.

[From the Los Angeles Times, July 16, 1971]

ARMING TO DISARM

There is an unreal quality to the Washington maneuvering on strategic offensive and defensive arms. The Pentagon talks about arming to disarm. A precision and utility are attributed to antiballistic missiles that they do not deserve. Congress is asked to add more than \$1 billion to the ABM program when \$6 billion is far from exhausted.

But these postures and pretenses are essential ingredients to a momentous opportunity to test the real intentions of the Soviet Union. Which is an overwhelming rea-

son why the partisan tendencies of the Congress must somehow be controlled for a few more months.

President Nixon has persuasive evidence that his strategy is working. That evidence is the joint Soviet-American declaration of May 20 that they are going to reach an agreement to limit defensive missiles and some offensive strategic weapons.

In the face of that evidence, it would be a risky business to do to the strategic arms limitation talks (SALT) what Sen. Mike Mansfield tried but failed to do to the European troop reduction proposals.

Mansfield raised legitimate and serious doubts about the level of American troops assigned to NATO. But his unilateral troop cuts would have buried hopes for an important world security step, the mutual and balanced reduction of forces in Europe by both East and West.

Sens. Edmund S. Muskie and Hubert H. Humphrey have presented constructive proposals for limiting expansion of offensive and defensive missile installations, freezing Soviet and American actions pending the outcome of SALT, and putting in escrow funds for multiple warhead missile work. But these proposals at this time can only confuse the Soviet Union. And they are valid only if accepted by both sides, which requires a mutual agreement negotiated in SALT.

The Defense Department believes that a successful outcome of SALT will be jeopardized if Congress refuses to support additions to the Safeguard ABM system and continued development of offensive missile warheads. Deputy Secretary of Defense David Packard put it this way: "Our existing and planned strategic systems represent bargaining chips, as, in our judgment, do Soviet strategic systems."

It is an unusual game of poker. There are only two players. Each is adding to his stack of chips. But the aim of the game is for both to finish with as few chips as possible, and the same number.

No one outside the Kremlin can be sure why the Russians are willing to negotiate now. Humphrey may be correct in arguing that when the Americans "talk of a tough negotiating position they are going to get a tough response." No one really expects a soft response from Moscow. But the record so far supports Mr. Nixon's contention that firmness is leading towards results.

Strategic questions are not answered without dangers. Not the least of the present dangers is that the military of Moscow and Washington will use the encouragement of bigger and better arms to overwhelm the disarmament negotiators, accepting the risks of escalation rather than the risks of reduction.

Fortunately, there is the promise of a prompt reaction in the forum of SALT. The White House expects to know in the next three months whether the Soviet Union is ready for a first modest step in reducing strategic arms. It will not be too late then to have second thoughts about the Safeguard ABM expansion or new warhead development.

The PRESIDING OFFICER. In accordance with the preceding order, the Senator from Colorado is recognized for not to exceed 15 minutes.

THE ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS

Mr. DOMINICK. Mr. President, I am glad I had the opportunity to listen to my distinguished minority leader and the distinguished majority leader. It is on the same subject that I wish to talk

this morning. I had made preparations to make this talk prior to the President's dramatic announcement last night. And after considering at length whether I should do so, I decided that I should, because I think that some observations on the apparent euphoria sweeping over the news media and the country should be made at this time.

It seems obvious to me that after the very dramatic announcement—and I gather from listening to everybody that nobody, in this body at least, had any advance notice of it—that much guessing is going to be involved in determining what the effects of this are going to be on our worldwide situation as time goes on.

There is already speculation here on the floor this morning and there was speculation in the papers and in the broadcast media this morning and last night. I do not pretend to know any more than anyone else does about this particular subject.

Obviously, if it means another step in the President's determined effort to achieve a breakthrough for a negotiated peace in Indochina, and it may, I can say that we will all welcome the move.

If, however, it does not forecast that or simply points to a significant change in the U.S. position with regard to the admission of Red China into the United Nations or a step toward recognition by the United States, then in my opinion it will have a very adverse effect on our relationships throughout the world.

Mr. President, I think we should keep in mind that other Presidents in the past have attempted what might be termed personal diplomacy.

President Roosevelt did it and we wound up in Yalta.

President Truman did it and we wound up in Potsdam.

President Kennedy did it and we wound up in the rose garden in Vienna. Subsequently we had the Berlin Wall and the Cuban crisis.

It is my sincere and deep hope that we will not fall into similar quagmires following this very dramatic and unexpected announcement by the President.

I have spoken out here on the floor and in committee meetings and before various groups in opposition to the admission of Communist China to the United Nations until such time as Peking demonstrates compliance or at least a willingness to comply with international law and the terms of the United Nations Charter. I have not changed that position.

I have also praised President Nixon's initiative in lifting trade and travel restrictions. But I have urged caution in moving further until the Communist Chinese give some indication of reciprocal gestures in improving relations between our two countries.

I hope, as I have said before, that this gesture may be one of these reciprocal gestures.

Mr. President, today I would like to direct my remarks to an area that has received less coverage than the announcement of our President last night or the visits of our ping-pong team or

the importation of Chinese pig bristles, but one which I believe deserves serious consideration by those of our officials who participate in our decisions regarding Mainland China.

The areas of which I speak involve the undercover activities operated by the Peking government in areas where they have missions or embassies, their support of the Palestinian guerrilla war in the Middle East, and the opinions of the American people themselves on the question of admission of Communist China to the U.N.

To permit Communist China to sit in the United Nations is to open the doors to a new headquarters for espionage and subversion—a Red Chinese mission in New York. We have heard in congressional testimony that Peking has used the Tanzanian mission at the U.N. to support activist groups in this country. If we have any doubt about the nature of their own mission—should they ever gain membership in the world organization—we need only observe what has happened in Ottawa since the establishment of the Communist Chinese Embassy there. Peking has dispatched Huang Hua as its Ambassador to Canada. Huang is known to be a key Chinese operative in the field of subversion and espionage, whose activities span 35 years and much of the globe engaged in helping to spread the word and the revolutionary concepts of Mao. One wonders which of their dual-purpose diplomats might get the nod to occupy a U.N. mission. At present, the Communist Chinese espionage activity in the United States is handicapped by lack of a "legal" base from which to operate intelligence gathering activities.

Of course, Mr. President, we all know that Peking would not be the first nation to spy on us from its diplomatic residence here, and one might say, at first glance, that this is not sufficient justification to deny admission to the United Nations. I would be inclined to agree, except that the government of which I speak has declared in every possible way its support for those who would destroy this Nation from within, and it has contributed men and material to wars of liberation throughout the world.

One area in which the activities of Peking are not generally known or reported is the Middle East. As we all recognize, the Middle East is a flash point in a tense and uneasy world, and the simmering conflict between Arab nations and the Israelis needs only a match to ignite a new conflagration which could involve the whole world. The Palestinian guerrillas are the match Peking would use to fire the conflict. From the inception of their movement, the guerrillas have taken arms, training, and guidance from Communist China. On May 3 of this year, Palestinian Liberation Week was held in Peking—10,000 attended a mass rally there. On the same day, People's Daily published an editorial calling on the guerrillas to "firmly grasp the gun and recover their lost homeland through armed struggle—this is the only road chosen by the Palestinian guerrillas and people."

There is no doubt that Peking's hand was clearly involved last fall when fratricidal fighting broke out between the guerrillas and Jordanian troops, and that is going on today. When the London Sunday Telegraph implied the presence of Chinese advisers with the guerrillas in Jordan in a story on August 30, 1970, a spokesman for the Popular Democratic Front for the Liberation of Palestine quickly issued a statement denying the presence of advisers in Jordan but added:

There are some Chinese experts with the guerrillas, but outside Jordan.

No less a figure in the Palestinian liberation cause than Yasser Arafat, leader of Al Fatah, at a Peking banquet in March 1970, declared:

It is no secret that "Al Fatah," the initiator of the Palestine Revolution, received aid first from Peking.

One need only turn to reports in our own newspapers, including the New York Times, to read accounts of Communist Chinese support, in the form of arms and advisers, being provided to the Palestine guerrilla organizations. A Times report from Beirut on February 10, 1970 quoted Arafat as saying in an interview with an Egyptian paper:

I am using Saudi (Arabian) money to buy weapons from China.

So, Mr. President, we must once again ask ourselves if this is a government we want seated in a world organization dedicated to peace, when it openly and enthusiastically fans the flames of revolution around the world.

The latest confirmation of Peking's position appeared in the New York Times last Sunday, July 11, when Chester Ronning, a Canadian diplomat born in China, recently returned from an extensive trip there, reported:

The Government of the United States will have to drastically change its present China policy before good relations with China are possible. The United States will have to (a) withdraw the military encirclement of China, (b) end the war in Indochina, and (c) leave the problem of Taiwan to the Chinese themselves to settle without foreign interference.

Mr. President, even the Lodge Commission report, which goes as far as possible toward objectively examining the possibilities under which the People's Republic of China might sit in the United Nations, has stated:

Under no circumstances should the U.S. agree to the expulsion of the Republic of China on Taiwan from the U.N. but . . . seek agreement as early as practicable whereby the People's Republic of China might accept the principles of the U.N. Charter and be represented in the organization.

Over this past weekend, the Evening Star published a UPI dispatch from San Clemente which described President Nixon as having praised the Lodge Commission report. The President was quoted as saying:

I am giving this useful report close study, and I commend it to the attention of every concerned citizen.

The UPI story concluded from the President's remarks that he would accept the report's recommendation that Communist China be admitted into the U.N., but not at the expense of the Republic of China's seat. To reiterate a point I stressed in hearings before the Foreign Relations Committee, the Lodge report places the responsibility for admission exactly where it belongs—with Communist China. As long as Peking insists upon the prior expulsion of Taiwan and refuses to accept the principles of the U.N. Charter, it is a mistake for us to even consider the question of Peking's admission.

In the wage of the fanfare over the possibilities of new understanding and diplomatic rapport with the People's Republic of China, little attention has been paid to the opinions of the people across this country and how those opinions have shifted or remained unchanged as a result of the China "thaw."

During the period of June 14 to June 20, barely 1 month ago, Opinion Research Corp., Princeton, N.J., conducted almost 2,000 telephone interviews in six States: California, Florida, Illinois, New Jersey, Ohio, and Texas. The survey was commissioned by the Committee of One Million and covered a total population in the six States of over 55 million people.

In these six States, 42 percent opposed the admission of Communist China to the United Nations, 40 percent favored Peking's admission, and 18 percent had no opinion. But when those who favored the admission of Communist China were then asked if they would favor admission even if it meant the elimination of the Republic of China as a U.N. member, the percentages shifted dramatically—66 percent opposed admission of Peking while only 10 percent favored her entry. 24 percent had no opinion.

In other words, by a margin of nearly 7 to 1, the American people in six States rejected the formula which Peking insists must be accepted before it will consider membership in the U.N.

Once more, I would point out that we must differentiate between representation for the people of mainland China and the seating of a government which in no way reflects the will of the 800 million people it rules through oppression and fear. The people of the United States are not willing to sacrifice the goals of the United Nations as expressed in its charter to admit the Peking regime—a regime which refuses to accept those principles.

Mr. President, I wish to enlarge a little on what I said in the preface of my speech. It is hoped by me and I hope by everyone else that the President's announcement last night is a forerunner of a breakthrough for a negotiated peace in Indochina. We do not know, and everyone is speculating in a void at the moment. Until such time as we have more information I am willing to accept this as a very good possibility.

If, however, it proves wrong and we find ourselves indulging in what I would call "personal diplomacy" which would have the effect of disrupting our rela-

tionships with our allies in the Far East, with our efforts to try to maintain at least an uneasy peace in the Middle East, and our efforts to hopefully contain the force which Communist China has used in support of the so-called "People's Wars of Liberation" throughout the world, then I think we have taken a very dramatic and drastic step in connection with the free world and our efforts to maintain the rights of individuals to accept their responsibilities in the free world and to have the opportunity to live as a free people.

Mr. President, I ask unanimous consent that the opinion research poll, remarks by Ambassador James C. H. Shen, of the Republic of China, to the National Press Club on June 24, 1971, and my testimony before the Senate Foreign Relations Committee on June 28, 1971 be included in the Record at the conclusion of my remarks. I further ask that a selection of columns and editorials on the China question from newspapers around the country be included at that point in the RECORD. I think the newspaper material clearly indicates that we are not alone in our concern about the results of admission of Communist China to the United Nations at this time.

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

THE PUBLIC IN SIX STATES APPRAISES U.S. RELATIONS WITH COMMUNIST CHINA ABOUT THE SURVEY

Results in this report are based on 1980 telephone interviews distributed as follows:

California	329
Florida	328
Illinois	329
New Jersey	331
Ohio	332
Texas	331

Interviewing took place during the period of June 14 to June 20, 1971 among separate representative samples in each state, age 18 and over.

The objective of the survey was to obtain public opinion on our relations with Communist China since the recent (April, 1971) visit of the U.S. table tennis team to China.

Details of the sampling and interviewing plan, sample reliability, and the distribution of the sample within each of the six states is provided in the section titled Technical Survey Data.

Percent signs in the tables are placed in the left-most column and percentages are to be read across in this report. Where percentages do not add to 100 or the total shown, this is due to computer rounding. An asterisk (*) in a table indicates a figure of less than 1/2 %.

As required by the Code of Ethics of the American Association for Public Opinion Research, we will maintain the anonymity of our respondents. No information can be released that in any way will reveal the identity of a respondent. Also, our authorization is required for any publication of the research findings or their implications.

In the six States surveyed, a third of the public feel the table tennis team visit has produced more favorable Communist Chinese policy toward the U.S.

As shown opposite, almost four in ten see no change.

Note the large "no opinion" on this question.

California, Florida and Illinois tend to be most optimistic about the results of the tennis team visit, with Texas and New Jersey the least optimistic.

- Actually, throughout the survey opinion in the six states is characterized more by similarity than any marked differences.

INFLUENCE OF U.S. TABLE TENNIS TEAM VISIT TO COMMUNIST CHINA

"Two months have passed since the visit of the American table tennis team to Communist China. Do you think the visit has or has not resulted in any favorable change in Chinese Community policy toward the United States?"

[In percent]			
	Has changed	Has not	No opinion
6 State total.....	33	37	30
California.....	38	34	28
Florida.....	36	33	31
Illinois.....	39	36	25
New Jersey.....	28	47	25
Ohio.....	32	37	31
Texas.....	26	37	37

Very few people believe that Communist China has reciprocated the Nixon administration's relaxation of restrictions against the Chinese.

This figure ranges from a low of 9% in Texas to a high of 17% in Illinois.

More than four in ten say Communist China has not relaxed restrictions against the U.S.

Again, many say they "don't know."

HAS COMMUNIST CHINA RECIPROCATED U.S. REMOVAL OF RESTRICTIONS?

"President Nixon has removed some restrictions on travel, trade and cultural exchange with Communist China. As far as you know, has Communist China also removed some similar restrictions regarding the United States, or haven't they done anything like this?"

[In percent]			
	Has removed restrictions	Have not	Don't know
6 State total.....	13	46	41
California.....	13	42	45
Florida.....	14	42	44
Illinois.....	17	44	39
New Jersey.....	11	55	34
Ohio.....	12	43	45
Texas.....	9	49	42

Opposition to admitting Communist China to the United Nations rises markedly when the possible elimination of the Republic of China as a member is introduced.

This issue was covered in two steps to provide a more definitive reading of public opinion about Communist China.

When asked without the Republic of China condition, from a third to a half vote in favor of admitting Communist China to the United Nations.

When possible elimination of the Republic of China is introduced in the question, opposition moves to the six in ten level or above.

The lower table combines the results of both questions and is projectable to the total universe studied within the limits discussed in the Technical Survey Data at the back of this report.

Opposition is uniformly high in all six states.

ADMISSION OF COMMUNIST CHINA TO UNITED NATIONS

"Do you favor or oppose the admission of Communist China to the United Nations?"

[In percent]

	Favor	Oppose	No opinion
6 State total.....	40	42	18
California.....	44	37	19
Florida.....	38	43	19
Illinois.....	40	43	17
New Jersey.....	50	41	9
Ohio.....	37	41	22
Texas.....	30	48	22

"Would you favor admission of Communist China to the United Nations even if it meant the elimination of the Republic of China as a member of the U.N.?" (Asked only of those who say they favor the admission of Communist China to the United Nations.)

[In percent]

	Favor	Oppose	No opinion
6 State total.....	10	66	24
California.....	10	63	27
Florida.....	8	67	25
Illinois.....	10	67	23
New Jersey.....	15	67	18
Ohio.....	10	63	27
Texas.....	5	68	27

NOTE.—The lower question above combines "oppose" for both questions. Similarly, setting up diplomatic relations with Communist China loses its appeal when

the possible breaking off of U.S. relations with the Republic of China is introduced.

Again, this issue was tested with a two step reading.

Before possible break off of U.S. relations with the Republic of China is introduced, majorities in each state except Texas vote in favor of diplomatic relations with China.

When the condition of breaking off relations with the Republic of China is included in the questioning, support goes down to the one in ten level.

Large majorities express opposition in all six states when the issue is posed in terms of having diplomatic relations with only Communist China.

HAVE DIPLOMATIC RELATIONS WITH COMMUNIST CHINA?

"Do you favor or oppose the U.S. setting up diplomatic relations with Communist China?"

[In percent]

	Favor	Oppose	No opinion
6 State total.....	56	30	14
California.....	60	31	9
Florida.....	53	31	16
Illinois.....	56	28	16
New Jersey.....	61	28	11
Ohio.....	54	31	15
Texas.....	49	32	19

"Would you favor the U.S. setting up diplomatic relations with Communist China even if it meant cutting off diplomatic relations with the Republic of China?" (Asked only of those who say they favor the U.S. setting up diplomatic relations with Communist China.)

DISTRIBUTION OF SAMPLE

[Percentage distribution in each subgroup of each State]

	California		Florida		Illinois		New Jersey		Ohio		Texas	
	Survey sample	Estimate from U.S. census										
Men.....	48	48	48	47	46	47	47	47	47	47	47	48
Women.....	52	52	52	53	54	53	53	53	53	53	53	52
Under 30 years of age.....	27	29	23	22	26	27	24	25	27	28	30	30
30 to 49 years.....	34	36	30	31	35	35	37	37	35	35	35	35
50 years and over.....	39	35	47	47	39	38	39	38	38	37	35	35
High school incomplete.....	37	35	41	40	41	42	42	42	42	41	43	43
High school graduate.....	37	38	36	36	38	36	36	36	38	39	33	32
Attended college.....	26	27	23	24	21	22	22	22	20	20	24	25

SAMPLE DESIGN

The universe for this sample consisted of all residents age 18 and over, living in telephone households, in the following states: California, Florida, Illinois, New Jersey, Ohio, and Texas.

The procedures used in designation of telephone households to be interviewed precluded the interviewers from making these choices. The sample areas in which interviewing was conducted were selected as follows:

Selection of sample areas

Within each state the SMSA's were ranked according to size.

The counties not in SMSA's were ranked according to the percentage Republican vote in the 1968 Presidential Election. These counties were then grouped into thirds or fourths and again ranked by geographic location.

Fifty-five areas were then allocated to each state with probability proportionate to population.

Six interviews were assigned to each of the fifty-five locations, and telephone directories covering each were used to supply the telephone numbers.

Systematic procedures were used to select

[In percent]

	Favor	Oppose	No opinion
6 State total.....	10	66	24
California.....	10	69	21
Florida.....	9	65	26
Illinois.....	12	63	25
New Jersey.....	12	68	20
Ohio.....	8	64	28
Texas.....	7	65	28

NOTE.—The lower question above combines "oppose" for both questions.

By a wide margin, the public says they would be less likely to vote for a political candidate who favored admitting Communist China to the United Nations if this meant the loss of the Republic of China as a member.

The average for the six states is 59% saying they would be less likely to vote for such a candidate (only 10% say more likely).

The lowest "less likely" vote is in California (55%), the highest is Texas (68%).

SUPPORT FOR A POLITICAL CANDIDATE PARTIAL TO COMMUNIST CHINA

"If a candidate for political office favored the admission of Communist China to the U.N., even if it meant the elimination of the Republic of China as a member, would you be more likely or less likely to vote for that candidate?"

[In percent]

	More likely	Less likely	Makes no difference	Don't know
6 State total.....	10	59	8	23
California.....	11	55	9	25
Florida.....	9	56	5	30
Illinois.....	12	61	9	18
New Jersey.....	13	58	7	22
Ohio.....	11	57	7	25
Texas.....	7	68	7	18

page numbers in the directories and specific residential listings on those pages to be called. Interviewers were provided with these pre-listed numbers.

Selection of respondent

Interviews were conducted with approximately equal numbers of men and women 18 years of age and over.

If the designated respondent was busy, or not at home, the interviewers were instructed to make an appointment to call at a more convenient time. If no answer was received on the first call, the interviewer made two

callbacks at different times of the day to attempt to complete the interview. (A busy signal was not considered to be a call.) Non-working telephone numbers and those which turned out to be business telephones were dropped from the sample.

Weighting

Weighting procedures were introduced to compensate for slight difference in completion rates among men and women of different age levels, and among respondents of varying educational attainment. The figures for 18 and over for each state were estimated from census data.

SAMPLE RELIABILITY

Since the findings presented in this report are based on a sample, they are subject to some error. The table below shows approximate sampling tolerances for various percentage results at the 95% confidence level. For example, if we consider a result of 50% based on a total sample of 300 interviews, we can be 95% sure that the true result is contained in the range 7 percentage points above or below the sample result (that is, within the range of 43%-57%). When percentage results for subgroups of the total sample are being considered, the possible error due to sampling is somewhat greater.

Size of sample on which survey result is based	Approximate sampling tolerances for a survey percentage at or near these levels (95 in 100 confidence level)				
	10 or 90	20 or 80	[percent] 30 or 70	40 or 60	50
1,800	2	2	3	3	3
300	4	6	6	7	7
250	5	6	7	8	8
200	5	7	8	8	9
150	6	8	9	10	10
100	7	10	11	12	12
50	10	14	16	17	17

QUESTION 1—2 MONTHS HAVE PASSED SINCE THE VISIT OF THE AMERICAN TABLE TENNIS TEAM TO COMMUNIST CHINA. DO YOU THINK THE VISIT HAS OR HAS NOT RESULTED IN ANY FAVORABLE CHANGE IN CHINESE COMMUNIST POLICY TOWARD THE UNITED STATES?

[In percent]

	Percentage base					Total		Percentage base					Total
	Unwanted	Wanted	Has changed	Has not	No opinion			Unwanted	Wanted	Has changed	Has not	No opinion	
6-State total	1,980	3,039	33	37	30	100	New Jersey total	331	502	28	47	25	100
California total	329	491	38	34	28	100	Men	164	236	24	58	18	100
Men	165	234	43	40	17	100	Women	167	266	31	37	32	100
Women	164	257	33	30	37	100	Registered voters	262	379	25	52	23	100
Registered voters	266	355	33	42	25	100	Not registered	63	115	38	29	33	100
Not registered	63	136	50	15	35	100	Democrat	80	150	42	39	19	100
Democrat	119	207	42	28	30	100	Republican	68	105	24	55	21	100
Republican	95	116	33	51	16	100	Independent	136	170	23	56	21	100
Independent	80	100	40	25	35	100	Under 30 years of age	91	120	40	37	23	100
Under 30 years of age	88	135	56	24	20	100	30 to 49 years	121	185	24	48	28	100
30 to 49 years	127	168	32	42	26	100	50 years and over	113	189	24	54	22	100
50 years and over	111	184	31	35	34	100	High school incomplete	60	204	25	49	26	100
High school incomplete	43	177	39	32	29	100	High school graduate	118	176	27	45	28	100
High school graduate	98	187	35	36	29	100	Attended college	143	109	37	48	15	100
Attended college	182	129	43	36	21	100	Ohio total	332	536	32	37	31	100
Florida total	328	504	36	33	31	100	Men	165	255	36	42	22	100
Men	165	240	39	34	27	100	Women	167	282	30	32	38	100
Women	163	264	33	32	35	100	Registered voters	259	406	34	36	30	100
Registered voters	257	400	35	33	32	100	Not registered	71	128	27	41	32	100
Not registered	70	103	38	33	29	100	Democrat	110	204	34	33	33	100
Democrat	162	269	33	30	37	100	Republican	74	98	38	39	23	100
Republican	69	92	31	40	29	100	Independent	114	179	27	40	33	100
Independent	71	99	39	34	27	100	Under 30 years of age	86	147	35	47	18	100
Under 30 years of age	87	114	54	26	20	100	30 to 49 years	127	185	25	39	36	100
30 to 49 years	106	149	28	39	33	100	50 years and over	117	202	38	28	34	100
50 years and over	134	239	32	32	36	100	High school incomplete	60	222	33	28	39	100
High school incomplete	72	203	33	23	44	100	High school graduate	176	203	34	37	29	100
High school graduate	126	177	36	37	27	100	Attended college	92	105	29	52	19	100
Attended college	122	112	43	43	14	100	Texas total	331	508	26	37	37	100
Illinois total	329	498	39	36	25	100	Men	163	232	36	36	28	100
Men	163	231	41	31	28	100	Women	162	267	18	37	45	100
Women	166	267	36	41	23	100	Registered voters	270	394	28	39	33	100
Registered voters	266	401	36	38	26	100	Not registered	60	113	20	32	48	100
Not registered	61	94	48	29	23	100	Democrat	135	237	29	32	39	100
Democrat	89	170	35	35	30	100	Republican	44	57	41	52	7	100
Republican	59	92	44	40	16	100	Independent	104	138	26	40	34	100
Independent	136	156	43	43	14	100	Under 30 years of age	114	150	34	36	30	100
Under 30 years of age	117	130	48	32	20	100	30 to 49 years	125	177	26	36	38	100
30 to 49 years	101	173	32	44	24	100	50 years and over	88	177	20	39	41	100
50 years and over	108	189	38	32	30	100	High school incomplete	68	217	19	26	55	100
High school incomplete	70	204	42	27	31	100	High school graduate	106	166	29	44	27	100
High school graduate	91	182	32	45	23	100	Attended college	154	121	33	47	20	100
Attended college	164	107	46	39	15	100							

QUESTION 2.—PRESIDENT NIXON HAS REMOVED SOME RESTRICTIONS ON TRAVEL, TRADE AND CULTURAL EXCHANGE WITH COMMUNIST CHINA. AS FAR AS YOU KNOW, HAS COMMUNIST CHINA ALSO REMOVED SOME SIMILAR RESTRICTIONS REGARDING THE UNITED STATES, OR HAVEN'T THEY DONE ANYTHING LIKE THIS?

[In percent]

	Percentage base					Total		Percentage base					Total
	Unwanted	Wanted	Has removed restrictions	Have not	No opinion			Unwanted	Wanted	Has removed restrictions	Have not	No opinion	
Six-State total	1,980	3,039	13	46	41	100	Women	164	257	12	35	53	100
California total	329	491	13	42	45	100	Registered voters	266	355	15	45	40	100
Men	165	234	15	50	35	100	Not registered	63	136	9	34	57	100
Registered voters	266	355	15	45	40	100	Democrat	119	207	8	37	55	100
Not registered	63	136	9	34	57	100							
Democrat	119	207	8	37	55	100							

QUESTION 2.—PRESIDENT NIXON HAS REMOVED SOME RESTRICTIONS ON TRAVEL, TRADE AND CULTURAL EXCHANGE WITH COMMUNIST CHINA. AS FAR AS YOU KNOW, HAS COMMUNIST CHINA ALSO REMOVED SOME SIMILAR RESTRICTIONS REGARDING THE UNITED STATES, OR HAVEN'T THEY DONE ANYTHING LIKE THIS?—Continued

[In percent]

	Percentage base		Has removed restrictions	Have not	No opinion	Total
	Unwanted	Wanted				
Republican	95	116	17	60	23	100
Independent	80	100	17	42	41	100
Under 30 years of age	88	135	17	39	44	100
30 to 49 years	127	168	12	52	36	100
50 years and over	111	184	12	34	54	100
High school incomplete	43	177	6	37	57	100
High school graduate	98	176	14	44	42	100
Attended college	182	129	23	44	33	100
Florida total	328	504	14	42	44	100
Men	165	240	19	43	38	100
Women	163	264	8	42	50	100
Registered voters	257	400	14	43	43	100
Not registered	70	103	11	40	49	100
Democrat	162	269	11	41	48	100
Republican	69	92	14	40	46	100
Independent	71	99	16	43	41	100
Under 30 years of age	87	114	17	46	37	100
30 to 49 years	106	149	17	45	38	100
50 years and over	134	239	10	39	51	100
High school incomplete	72	203	13	35	52	100
High school graduate	126	177	11	49	40	100
Attended college	122	112	20	48	32	100
Illinois, total	329	498	17	44	39	100
Men	163	231	19	46	35	100
Women	166	267	15	43	42	100
Registered voters	266	401	19	45	36	100
Not registered	61	94	9	40	51	100
Democrat	89	170	11	48	41	100
Republican	59	92	25	46	29	100
Independent	136	156	24	34	42	100
Under 30 years of age	117	130	17	42	41	100
30 to 49 years	101	173	15	42	43	100
50 years and over	108	189	18	48	34	100
High school incomplete	70	204	16	47	37	100
High school graduate	91	182	12	42	46	100
Attended college	164	107	27	43	30	100
New Jersey total	331	502	11	55	34	100
Men	164	236	14	54	32	100
Women	167	266	9	56	35	100

	Percentage base		Has removed restrictions	Have not	No opinion	Total
	Unwanted	Wanted				
Registered voters	262	379	12	56	32	100
Not registered	63	115	10	51	39	100
Democrat	80	150	11	56	33	100
Republican	68	105	12	57	31	100
Independent	136	170	13	57	30	100
Under 30 years of age	91	120	18	49	33	100
30 to 49 years	121	185	10	55	35	100
50 years and over	113	189	10	61	29	100
High school incomplete	60	204	6	59	35	100
High school graduate	118	176	13	56	31	100
Attended college	143	109	19	50	31	100
Ohio total	332	536	12	43	45	100
Men	165	255	13	47	40	100
Women	167	282	11	39	50	100
Registered voters	259	406	13	46	41	100
Not registered	71	128	10	34	56	100
Democrat	110	204	12	43	45	100
Republican	74	98	16	45	39	100
Independent	114	179	12	45	43	100
Under 30 years of age	86	147	11	34	55	100
30 to 49 years	127	185	13	43	44	100
50 years and over	117	202	13	50	37	100
High school incomplete	60	222	9	40	51	100
High school graduate	176	203	12	39	49	100
Attended college	92	105	16	57	27	100
Texas total	331	508	9	49	42	100
Men	163	232	13	53	34	100
Women	162	267	5	45	50	100
Registered voters	270	394	10	48	42	100
Not registered	60	113	7	51	42	100
Democrat	135	237	8	49	43	100
Republican	44	57	22	44	34	100
Independent	104	138	9	48	43	100
Under 30 years of age	114	150	14	44	42	100
30 to 49 years	125	177	7	40	53	100
50 years and over	88	177	7	40	53	100
High school incomplete	68	217	7	42	51	100
High school graduate	106	166	10	54	36	100
Attended college	154	121	13	52	35	100

QUESTION 3.—DO YOU FAVOR OR OPPOSE THE ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS?

[In percent]

	Percentage base		Favor	Oppose	No opinion	Total
	Unwanted	Wanted				
State total	1,980	3,039	40	42	18	100
California total	329	491	44	37	19	100
Men	165	234	49	38	13	100
Women	164	257	38	37	25	100
Registered voters	266	355	45	39	16	100
Not registered	63	136	41	32	27	100
Democrat	119	207	41	38	21	100
Republican	95	116	41	42	17	100
Independent	80	100	45	36	19	100
Under 30 years of age	88	135	67	25	8	100
30 to 49 years	127	168	33	47	20	100
50 years and over	111	184	37	36	27	100
High school incomplete	43	177	32	41	27	100
High school graduate	98	176	43	41	16	100
Attended college	182	129	62	25	13	100
Florida total	328	504	38	43	19	100
Men	165	240	50	34	16	100
Women	163	264	27	50	23	100
Registered voters	257	400	38	43	19	100
Not registered	70	103	39	41	20	100
Democrat	162	269	32	47	21	100
Republican	69	92	36	44	20	100
Independent	71	99	51	31	18	100
Under 30 years of age	87	114	47	42	11	100
30 to 49 years	106	149	31	48	21	100
50 years and over	134	239	38	40	22	100
High school incomplete	72	203	35	39	26	100
High school graduate	126	177	36	50	14	100
Attended college	122	112	50	38	12	100

	Percentage base		Favor	Oppose	No opinion	Total
	Unwanted	Wanted				
Illinois total	329	498	40	43	17	100
Men	163	231	47	38	15	100
Women	166	267	35	46	19	100
Registered voters	266	401	41	42	17	100
Not registered	61	94	41	45	14	100
Democrat	89	170	32	55	13	100
Republican	59	92	47	40	13	100
Independent	136	156	52	33	15	100
Under 30 years of age	117	130	54	36	10	100
30 to 49 years	101	173	41	41	18	100
50 years and over	108	189	31	50	19	100
High school incomplete	70	204	31	51	18	100
High school graduate	91	182	41	44	15	100
Attended college	164	107	59	27	14	100
New Jersey total	331	502	50	41	9	100
Men	164	236	47	45	8	100
Women	167	266	53	37	10	100
Registered voters	262	379	50	41	9	100
Not registered	63	115	52	39	9	100
Democrat	80	150	54	36	10	100
Republican	68	105	43	50	7	100
Independent	136	170	58	35	7	100
Under 30 years of age	91	120	64	27	9	100
30 to 49 years	121	185	42	46	12	100
50 years and over	113	189	51	43	6	100
High school incomplete	60	204	50	43	7	100
High school graduate	118	176	43	47	10	100
Attended college	143	109	65	27	8	100

	Percentage base		Favor	Oppose	No opinion	Total
	Unwanted	Wanted				
Ohio total.....	332	536	37	41	22	100
Men.....	165	255	46	35	19	100
Women.....	167	282	30	46	24	100
Registered voters.....	259	406	38	40	22	100
Not registered.....	71	128	35	42	23	100
Democrat.....	110	204	36	43	21	100
Republican.....	74	98	49	41	10	100
Independent.....	114	179	36	38	26	100
Under 30 years of age.....	86	147	47	41	12	100
30-49 years.....	127	185	32	49	19	100
50 years and over.....	117	202	36	34	30	100
High school incomplete.....	60	222	26	40	34	100
High school graduate.....	176	203	40	46	14	100
Attended college.....	92	105	58	30	12	100

	Percentage base		Favor	Oppose	No opinion	Total
	Unwanted	Wanted				
Texas total.....	331	508	30	48	22	100
Men.....	163	232	40	42	18	100
Women.....	162	267	21	54	25	100
Registered voters.....	270	394	31	46	23	100
Not registered.....	60	113	25	52	23	100
Democrat.....	135	237	29	50	21	100
Republican.....	44	57	44	40	16	100
Independent.....	104	138	31	47	22	100
Under 30 years of age.....	114	150	45	46	9	100
30 to 49 years.....	125	177	25	52	23	100
50 years and over.....	88	177	22	44	34	100
High school incomplete.....	68	217	21	49	30	100
High school graduate.....	106	166	34	52	14	100
Attended college.....	154	121	43	38	19	100

QUESTION 4. WOULD YOU FAVOR ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS EVEN IF IT MEANT THE ELIMINATION OF THE REPUBLIC OF CHINA AS A MEMBER OF THE U.N. (ASKED ONLY OF THOSE WHO FAVOR ADMISSION OF COMMUNIST CHINA TO THE U.N.)

[In percent]

	Percentage base		Percent asked this question	Yes	No	No opinion	Total
	Unwanted	Wanted					
6-State total.....	1,980	3,039	40	10	24	6	80
California total.....	329	491	43	10	26	8	87
Men.....	165	234	49	13	31	6	99
Women.....	164	257	38	8	21	10	77
Registered voters.....	266	355	45	11	25	9	90
Not registered.....	63	136	41	8	27	5	81
Democrat.....	119	207	41	8	25	8	82
Republican.....	95	116	41	9	25	6	81
Independent.....	80	100	45	11	24	10	90
Under 30 years of age.....	88	135	67	14	44	10	135
30 to 49 years.....	127	168	33	12	17	4	66
50 years and over.....	111	184	37	6	21	10	74
High school incomplete.....	43	177	32	5	21	6	64
High school graduate.....	98	176	43	8	28	7	86
Attended college.....	182	129	62	20	31	11	124
Florida total.....	328	504	38	8	24	6	76
Men.....	165	240	50	12	32	5	99
Women.....	163	264	27	4	17	7	55
Registered voters.....	257	400	38	8	24	6	76
Not registered.....	70	103	39	8	24	7	78
Democrat.....	162	269	32	6	20	6	64
Republican.....	69	92	36	11	18	7	72
Independent.....	71	99	51	6	40	5	102
Under 30 years of age.....	87	114	47	11	31	5	94
30 to 49 years.....	106	149	31	7	23	1	62
50 years and over.....	134	239	38	7	22	10	77
High school incomplete.....	72	203	35	4	24	7	70
High school graduate.....	126	177	36	9	20	7	72
Attended college.....	122	112	50	14	32	4	100
Illinois total.....	329	498	40	10	24	7	81
Men.....	163	231	47	13	27	7	94
Women.....	166	267	35	7	22	6	70
Registered voters.....	266	401	41	10	24	7	82
Not registered.....	61	94	41	8	28	5	82
Democrat.....	89	170	32	4	23	5	64
Republican.....	59	92	48	8	31	9	96
Independent.....	136	156	52	19	29	5	105
Under 30 years of age.....	117	130	54	13	36	5	108
30 to 49 years.....	101	173	41	10	25	6	82
50 years and over.....	108	189	31	7	16	8	62
High school incomplete.....	70	204	31	5	20	6	62
High school graduate.....	91	182	41	11	23	7	82
Attended college.....	164	107	59	16	36	7	118

	Percentage base		Percent asked this question	Yes	No	No opinion	Total
	Unwanted	Wanted					
New Jersey total.....	331	502	50	15	26	9	100
Men.....	164	236	47	18	24	5	94
Women.....	167	266	53	13	28	12	106
Registered voters.....	262	379	50	13	28	9	100
Not registered.....	63	115	52	25	20	7	104
Democrat.....	80	150	54	23	20	11	108
Republican.....	68	105	43	8	29	7	87
Independent.....	136	170	58	17	33	8	116
Under 30 years of age.....	91	120	64	21	35	8	128
30 to 49 years.....	121	185	42	14	23	4	83
50 years and over.....	113	189	51	14	24	14	103
High school incomplete.....	60	204	50	17	21	12	100
High school graduate.....	118	176	44	12	25	7	88
Attended college.....	143	109	65	19	39	7	130
Ohio total.....	332	536	38	10	23	5	76
Men.....	165	255	46	11	28	6	91
Women.....	167	282	30	9	18	4	61
Registered voters.....	259	406	38	10	22	6	76
Not registered.....	71	128	35	8	24	3	70
Democrat.....	110	204	36	8	23	4	71
Republican.....	74	98	49	6	37	5	97
Independent.....	114	179	36	14	16	6	72
Under 30 years of age.....	86	147	47	12	32	3	94
30 to 49 years.....	127	185	32	7	19	6	72
50 years and over.....	117	202	36	10	20	6	72
High school incomplete.....	60	222	26	6	17	3	52
High school graduate.....	176	203	40	10	22	8	80
Attended college.....	92	105	58	17	37	4	116
Texas total.....	331	508	30	5	20	5	60
Men.....	163	232	40	6	27	7	80
Women.....	162	267	21	4	14	3	42
Registered voters.....	270	394	31	6	20	5	62
Not registered.....	60	113	25	2	20	4	51
Democrat.....	135	237	29	6	20	3	58
Republican.....	44	57	44	3	28	13	88
Independent.....	104	138	31	5	21	5	62
Under 30 years of age.....	114	150	45	5	36	3	89
30 to 49 years.....	125	177	25	5	17	3	56
50 years and over.....	88	177	22	5	10	8	45
High school incomplete.....	68	217	21	2	13	5	41
High school graduate.....	106	166	34	7	20	6	67
Attended college.....	154	121	43	6	34	3	86

	Percentage base		Yes	No	No opinion	Total
	Unwanted	Wanted				
6-State total.....	887	1,209	24	60	16	100
California total.....	167	213	23	59	18	100
Men.....	90	116	26	63	11	100
Women.....	77	98	20	54	26	100
Registered voters.....	137	158	24	56	20	100
Not registered.....	30	55	20	68	12	100
Democrat.....	57	85	20	61	19	100
Republican.....	44	47	22	62	16	100
Independent.....	46	45	25	53	22	100
Under 30 years of age.....	62	91	21	65	14	100
30-49 years.....	54	55	35	53	12	100
50 years and over.....	51	68	17	56	27	100
High school incomplete.....	15	56	16	65	19	100
High school graduate.....	41	76	20	64	16	100
Attended college.....	110	80	32	50	18	100

	Percentage base		Yes	No	No opinion	Total
	Unwanted	Wanted				
Florida total.....	134	191	20	64	16	100
Men.....	87	119	24	65	11	100
Women.....	47	72	14	61	25	100
Registered voters.....	104	150	20	65	15	100
Not registered.....	29	40	20	61	19	100
Democrat.....	59	85	17	63	20	100
Republican.....	28	33	31	50	19	100
Independent.....	35	61	11	79	10	100
Under 30 years of age.....	42	54	24	66	10	100
30 to 49 years.....	35	47	22	74	4	100
50 years and over.....	57	90	17	57	26	100
High school incomplete.....	26	70	12	69	19	100
High school graduate.....	46	63	24	57	19	100
Attended college.....	61	56	28	64	8	100

QUESTION 4. WOULD YOU FAVOR ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS EVEN IF IT MEANT THE ELIMINATION OF THE REPUBLIC OF CHINA AS A MEMBER OF THE U.N. (ASKED ONLY OF THOSE WHO FAVOR ADMISSION OF COMMUNIST CHINA TO THE U.N.)—Continued

[In percent]

	Percentage base					Total		Percentage base					Total
	Unwanted	Wanted	Yes	No	No opinion			Unwanted	Wanted	Yes	No	No opinion	
Illinois total.....	155	201	24	60	16	100	Ohio total.....	141	201	26	60	14	100
Men.....	88	109	27	58	15	100	Men.....	81	117	24	62	14	100
Women.....	67	92	20	63	17	100	Women.....	60	85	28	58	14	100
Registered voters.....	127	163	25	58	17	100	Registered voters.....	110	155	27	58	15	100
Not registered.....	28	38	19	68	13	100	Not registered.....	30	45	23	69	8	100
Democrat.....	29	54	12	71	17	100	Democrat.....	47	73	23	66	11	100
Republican.....	33	44	17	65	18	100	Republican.....	36	47	13	76	11	100
Independent.....	81	82	36	55	9	100	Independent.....	46	65	38	45	17	100
Under 30 years of age.....	68	70	24	67	9	100	Under 30 years of age.....	42	69	26	68	6	100
30 to 49 years.....	48	72	24	61	15	100	30 to 49 years.....	49	59	22	59	19	100
50 years and over.....	39	59	24	50	26	100	50 years and over.....	50	73	29	55	16	100
High school incomplete.....	21	64	17	63	20	100	High school incomplete.....	16	58	23	65	12	100
High school graduate.....	37	75	26	57	17	100	High school graduate.....	71	81	24	56	20	100
Attended college.....	97	63	28	61	11	100	Attended college.....	53	61	29	64	7	100
New Jersey total.....	174	250	31	52	17	100	Texas total.....	116	152	16	67	17	100
Men.....	84	110	38	52	10	100	Men.....	73	93	15	67	18	100
Women.....	90	140	25	52	23	100	Women.....	41	57	18	68	14	100
Registered voters.....	141	191	25	56	19	100	Registered voters.....	96	123	19	64	17	100
Not registered.....	33	59	48	39	13	100	Not registered.....	19	28	6	79	15	100
Democrat.....	45	80	43	36	21	100	Democrat.....	43	68	19	69	12	100
Republican.....	28	45	18	67	15	100	Republican.....	20	25	6	64	30	100
Independent.....	87	99	29	57	14	100	Independent.....	42	43	16	68	16	100
Under 30 years of age.....	61	77	33	55	12	100	Under 30 years of age.....	53	67	11	82	7	100
30 to 49 years.....	54	77	34	56	10	100	30 to 49 years.....	39	44	20	68	12	100
50 years and over.....	59	96	27	46	27	100	50 years and over.....	22	39	21	43	36	100
High school incomplete.....	30	102	34	43	23	100	High school incomplete.....	14	45	11	64	25	100
High school graduate.....	51	77	28	56	16	100	High school graduate.....	36	56	22	59	19	100
Attended college.....	92	71	29	60	11	100	Attended college.....	66	52	15	79	6	100

QUESTION 5.—DO YOU FAVOR OR OPPOSE THE U.S. SETTING UP DIPLOMATIC RELATIONS WITH COMMUNIST CHINA?

[In percent]

	Percentage base					Total		Percentage base					Total
	Unwanted	Wanted	Favor	Oppose	No opinion			Unwanted	Wanted	Favor	Oppose	No opinion	
6-State total.....	1,980	3,039	56	30	14	100	New Jersey total.....	331	502	61	28	11	100
California total.....	329	491	60	31	9	100	Men.....	164	236	63	31	6	100
Men.....	165	234	66	29	5	100	Women.....	167	266	60	25	15	100
Women.....	164	257	55	32	13	100	Registered voters.....	262	379	63	26	11	100
Registered voters.....	266	355	56	34	10	100	Not registered.....	63	115	60	30	10	100
Not registered.....	63	136	71	22	7	100	Democrat.....	80	150	57	32	11	100
Democrat.....	119	207	58	34	8	100	Republican.....	68	105	69	20	11	100
Republican.....	95	116	65	27	8	100	Independent.....	136	170	70	24	6	100
Independent.....	80	100	61	26	13	100	Under 30 years of age.....	91	120	73	22	5	100
Under 30 years of age.....	88	135	79	19	2	100	30 to 49 years.....	121	185	64	26	10	100
30 to 49 years.....	127	168	61	28	11	100	50 years and over.....	113	189	54	32	14	100
50 years and over.....	116	184	46	41	13	100	High school incomplete.....	60	204	56	32	12	100
High school incomplete.....	43	177	56	40	4	100	High school graduate.....	118	176	57	31	12	100
High school graduate.....	98	176	51	33	16	100	Attended college.....	143	109	84	13	3	100
Attended college.....	182	129	81	12	7	100	Ohio total.....	332	536	54	31	15	100
Florida total.....	328	504	53	31	16	100	Men.....	165	255	54	29	17	100
Men.....	165	240	63	27	10	100	Women.....	167	282	54	33	13	100
Women.....	163	264	44	34	22	100	Registered voters.....	259	406	54	33	13	100
Registered voters.....	257	400	54	30	16	100	Not registered.....	71	128	50	26	24	100
Not registered.....	70	103	51	33	16	100	Democrat.....	110	204	48	36	16	100
Democrat.....	162	269	48	36	16	100	Republican.....	74	98	48	30	22	100
Republican.....	69	92	46	34	20	100	Independent.....	114	179	66	22	12	100
Independent.....	71	99	75	14	11	100	Under 30 years of age.....	86	147	68	23	9	100
Under 30 years of age.....	87	114	58	35	7	100	30 to 49 years.....	127	185	50	38	12	100
30 to 49 years.....	106	149	66	25	9	100	50 years and over.....	117	202	47	31	22	100
50 years and over.....	134	239	43	32	25	100	High school incomplete.....	60	222	36	42	22	100
High school incomplete.....	72	203	45	32	23	100	High school graduate.....	176	203	61	29	10	100
High school graduate.....	126	177	57	29	14	100	Attended college.....	92	105	74	14	12	100
Attended college.....	122	112	65	31	4	100	Texas total.....	331	508	49	32	19	100
Illinois total.....	329	498	56	28	16	100	Men.....	163	232	59	31	10	100
Men.....	163	231	64	26	10	100	Women.....	162	267	42	33	25	100
Women.....	166	267	50	29	21	100	Registered voters.....	270	394	46	33	21	100
Registered voters.....	266	401	56	26	18	100	Not registered.....	60	113	59	29	12	100
Not registered.....	61	94	58	33	9	100	Democrat.....	135	237	44	30	26	100
Democrat.....	89	170	49	35	16	100	Republican.....	44	57	60	40	0	100
Republican.....	59	92	47	34	19	100	Independent.....	104	138	55	34	11	100
Independent.....	136	156	78	12	7	100	Under 30 years of age.....	114	150	61	34	5	100
Under 30 years of age.....	117	130	72	21	7	100	30 to 49 years.....	125	177	53	28	19	100
30 to 49 years.....	101	173	56	31	13	100	50 years and over.....	88	177	36	33	31	100
50 years and over.....	108	189	47	29	24	100	High school incomplete.....	68	217	36	32	32	100
High school incomplete.....	70	204	43	34	23	100	High school graduate.....	106	166	53	40	7	100
High school graduate.....	91	182	62	24	14	100	Attended college.....	154	121	68	20	12	100
Attended college.....	164	107	74	21	5	100							

QUESTION 6. WOULD YOU FAVOR THE UNITED STATES SETTING UP DIPLOMATIC RELATIONS WITH COMMUNIST CHINA EVEN IF IT MEANT CUTTING OFF DIPLOMATIC RELATIONS WITH THE REPUBLIC OF CHINA (ASKED ONLY OF THOSE WHO FAVOR DIPLOMATIC RELATIONS WITH CHINA)?

[In percent]

	Percentage base		Per- cent asked this ques- tion	Yes	No	No opinion	Total
	Unwanted	Wanted					
6-State total.....	1,980	3,039	56	10	36	10	112
California total.....	329	491	60	10	38	12	120
Men.....	165	234	66	10	46	10	132
Women.....	164	257	55	10	32	14	111
Registered voters.....	266	355	56	10	36	10	112
Not registered.....	63	136	71	10	45	16	142
Democrat.....	119	207	58	12	35	11	116
Republican.....	95	116	65	7	48	10	130
Independent.....	80	100	61	14	33	15	123
Under 30 years of age.....	88	135	79	15	59	16	159
30 to 49 years.....	127	168	61	9	41	11	122
50 years and over.....	111	184	47	8	21	18	94
High school incomplete.....	43	177	56	4	36	17	113
High school graduate.....	98	176	51	9	36	7	103
Attended college.....	182	129	81	21	48	12	162
Florida total.....	328	504	53	9	34	10	106
Men.....	165	240	63	14	36	13	126
Women.....	163	264	44	3	33	8	88
Registered voters.....	257	400	54	8	35	11	108
Not registered.....	70	103	51	11	31	9	102
Democrat.....	162	269	48	5	32	11	96
Republican.....	69	92	46	6	34	6	92
Independent.....	71	99	75	8	55	11	149
Under 30 years of age.....	87	114	58	15	37	6	116
30 to 49 years.....	106	149	66	8	44	14	132
50 years and over.....	134	239	43	5	28	10	86
High school incomplete.....	72	203	45	8	23	14	90
High school graduate.....	126	177	57	6	43	8	114
Attended college.....	122	112	65	14	45	6	130
Illinois total.....	329	498	56	12	35	9	112
Men.....	163	231	64	16	39	10	129
Women.....	166	267	50	9	32	8	99
Registered voters.....	266	401	56	12	34	10	112
Not registered.....	61	94	57	14	41	3	115
Democrat.....	89	170	49	11	31	7	98
Republican.....	59	92	47	9	36	3	95
Independent.....	136	156	78	16	51	11	156
Under 30 years of age.....	117	130	72	17	51	4	144
30 to 49 years.....	101	173	56	16	34	6	112
50 years and over.....	108	189	47	6	27	14	94
High school incomplete.....	70	204	43	10	23	10	86
High school graduate.....	91	182	62	13	43	7	125
Attended college.....	164	107	74	16	48	9	147

	Percentage base		Per- cent asked this ques- tion	Yes	No	No opinion	Total
	Unwanted	Wanted					
New Jersey total.....	331	502	61	12	40	9	122
Men.....	164	236	63	16	41	6	126
Women.....	167	266	60	8	40	12	120
Registered voters.....	262	379	63	11	43	10	127
Not registered.....	63	115	60	18	35	8	121
Democrat.....	80	150	57	13	34	10	114
Republican.....	68	105	69	9	51	9	138
Independent.....	136	170	70	16	45	9	140
Under 30 years of age.....	91	120	73	17	47	9	146
30 to 49 years.....	121	185	64	10	43	10	127
50 years and over.....	113	189	54	11	35	8	108
High school incomplete.....	60	204	55	13	35	7	110
High school graduate.....	118	176	57	10	37	11	115
Attended college.....	143	109	84	16	59	9	168
Ohio total.....	332	536	54	8	33	12	107
Men.....	165	255	54	10	34	10	108
Women.....	167	282	54	6	33	14	107
Registered voters.....	259	406	54	8	34	12	108
Not registered.....	71	128	50	7	31	12	100
Democrat.....	110	204	48	3	34	11	96
Republican.....	74	98	49	6	31	11	97
Independent.....	114	179	66	15	38	14	133
Under 30 years of age.....	86	147	68	8	45	14	135
30 to 49 years.....	127	185	50	7	35	8	100
50 years and over.....	117	202	47	9	24	14	94
High school incomplete.....	60	222	36	5	20	11	72
High school graduate.....	176	203	62	9	39	14	124
Attended college.....	92	150	74	13	49	12	148
Texas total.....	331	508	49	7	33	9	98
Men.....	163	232	59	8	39	12	118
Women.....	162	267	42	7	29	6	84
Registered voters.....	270	394	46	8	31	7	92
Not registered.....	60	113	59	6	39	13	117
Democrat.....	135	237	44	10	27	7	88
Republican.....	44	57	60	3	41	17	121
Independent.....	104	138	56	7	43	6	112
Under 30 years of age.....	114	150	61	6	49	6	122
30 to 49 years.....	125	177	53	10	35	8	106
50 years and over.....	89	177	36	6	19	11	72
High school incomplete.....	68	217	36	8	18	10	72
High school graduate.....	106	166	53	7	37	8	105
Attended college.....	154	121	68	7	56	6	137

	Percentage base		Yes	No	No opinion	Total
	Unwanted	Wanted				
6 State total.....	1,228	1,690	18	64	18	100
California total.....	220	296	17	63	20	100
Men.....	116	154	15	70	15	100
Women.....	104	142	19	57	24	100
Registered voters.....	180	200	18	64	18	100
Not registered.....	40	96	14	63	23	100
Democrat.....	77	120	20	60	20	100
Republican.....	64	76	10	74	16	100
Independent.....	57	61	22	54	24	100
Under 30 years of age.....	73	107	19	74	7	100
30 to 49 years.....	83	103	16	67	17	100
50 years and over.....	63	86	16	45	39	100
High school incomplete.....	24	99	6	64	30	100
High school graduate.....	50	90	17	70	13	100
Attended college.....	145	105	26	59	15	100
Florida total.....	187	267	16	65	19	100
Men.....	107	152	23	57	20	100
Women.....	80	116	7	75	18	100
Registered voters.....	149	214	15	65	20	100
Not registered.....	37	52	22	61	17	100
Democrat.....	85	128	10	66	24	100
Republican.....	36	42	14	73	13	100
Independent.....	51	74	11	74	15	100
Under 30 years of age.....	51	66	26	63	11	100
30 to 49 years.....	71	98	13	66	21	100
50 years and over.....	65	103	12	65	23	100
High school incomplete.....	34	91	18	51	31	100
High school graduate.....	72	101	11	75	14	100
Attended college.....	79	73	21	70	9	100
Illinois total.....	210	281	21	63	16	100
Men.....	117	148	25	60	15	100
Women.....	93	133	18	65	17	100

	Percentage base		Yes	No	No opinion	Total
	Unwanted	Wanted				
Registered voters.....	168	226	21	61	18	100
Not registered.....	41	54	24	71	5	100
Democrat.....	46	84	22	64	14	100
Republican.....	37	44	18	75	7	100
Independent.....	108	122	21	65	14	100
Under 30 years of age.....	90	94	23	71	6	100
30 to 49 years.....	64	96	28	61	11	100
50 years and over.....	55	89	13	56	31	100
High school incomplete.....	32	88	23	53	24	100
High school graduate.....	56	113	20	69	11	100
Attended college.....	121	79	22	65	13	100
New Jersey.....	222	308	20	65	15	100
Men.....	112	148	26	65	9	100
Women.....	110	160	14	66	20	100
Registered voters.....	180	239	17	68	15	100
Not registered.....	42	69	29	58	13	100
Democrat.....	49	85	23	59	18	100
Republican.....	47	72	13	74	13	100
Independent.....	104	119	23	64	13	100
Under 30 years of age.....	72	88	23	64	13	100
30 to 49 years.....	82	117	16	68	16	100
50 years and over.....	68	103	21	64	15	100
High school incomplete.....	34	113	24	63	13	100
High school graduate.....	67	100	17	64	19	100
Attended college.....	119	92	18	71	11	100
Ohio total.....	202	287	15	62	23	100
Men.....	104	136	18	63	19	100
Women.....	98	151	12	62	26	100
Registered voters.....	162	221	15	62	23	100
Not registered.....	38	64	15	62	23	100
Democrat.....	62	98	7	71	22	100
Republican.....	43	47	13	64	23	100
Independent.....	80	118	22	57	21	100
Under 30 years of age.....	59	100	12	67	21	100
30 to 49 years.....	73	92	14	70	16	100

QUESTION 6. WOULD YOU FAVOR THE UNITED STATES SETTING UP DIPLOMATIC RELATIONS WITH COMMUNIST CHINA EVEN IF IT MEANT CUTTING OFF DIPLOMATIC RELATIONS WITH THE REPUBLIC OF CHINA (ASKED ONLY OF THOSE WHO FAVOR DIPLOMATIC RELATIONS WITH CHINA)?—Continued

[In percent]

	Percentage base					Total		Percentage base					Total
	Unwanted	Wanted	Yes	No	No opinion			Unwanted	Wanted	Yes	No	No opinion	
50 years and over.....	69	94	19	51	30	100	Registered voters.....	147	182	17	67	16	100
High school incomplete.....	22	79	13	57	30	100	Not registered.....	39	66	11	67	22	100
High school graduate.....	110	125	14	64	22	100	Democrat.....	66	103	22	61	17	100
Attended college.....	67	78	18	66	16	100	Republican.....	31	35	5	67	28	100
Texas total.....	187	250	15	67	18	100	Independent.....	64	77	12	77	11	100
Men.....	102	137	14	66	20	100	Under 30 years of age.....	73	91	9	80	11	100
Women.....	83	111	16	70	14	100	30 to 49 years.....	79	94	19	66	15	100
							50 years and over.....	34	64	17	51	32	100
							High school incomplete.....	25	78	23	50	27	100
							High school graduate.....	56	88	14	70	16	100
							Attended college.....	105	83	9	82	9	100

QUESTION 7.—IF A CANDIDATE FOR POLITICAL OFFICE FAVORED THE ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS, EVEN IF IT MEANT THE ELIMINATION OF THE REPUBLIC OF CHINA AS A MEMBER, WOULD YOU BE MORE LIKELY OR LESS LIKELY TO VOTE FOR THAT CANDIDATE?

[In percent]

	Percentage base						Total		Percentage base						Total
	Un-wanted	Wanted	More likely	Less likely	Makes no difference	Don't know			Un-wanted	Wanted	More likely	Less likely	Makes no difference	Don't know	
6-State total.....	1,980	3,039	10	59	8	23	100	New Jersey total.....	331	502	13	58	7	22	100
California total.....	329	491	11	55	9	25	100	Men.....	164	236	14	62	6	18	100
Men.....	165	234	16	63	5	16	100	Women.....	167	266	12	53	9	26	100
Women.....	164	257	8	48	12	32	100	Registered voters.....	262	379	12	60	7	21	100
Registered voters.....	266	355	11	59	8	22	100	Not registered.....	63	115	18	51	7	24	100
Not registered.....	63	136	13	44	10	33	100	Democrat.....	80	150	19	57	5	19	100
Democrat.....	119	207	10	54	6	30	100	Republican.....	68	105	11	59	5	25	100
Republican.....	95	116	5	64	10	21	100	Independent.....	136	170	11	61	11	17	100
Independent.....	80	100	13	58	13	16	100	Under 30 years of age.....	91	120	18	56	5	21	100
Under 30 years of age.....	88	135	17	63	11	9	100	30 to 49 years.....	121	185	13	62	8	17	100
30 to 49 years.....	127	168	12	59	11	18	100	50 years and over.....	113	189	10	55	8	27	100
50 years and over.....	111	184	7	47	4	42	100	High school incomplete.....	60	204	10	55	9	26	100
High school incomplete.....	43	177	11	48	4	37	100	High school graduate.....	118	176	13	61	5	21	100
High school graduate.....	98	176	8	62	10	20	100	Attended college.....	143	109	20	59	6	15	100
Attended college.....	182	129	17	57	14	12	100	Ohio total.....	332	536	11	57	7	25	100
Florida total.....	328	504	9	56	5	30	100	Men.....	165	255	14	50	10	26	100
Men.....	165	240	15	58	6	21	100	Women.....	167	282	7	64	4	25	100
Women.....	163	264	4	54	3	39	100	Registered voters.....	259	406	11	59	6	24	100
Registered voters.....	257	400	9	57	5	29	100	Not registered.....	71	128	10	54	10	26	100
Not registered.....	70	103	8	52	3	37	100	Democrat.....	110	204	13	53	6	28	100
Democrat.....	162	269	9	52	4	35	100	Republican.....	74	98	12	66	3	19	100
Republican.....	69	92	7	57	6	30	100	Independent.....	114	179	9	56	10	25	100
Independent.....	71	99	9	65	5	21	100	Under 30 years of age.....	86	147	13	69	8	10	100
Under 30 years of age.....	87	114	16	69	4	11	100	30 to 49 years.....	127	185	8	60	8	24	100
30 to 49 years.....	106	149	6	58	10	26	100	50 years and over.....	117	202	11	47	5	37	100
50 years and over.....	134	239	7	49	2	42	100	High school incomplete.....	60	222	10	51	3	36	100
High school incomplete.....	72	203	10	47	1	42	100	High school graduate.....	176	203	10	63	10	17	100
High school graduate.....	126	177	7	65	4	24	100	Attended college.....	92	105	13	61	11	15	100
Attended college.....	122	112	11	63	13	13	100	Texas total.....	331	508	7	68	7	18	100
Illinois total.....	329	498	12	61	9	18	100	Men.....	163	232	8	68	10	14	100
Men.....	163	231	12	61	8	19	100	Women.....	162	267	5	70	5	20	100
Women.....	166	267	12	61	10	17	100	Registered voters.....	270	394	6	69	8	17	100
Registered voters.....	266	401	11	59	10	20	100	Not registered.....	60	113	10	66	4	20	100
Not registered.....	61	94	16	71	5	8	100	Democrat.....	135	237	6	68	6	20	100
Democrat.....	89	170	15	67	3	15	100	Republican.....	44	57	3	71	7	19	100
Republican.....	59	92	4	73	11	12	100	Independent.....	104	138	6	77	8	9	100
Independent.....	136	156	16	60	12	12	100	Under 30 years of age.....	114	150	13	78	5	4	100
Under 30 years of age.....	117	130	17	67	7	9	100	30 to 49 years.....	125	177	5	66	9	20	100
30 to 49 years.....	101	173	7	61	12	20	100	50 years and over.....	88	177	4	62	7	27	100
50 years and over.....	108	189	12	59	9	20	100	High school incomplete.....	68	217	3	61	7	29	100
High school incomplete.....	70	204	9	66	6	19	100	High school graduate.....	106	166	11	78	5	6	100
High school graduate.....	91	182	10	57	14	19	100	Attended college.....	154	121	10	67	11	12	100
Attended college.....	164	107	19	61	7	13	100								

SIX STATE SURVEY

Time Interview Began.

I'm and I'm working on a survey about Communist China being made for Opinion Research Corporation of Princeton, New Jersey. I'd like very much to have your opinion.

1. Two months have passed since the visit of the American table tennis team to Communist China. Do you think the visit has or has not resulted in any favorable change in Communist policy toward the United States?

1. Has changed.
2. Has not.
3. No opinion.

2. President Nixon has removed some restrictions on travel, trade and cultural exchange with Communist China. As far as you know, has Communist China also removed some similar restrictions regarding the United States, or haven't they done anything like this?

1. Has removed restrictions.
 2. Have not.
 3. No opinion.
3. Do you favor or oppose the admission of Communist China to the United Nations?

1. Favor.
2. Oppose.
3. No opinion.

If "favor" on question 3, ask:

4. Would you favor admission of Communist China to the United Nations even if it meant the elimination of the Republic of China as a member of the U.N.?

1. Yes.
 2. No.
 3. No opinion.
5. Do you favor or oppose the U.S. setting up diplomatic relations with Communist China?

1. Favor.
2. Oppose.
3. No opinion.

If "favor" on question 5, ask:

6. Would you favor the U.S. setting up diplomatic relations with Communist China

even if it meant cutting off diplomatic relations with the Republic of China?

1. Yes.
 2. No.
 3. No opinion.
 7. If a candidate for political office favored the admission of Communist China to the U.N., even if it meant the elimination of the Republic of China as a member, would you be more likely or less likely to vote for that candidate?
 1. More likely.
 2. Less likely.
 3. Makes no difference.
 4. Don't know.
 8. Are you now registered to vote?
 1. Yes.
 2. No.
 3. Don't know.
 9. In politics as of today, do you consider yourself a Democrat, Republican, Independent or something else?
 1. Democrat.
 2. Republican.
 3. Independent.
 4. Something else.
 5. Don't know/undecided.
 10. In which of these age groups are you? (Read choices to respondent.)
 1. 18 to 20.
 2. 21-29.
 3. 30-49.
 4. 50 or over.
 5. Not determined.
 11. What was the last grade in school you completed?
 1. 8th grade or less.
 2. High school incomplete (grades 9, 10, 11).
 3. High school complete (grade 12).
 4. Some college or completed.
 12. 1. Man 2. Woman.
- Location Number and Region.
Interviewer Name.
Date.
Time Interview Ended.

SINO-AMERICAN RELATIONS IN PERSPECTIVE

(A speech by Mr. James C. H. Shen, Ambassador of the Republic of China to the United States, at the National Press Club, Washington, D.C. at 12:30 P.M. June 24, 1971.)

A new Ambassador if he is to be truly useful to his country, must learn to stand with his feet in two worlds—the world from which he comes, and the world to which he is accredited.

However, in the case of an Ambassador from the Republic of China to the United States, this task is not so onerous. The similarities between our two countries greatly outweigh the differences. We have shared a long tradition of mutual goodwill. There is the long habit of working together in international affairs. Each of us is moved by the same basic objective—the preservation of a free world in which our children and our children's children will have a chance to grow up in peace and security. Although differences do sometimes arise between our two countries, the important thing is that we move in the same direction. In the dichotomy of the world which has been created by the Communist upsurge, the Republic of China and the United States stand on the same side.

One helpful bridge to understanding is the fact that I, like most of my predecessors in the office of Ambassador, have had the advantage of study in the United States in my formative years. We have lived amongst you, and learned to admire your culture and institutions. We have a common link of youthful memories. To return as Ambassador to a nation which is so intertwined with one's student years is one of the pleasures of the diplomatic life.

I realize, poignantly, that I come here at a moment of changes. The United States, in its sincere desire to reduce tensions and

achieve a peaceful world, has taken some initial steps toward accommodation with the Communist regime which has imposed itself upon our fellow-countrymen on the mainland. Some Americans want to go much further. There are many in your country who are convinced that the Free World can live on friendly terms with an aggressive Communist dictatorship, such as that which is headed by Mao Tse-tung. Although we respect the sincerity of your effort, we in Taiwan do not share your optimism.

If we, of the Republic of China, seem to have little faith in the often voiced hope of building bridges to the Communist-occupied Chinese mainland, it is because we have had long and bitter experience with Mao Tse-tung and his cohorts. We have learned, at a great cost, the worthlessness of his promises. We have experienced the fanatical ruthlessness with which he pursues his goals. We know that, even behind Chou En-lai's much publicized "smiles", lurks the unaltering intent to trap the Free World, and especially the United States, into letting down its guard. We know, from their own boasts, that their aim is the subjugation of the world. With such an opponent, truces are meaningless.

Nor has the Chinese Communist regime changed.

Some of you, I am sure, have read about the current Peiping newspaper campaign against the United States. On the Chinese mainland where the newspapers are owned and controlled by the regime, their editorial statements are the voice of Mao Tse-tung himself.

On May 20, scarcely a month after the Ping Pong overtures, the Peiping press, spearheaded by the Jen Min Jih Pao, published an editorial which touched an almost all-time low in savage hatred and contempt for the United States. Declaring that the Nixon Administration had "landed itself in a blind alley and is at the end of its tether," it proceeded to hail the "violent revolutionary storms in the United States". I confess that I have not seen any such "storms" since my arrival.

Drawing upon its imagination, the Peiping press pictured the American people as turning in vast numbers against their government. It climaxed itself with the following outburst:

"The people of the United States are dealing heavier and heavier blows from within, at U.S. imperialism, the world's ferocious enemy, and they have become an important vigorous force in the world people's struggle against American imperialism."

All this, mind you, within a month after this country had made the friendliest gesture to Peiping since the Korean War! The American press has been full of talk about a "thaw" in Washington-Peiping relations. If this is a "thaw", I wonder what a real breakthrough would be like.

Perhaps the American people should have been prepared for this cold blast from Peiping when, last month, the People's Daily, the Red Flag and the Liberation Army Daily, all official organs of the Chinese Communist regime, went out of its way to ridicule President Nixon over the Ping Pong amity by an editorial warning, with the caption, "Nixon, Don't Let Your Head Get Too Dizzy."

To return to the Jen Min Jih Pao editorial, its most important punch line was the reproduction of the year-old statement of Mao Tse-tung himself, (first published on May 20, 1970) calling for war upon the United States. In this oft-quoted statement, Mao called upon the people of the world to "unite and defeat the United States aggressors and all their running dogs." That the Jen Min Jih Pao should resurrect this statement of Mao's in the context of the present post-Ping Pong developments, is a clear signal to the United States that the Peiping regime has not changed one iota

in its anti-Americanism. If the Mao government had even a vestige of desire to improve relations with Washington, it would have made an especial effort at this time to bury such past anti-American declarations. Instead, its controlled press flaunts these insolent words in Washington's face. Certainly, the Mao regime could not have made it any plainer that it does not intend to recede one inch from its past policies, no matter what concessions or gestures the United States is willing to make.

In all the utterances of Mao Tse-tung and Chou En-lai, one thing is always noteworthy. In their official pronouncements, they make no attempt to speak to the United States Government. If you read their statements closely, you will note that they are always speaking over the head of the U.S. Government to what they describe as the rebellious masses of the American people. Their words are not words of amity. They are the words of an unchanging enemy government which is thinking constantly about the incitement of revolution in this country. Their terminology has not changed in the slightest despite repeated gestures of friendship from your government.

Thus, the so-called "thaw" is all on the part of the United States.

The whole gesture which is now being made to the scowling men in Peiping is, of course, motivated by one of the noblest sentiments of mankind—the desire for universal peace. Nobody is more eager to hasten the arrival of that ideal condition than the Republic of China. But we must be on guard against those who use the peace slogan as a mask to conceal the fact that their real objectives are militaristic and evil.

We live in a world in which cynical political forces have used the popular longing for peace as a propaganda weapon. As political realists, we must recognize that all those who cry "Peace, Peace", may not really mean it. Every would-be world conqueror has always justified his crimes against humanity by the plea that he was seeking peace. Adolf Hitler rationalized his inhumanities by intoning the "peace" slogan. Today, the most brazen exploiters of the notion of "peace" are the Communists. They have rewritten history by picturing the United States and the Free World nations as the "imperialist aggressors". They have depicted themselves as the unselfish defenders of the peace-loving people of the world against such aggression. The unthinking and the uninformed have, only too often, been moved by this "Great Lie." What the Communists do not disclose is that the only peace in which they are interested is a peace of world submission to Communist totalitarianism.

We of the Republic of China believe that peace upon such terms is not worth having.

The Free World should be vigilant, at all times, against those who are trying to make the genuine peace movement an unwitting tool for Communist purposes.

There is another mental trap in the current discussion of China, which I want to point out. Many editorialists and TV commentators have the habit of referring to the Peiping regime as if it were the genuine voice of the Chinese people. In their articles and discourses, they talk about "what China wants," as if there were indeed some present procedure by which the wishes of the vast Chinese public, imprisoned on the mainland, is being determined. Actually, such publicists, knowingly or unknowingly, are only repeating the handouts of the comparatively small Communist officialdom which has imposed its merciless rule upon the people on the Chinese mainland.

Even this officialdom is divided in its real convictions. The recent so-called "Cultural Revolution," in which thousands of youth were slaughtered or imprisoned for differing with Mao Tse-tung, shows that

there is not even a consensus among this ruling minority. Whenever Red China is quoted, only one man, is speaking—Mao Tse-tung.

Overlooked in the present debate about building bridges to Red China is the remorseless fact that, in 21 years of rule, the Communist regime has not once made any attempt to ascertain or poll the wishes or opinions of the mainland Chinese masses. Authors who write so glibly about "what China wants," do not have even the remotest touch with the real Chinese public.

Who are the Chinese people? Not only are they the submerged masses of mainland China, they are the 14 million Chinese of the Republic of China on Taiwan, who are struggling desperately to keep alive the cherished traditions of historic China which Mao Tse-tung scornfully seeks to stamp out. They are the 18 million overseas Chinese, who play such an important part in the economy of the nations of Southeast Asia. They are the terrorized youths of mainland China, thousands of whom are risking life every month to escape to Hong Kong and other places of refuge, rather than endure the prison camp life of Mao's China.

Should not the wishes of these unconsulted Chinese be considered before action is taken which will tighten Mao Tse-tung's grip over the majority of the Chinese race?

The Republic of China asks her friends not to take hope away from these freedom-loving Chinese people.

But there are those who say that we must come to terms with Mao Tse-tung because it is "inevitable." In every discussion of China's destiny, someone always raises the point that we cannot disregard Mao's rule because such action is compelled by inevitability.

Of course, no contention could be more unground. You and I know that nothing is inevitable until faint-hearted men, weary of struggle, decide to give up. All through history, the plea of "inevitability" has always been the alibi for appeasement. The brave can find many alternatives, in China's present situation, to the proposed course of placation.

The hollowness of this inevitability plea is shown by the present attitude of the Peiping regime. In all its official statements, the stress is always placed upon the changes which the United States should make in its policies. Not one word is said about the changes which Peiping is ready to make in its policies. Their unchanging posture is that the whole world is wrong and they are right, and that the world must remake itself to secure their friendship. This is not "inevitability": this is a brazen demand for surrender.

This brings us to the question of the United Nations.

The alleged "thaw" with the Peiping regime is renewing the demand, by many who should know better, that the Chinese Communists be admitted to the United Nations, in place of the Republic of China. No greater travesty of the peace role of the United Nations could be projected.

Peiping, condemned as an aggressor because of its armed intervention in the Korean War in 1951 by the vote of the General Assembly, would enter the U.N., unchanged and unrepentant. Its presence in the U.N. would doom the organization to a snarling Communist-Free World deadlock. Such a deadlock would nullify all the peace hopes of the people of the world. Surely the good sense of the Free Nations should save us from such a moral collapse.

I need not stress the fact that the United Nations itself has come under serious and damaging criticism in recent years. Its credibility as a force for world morality and world peace has suffered bruising blows from its ill-wishers. The question should be seriously asked and pondered whether the U.N.

can afford the loss of prestige which capitulation before an unchastened Chinese Communist regime would bring. The United Nations has its own troubles. To add to them the discredit which would follow the admittance of the bellicose Chinese Communists would impose too great a strain upon the whole apparatus.

Nothing is so dangerous in world affairs as a shortsighted, improvised decision for a long-term major problem. Once the decision is made, the world must suffer the consequences. Can the peace-seeking nations live safely in association with a Chinese Communist regime, blatantly boasting that it will destroy what it calls "imperialist United States"? The question is self-answering.

But some will argue that there are still saving advantages for the Free World in an entente with the Mao regime because it would stimulate trade. For countries having balance of payments problems, it seems like a godsend. Indeed, much of today's pressure for a "thaw" with Peiping comes from hopeful business interests seeking profitable mainland markets.

This argument, it seems to me, is shot full of holes. The Chinese mainland is a closed economy. The open economies of the Free Nations cannot sell goods in a closed market except upon the humiliating terms of Mao Tse-tung's go-between. There can be no hope of reasonable profits when the regime is able to rig every economic operation to its own narrow advantage and gain. Do the entrepreneurs of Europe and North America believe that they can gainfully enter a Mao Tse-tung market which for years has baffled master salesmen of other countries, Japan for instance?

Actually, Japanese businessmen have sent trade delegations for several successive years to the Canton fairs. How have they been greeted? The proof of the complete politicalization of all Chinese Communist trade maneuvers is the fact that these Japanese, with their order books open, have been instructed to make a public statement condemning the policies of their own government before the Communist will do business with them. Is there any hope of mutually profitable trade with a regime which requires such abject surrender?

The delusion of rich trade prospects on the Chinese mainland for the Free World is plainly demonstrated by current trade statistics. Last year, the total two-way foreign trade of the Chinese mainland was only \$4.2 billion. This figure was reached only by including the extensive barter trade which the Chinese Communist regime carries on with the other Iron Curtain nations. Peiping's world trade figure has sunk as low as \$2.7 billion within the last decade. Measured in terms of the population, the per capita foreign trade of people on the Chinese mainland in 1970 was only \$5.5. This, for an area which claims a population of 700 millions! It is not that the Chinese mainland does not offer profitable trade. The fault is that an anti-foreign Communist regime of Mao Tse-tung is psychologically incapable of the mutual give and take which must be the foundation of any durable trade relationship.

That rich trade, on civilized terms, is possible in China, is clearly shown by the experience of the Republic of China in Taiwan. This province of only 14.7 million people, last year rolled up a total two-way foreign trade of \$3.088 billion. The per capita foreign trade was \$192.5. The explanation for this difference is a very simple one. There is free enterprise in the Republic of China's province of Taiwan, whereas an autarchy is in control on the Chinese mainland.

So slight are the possibilities of important trade with Mao Tse-tung that an organization which has clamored for closer relations between Peiping and Washington—the National Committee on United States-China Relations—recently reported that, under the most favorable conditions, it would be a dec-

ade before U.S. trade with the Chinese mainland would reach a figure as high as \$650 millions. This report followed a study which the Committee authorized, conducted by Dr. Robert F. Dornberger of the University of Michigan.

American businessmen who expect early profits from the "thaw" with Mao Tse-tung should also heed the words of Mr. C. W. Robinson, president of the Marcona Corporation, who has had long experience in Far East ventures. Mr. Robinson said, "In new trade with the Peiping regime, we may have to learn to crawl, before we can walk—and we may have to do a lot of crawling."

Now, with your permission, I would like to conclude by telling you a bit about what we have done on Taiwan in a matter of twenty years. Taiwan, as you know, is the smallest province in my country. It is an island of only 14,000 square miles and has few natural resources. Today it is the most prosperous province in China's history. The per capita income is nearly U.S. \$300. Our foreign trade this year will be close to four billion dollars. Basic education has been extended to nine years, and a quarter of our population is in school. We have the highest daily count calories in Asia. Taiwan is also about the healthiest place in our part of the world. We have had no cases of malaria, cholera and smallpox for many years. We have raised the life span of women to 72 and that of men to 68. Since 1965, the year your country terminated its economic aid to us, we have been on our own. Meanwhile, as an ally of the United States, we continue to receive some military aid, but this has been steadily decreasing in amount over the years. But we are determined to support largely by our own resources a strong military posture. Our 600,000 men under arms and more than a million others in trained reserve are making a positive contribution toward the maintenance of collective security in the Western Pacific. Our very existence as a viable society has kept alive in the hearts of our brethren on the mainland their hope for eventual liberation. The Chinese Communists are world revolutionaries and they must be denied the opportunity of forging China's vast population into an instrument for either the enslavement or destruction of the world.

Before I left Taiwan a few weeks ago, a friend came to see me. He said he feared the United States was deserting the Republic of China and asked what could we do. I told him that, first of all, I refused to believe the United States was abandoning one of the best friends it ever had. And I told him, second, that the Americans were too intelligent and too knowledgeable not to realize that their self-interest lies with the Republic of China and not with the Chinese Communists who oppose everything for which America stands.

These are some of the considerations that I, as a freshman Ambassador, believe to be important. We must not let ourselves be deceived by our groundless hopes. Knowing the American people as I do, I cannot believe that the United States will allow itself to be deceived by the false image which Mao Tse-tung is now expediently holding up to the world. The future of Asia and of the whole Free World depends upon your decision. I know you will not fall us.

STATEMENT BY SENATOR PETER H. DOMINICK, CHINA HEARING: BEFORE THE FOREIGN RELATIONS COMMITTEE, JUNE 28, 1971

MR. CHAIRMAN: Due to my long interest in the China question, particularly the problem of representation of China in the United Nations, I welcome this opportunity to testify before the Foreign Relations Committee. With me today is Dr. David Rowe, an expert in the field of Sino-American relations who was born in Nanking and has spent considerable time in China, both on the mainland and in Taiwan. He is currently Professor of Polit-

ical Science at Yale University, with a distinguished career in far eastern affairs.

In the wake of ping-pong diplomacy, there has been an onslaught of optimism and much anxiety directed toward the question of Communist China's admission to the United Nations. I welcome the President's efforts to explore new channels of diplomatic rapport with the People's Republic of China—we certainly need such initiatives, and they can only prove beneficial. Yet we're in danger of approaching the China question with tunnel vision constrained by emotional and ideological considerations to the exclusion of some very basic and vital areas of concern.

One of the points which has been totally ignored during recent China discussions is the matter of the United Nations as an organization. Just what purpose do we wish the United Nations to serve? Is it enough to pronounce the U.N. ineffective in solving conflicts among nations and thereupon become satisfied with an organization providing nothing but a forum, where nations large and small can voice their problems and complaints? Or do we mean to do all that is humanly possible toward bolstering the original purpose of this peacekeeping body? I would hope that all those who support a closer understanding among nations in their search for peace would opt for the latter—for strengthening the tentative beginnings in the movement toward a community of nations.

The goals of the United Nations are stated simply and laconically in the U.N. Charter and read in part: "To reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained..."

None of the members of the United Nations, including the United States, has a perfect record in attempting to reach these goals. But all member nations have committed themselves to these objectives, and the strength of the organization itself is deeply dependent on the depth of these commitments. Are we prepared to offer U.N. membership to a government, despite the proportion of world population it represents, which has continually refused to accept the principles of the U.N. Charter and rejects participation in any system of international law? I cannot see how progress toward lasting world peace would be enhanced by downgrading the standards of the U.N. Charter by admission of a government which has publicly denied the charter's tenets.

Last April, the President's Commission for the Observance of the Twenty-fifth Anniversary of the United Nations, headed by Henry Cabot Lodge, submitted its report and recommendations. I have found this report to be of extreme interest to the China question. Although recent headlines report that the Commission recommended admission of the People's Republic of China and would support a "two China policy," I believe the report needs to be more closely examined. Upon close scrutiny, they indeed take a position on admission which I have advocated for many years. To quote from the Commission's report: "The United Nations can do its best job of war prevention and settlement of disputes if its membership includes all the governments of the world, provided they subscribe to the principles of the U.N. Charter."

The report makes it perfectly clear throughout that any nation desiring membership must accept the U.N. Charter. The report further states, "The Commission recommends: that the United States adopt the position that all firmly established governments should be in the United Nations system, inasmuch as the benefits to the United States of having such governments within the U.N. and subject to the international

obligations laid down by the Charter far outweigh the problems raised by ideological differences between various states." I would subscribe to the view that it would be indeed beneficial to be privy to the certain amount of disclosure and communication which would result from Communist China's admission to the United Nations—certainly far better than relying on sporadic news reports and occasional ping-pong trips for our understanding of mainland China. However, I cannot go so far as to let this view override the adverse effects which would result from admission of a nation which did not accept the principles forming the very foundation of the U.N.

Mr. Chairman, you and other members of this committee, Senators Sparkman, Aiken and Cooper, had the unique opportunity to be among the fifty members sitting on the Lodge Commission and, as signatories, supported the conclusion that "... the United Nations, while afflicted with many troubles (some of which can be eased, if not solved), is not only a useful device for the future, but is actually indispensable." This, to me, necessarily requires acceptance of the principles and purposes of the U.N. Charter, particularly with regard to membership. It is important to keep in mind that this organization is not now, nor was it set up to be, a universal organization. In fact, Article 6 of the United Nations Charter provides for *expulsion* from membership, a provision which would seem to reject the concept of universality. Nations such as West Germany have not been admitted—thanks to the opposition of the Soviet Union—so obviously universality is not the rule. Spain and Switzerland are not members, and yet we have no difficulty communicating with them.

There is another recommendation in the Lodge Commission report which addresses itself quite specifically to the question at hand. I quote, "The Commission recommends that under no circumstances should the U.S. agree to the expulsion of the Republic of China from Taiwan from the U.N. but that the U.S. seek agreement as early as practicable whereby the People's Republic of China might accept the principles of the U.N. charter and be represented in the organization."

Time and time again, Peking has belittled the United Nations as a "tool" of U.S. imperialism and ridiculed the U.N.'s stated goals of bringing peace to a war-weary world.

Many have said that the admission of Communist China to the U.N. is inevitable. These predictions are not new and as yet have been consistently wrong when all the facts were laid before the member countries. Following the Panmunjon agreement of 1953, it was "inevitable" that Peking would enter the U.N. a year later. But following the refusal by Communist China and North Korea to release American prisoners of war, U.N. members voted 43-11 with 1 abstentions to oppose admission of Peking.

It was "inevitable" in 1958 that Communist China would be admitted to the U.N., but the vote in 1959, following the collapse of Mao's Great Leap Forward and invasion of Tibet, was 44-28 against with 9 abstentions.

In 1965, it was "inevitable" once again, but 1966 brought the horrifying excesses of the Great Proletarian Cultural Revolution, and the vote that fall was 57-46 against admission, with 17 abstentions.

Once we resign ourselves to the proposition of universality and accept the inevitability of Communist China's membership in the United Nations, we weaken the organization as a whole and downgrade its principles.

Another consideration which has been pushed aside in the enthusiasm of a China "thaw" is the fine record of the Republic of China in honoring her obligations to the United Nations at every turn and her position as an original charter member. In light of this, and in light of the Lodge Commis-

sion's recommendation that, and I quote, "The continued membership of the Republic of China on Taiwan in the U.N. is imperative," I cannot see how the United States can resolve the conflict between the Republic of China and the People's Republic of China, both of whom claim to represent the Chinese people. I suggest, Mr. Chairman, that this certainly cannot be resolved with resolutions such as this committee is considering. It would be totally unfair to expel the Republic of China from her present seats in the General Assembly and Security Council simply because Communist China, after many years of disinterest, might indicate a desire to join in the mainstream of international communication.

In considering the various resolutions before this committee, it is interesting to note that not one of them is capable of resolving the basic schism between Taiwan and Peking. Regardless of United States positions on admission of Communist China, a "two China" policy remains distasteful to both China governments. Premier Chou En-lai spelled out Peking's position on the U.N. seat now held by the Republic of China in an interview with Filipino journalists. As reported in the *Washington Star* on May 16, Chou said: "It is impossible to sit in the U.N. unless the question of Taiwan is settled. We oppose the seating of two Chinas... We are even more opposed to one China and one Taiwan." This certainly leaves the United States little room for diplomatic maneuvering. In a recent *New York Times* story printed in the *Washington Star* on June 23, Chou further clarified Peking's position by further stating: "There can only be one China... If the United States government withdraws all forces from Taiwan and the Taiwan Straits and no longer considers Chiang Kai-shek as representative of China, then the logical result would be that Chiang Kai-shek and Taiwan would be matters internal to China. This would be recognition that the People's Republic of China is the only lawful government. There can be no possibility of two Chinas or one China and one Taiwan."

The question of United Nations admission for Communist China is actually a question of representation—who is to represent the Chinese people. Because of the positions of both Taiwan and Peking that neither will accept two representatives, it seems to me totally erroneous for us to proceed with resolutions which attempt to recognize one government rather than another and equally ridiculous to try to settle a dispute which must be resolved between the Chinese governments.

In essence, the United States Senate is trying to settle a matter in which the United States can have little or no influence given the present feelings of both Chinese governments. All we can do by passing such resolutions is to unnecessarily alienate an old ally and perhaps weaken her position in international relations.

At this point, Mr. Chairman, I want to turn my attention to some of the specific language of the resolutions before this Committee. In Senate Resolution 37, my distinguished colleague from New York, Senator Javits, encourages more trade and travel between the United States and the People's Republic of China. These are the very areas where President Nixon has already taken some positive steps, and I support the President in this. But as I have stated on numerous occasions, there is a time to move forward and a time to exercise caution and restraint. I suggest that the initiatives by the President to date should now be followed by a period of watching and waiting. I also suggest that the next move in this attempt to establish more meaningful communications with Peking is up to the Communist government there.

Senators Kennedy, McGovern, Gravel and Javits all offer some form of plan to admit

Communist China to the U.N. Their resolutions differ somewhat, and I would like to comment briefly on the various proposals.

Senator Kennedy, in his Senate Resolution 139, ignores the recommendations of the Lodge Commission and declares that we should make no effort to enforce dual representation of the two China governments. His resolution declares that Communist China should be given her "legitimate" seat as the sole government of China. Mr. Chairman, there is little legitimacy in a government which rules by force and represents only the approximately 6% of the population which belongs to the Communist Party. We must not forget that in Mao's dictatorship, a citizen has no freedom to elect anyone unless he is a member of the party. And what has changed in the last quarter century to make the Communist Chinese government the rightful occupant of the seat in the United Nations? Time and again during this period we have witnessed countless demonstrations of contempt by Peking for the United Nations in particular and international law in general.

Senator McGovern's resolution would have us acknowledge that Communist China is the sole representative of China in all U.N. organizations. This is also contrary to the recommendations of the Lodge Commission, and totally ignores the fact that the people of mainland China and the government of Communist China are not one and the same. If we were to proceed under the McGovern approach, we would be permitting the Communist Chinese government to obtain an international platform for its attacks on free people everywhere, but we would be doing nothing to help the 800 million people on the Chinese mainland who are subject to the same brand of communist terror. Senator McGovern would resolve the Taiwan question by simply leaving its future status to a peaceful resolution by the people on both sides of the Taiwan Straits. A most honorable objective, but based on the strong position taken on both sides of those Taiwan Straits, totally unrealistic.

In a similar vein, Senator Church's resolution would repeal a 1955 Joint Resolution authorizing the President to employ military forces in the area of Taiwan. It seems to me this would give the Communist Chinese just the opportunity they are seeking by removing a potent deterrent which now discourages them from adventures across the Taiwan Straits. The absence of our military forces would be most helpful to the Communist Chinese in carrying out their reunification plans. This was illustrated recently in a statement by Premier Chou En-lai in a New York Times interview. The Premier stated that the well being of the Taiwanese people would improve under reunification and that they could "go back to their home provinces and not be discriminated against. If Taiwan returns to the motherland then its people would be making a contribution for which we should give them a reward. So, far from exacting revenge on them, we will reward them."

Are we to have faith in such statements when the record of Peking's so-called rewards has so far included the horrors of the Cultural Revolution when citizens were tortured and their bodies cast in the rivers to float into the South China Sea? Peking itself admits that 10 million Chinese have died in the "communization" of China. This, Mr. Chairman, has been labeled as "genocide" by the International Commission of Jurists in Geneva. Are we to believe there would be no similar "communization" of Taiwan if the Republic of China were reunified with the mainland? If Communist China truly represents her 800 million people, why have so many Chinese perished opposing the Communist regime?

All of this leads me to the conclusion that the effort being mounted to bring mainland

China into the U.N. is being undertaken with a failure or refusal to recognize the regime for what it is, a regime that practices tyranny at home and encourages revolution and warfare around the world. I cannot support any of the resolutions currently under consideration by this committee, and I am giving serious thought to introducing a resolution of my own which would express the sense of the Senate that the President is to be commended for his efforts to open lines of communication with mainland China, but that in our own self-interest we should adhere to the policy of non-admission of the Communist Chinese to the U.N. until such time as there is evidence to indicate that they subscribe to the principles of the charter of that organization and to the principles of international law.

To my mind, it would be unthinkable to abandon a loyal friend on Taiwan in favor of a country which constantly castigates the office of the President of the United States—no matter who occupies the White House—with labels such as "murderer," "archcriminal," and "running dog."

I suggest to you, Mr. Chairman, that the United States has acted in good faith and with admirable statesmanship in its initiatives toward Peking. But I must conclude with the hope that we will now stand firm in our determination that those who would join the United Nations would first demonstrate their acceptance of the principles for which it stands.

Mr. Chairman, I delivered a speech on this subject on the Senate Floor on June 10 of this year. I ask that that speech be included in the record of hearings at this point.

[From the Scranton (Pa.) Times, June 13, 1971]

ON THE LINE

(By Bob Considine)

New York—Dr. Walter H. Judd, old China hand and old Republican head, doesn't think the admission of the People's Republic of China to the United Nations or its diplomatic recognition of the U.S. is "inevitable."

The People's Republic of China, formerly known as Red China or Communist China, has been enjoying a honeymoon in the American news media. Chou En-lai laughs with hippie Ping-Pong. Chou En-lai asks advice of visiting American scientists. China hungry for American planes. Peking was never lovelier. Chinese people happy.

On May Day, two weeks after the Ping-Pong matches, the Peking government (John Chancellor of NBC noted) urged the People's of the world to:

1. Unite to crush American aggressors and their running dogs.
2. Support the Indochinese people against American aggression.
3. Support the heroic Korean people against the American aggression.
4. Support Cuba against American aggression.

Resolutely oppose American imperialistic support for Israeli aggression against the Arab countries.

6. Support the American people against the American government's aggression policy.

Dr. Judd has been a leading figure in the organization named The Committee of One Million—Against the admission of Communist China to the United Nations. In a recent news letter released by the largely conservative group, he gives us a box score on previous eras when it appeared that a UN invitation to Red China to join the club was inevitable:

In 1953, after the Panmunjom agreement, it was declared "inevitable" that Peking would be admitted into the UN the following year. But when North Korea and Red China refused to release American POWs taken in the Korean War, the UN members voted 43-11 against admission with 11 abstentions.

"In 1958, the 'inevitability' argument was again advanced and appeared to be having some effect on the UN. But Mao's behavior in the ludicrous Great Leap Forward, and the invasion of Tibet was too much, and the vote in 1959 was 44-28 against admission, with nine abstentions.

"Then, for two years, a well-planned propaganda campaign on behalf of admission was built up to a climax in 1965, resulting in a 47-47 tie, with 20 abstentions. Just as now, there was a chorus of agitation that admission in 1966 was 'inevitable.'

But Mao started the 'great proletarian cultural revolution' and its excesses demonstrated all too vividly why Peking is not qualified for membership. In the fall of 1966, the General Assembly once again voted against the admission of Peking, 57-46 with 17 abstentions."

Dr. Judd's position, which is endorsed by considerably more than 1,000,000, is opposed by other millions of Americans. He has been asked questions about the wisdom of trying to bar the world's most populous nation from the family of nations—the UN.

"The UN was never intended to be a 'universal' organization," he answers. "It was intended to be a union of peace-loving nations to pool their resources against international lawlessness from whatever source. Article 4 of its Charter provides for expulsion from membership. Why would there be a provision for expulsion if all nations were to be members, no matter what their conduct? The 'universality' argument disintegrates completely when you consider that for two decades, the Soviet Union has blocked admission of West Germany. Why isn't there a nationwide campaign to seat West Germany? It qualifies."

How about the fact that Communism has a hold on China for a full generation, and obviously it's there to stay—as in Russia?

Dr. Judd: "Mao is nearly 80. In November, 1970, alone, more Chinese attempted to escape to Hong Kong than East Germans have ever tried to go over or under the Berlin Wall since it was erected in 1961."

How can we deal with Red China if it is not in the UN?

"The same way we deal with West Germany, Switzerland, etc., who are not members."

But without China's participation, world disarmament talks are meaningless; international agreement on the control of nuclear arms must include Peking and its growing arsenal of nuclear weapons, right?

"Peking has repeatedly declared that it will not take part in any nuclear disarmament talks, inside or outside the UN. It denounced the partial test ban treaty in 1963 and vowed to continue its nuclear tests in the atmosphere under all circumstances. In 1968, it not only spurned an invitation from the UN to endorse the Nuclear Non-Proliferation Treaty, but denounced the pact after it has been signed by the U.S. and the Soviet Union. This spring, it refused to be a party to the nuclear sea-bed treaty."

As the King of Siam, Yul Brynner, used to say, "It is a puzzlement."

[From the Phoenix (Ariz.) Republic, June 15, 1971]

WHICH IS REAL RED CHINA?

(By Ralph de Toledano)

Perhaps President Nixon, who is encouraging a change in American attitudes toward Red China, knows something we don't know.

But until he confides in the voters, cautious Americans can only review the record and keep their powder dry.

For as Sen. Peter Dominick (R-Colo.) asked on the Senate floor last Thursday, "Which is the real Communist China?"

Which is the real Red China: "The smiling welcome of Chou En-lai to an American table tennis team visiting mainland China in

mid-April? Or anti-America slogans shouted in the streets of dozens of Chinese cities on May Day, only two weeks later?

"A hint by Mao Tse-tung to journalist Edgar Snow last December that he would favor a visit by President Nixon to mainland China? Or an editorial in the Peking Review of April 16, 1971, vilifying President Nixon as an 'arch-criminal,' 'arch-murderer,' and 'chief-butcher'?"

"Suggestions from Peking that it wants to negotiate its differences with the United States? Or its insistence in every Chinese Communist propaganda organ that 'U.S. imperialism is the common enemy.'"

In all the happy-happy that we have been getting from the so-called China experts—the men who 25 years ago told us that the Chinese Reds weren't Communists but "agrarian reformers"—how much attention has been paid to the facts?

Senator Dominick spells it out even further: "Keep in mind the record of Mao's China which (1) has brutally subjugated the Chinese people for 22 years, (2) has been and still is branded by the U.N. as the 'aggressor' in the Korean war, (3) has been accused of 'genocide' in Tibet by the International Commission of Jurists in Geneva, (4) continues to supply most of the small arms and ammunition to North Vietnam, and (5) has fostered and encouraged insurrection, subversion, and 'wars of national liberation' in Asia, Africa, Europe, and even the United States."

Red China must be admitted, with American help, because that admission is "inevitable." But we have been hearing that admission is inevitable since 1953. Red China will be admitted only when the United States decides to let up on its opposition. Until that day—and Mr. Nixon leads us to believe that it is at hand—Red China doesn't stand a chance.

[From the Los Angeles (Calif.) Herald-Examiner, June 9, 1971]

PROGRESS IN TAIWAN

Taiwan's amazing progress was emphasized during World Trade Week here when the World Chinese Traders Association, with 600 Chinese from 47 nations, held its convention at the same time.

The Gross Domestic Product in Taiwan grew an average of 8.6 percent from 1953 to 1967. In addition to achieving rapid growth, Free China has maintained a surprising price stability. In the past 10 years, the average annual increase in the consumer price index was only 2.7 percent. Taiwan's 1970 increase of 3.6 percent in consumer prices was low compared with the 5.9 in the United States, 7.1 percent of Japan, and 19.2 percent of South Korea. Comparatively speaking, Taiwan enjoys stable commodity prices.

Taiwan's agriculture and manufacturing also have enjoyed remarkable growth rates. Rapid industrialization of Taiwan is attributed to the government's continuous efforts to improve the investment climate, an adequate labor supply, social stability and the fast growth of exports.

California exports \$46 million in goods to Taiwan each year and imports an average of \$31,574,333.

Taiwan, with only 16 million people, is small compared with Communist China, with 800 million. But the industry of the Chinese on Formosa and its stable government, make it not only one of the most outstanding countries in Asia but also a leader in world commerce.

[From the Boston (Mass.) Herald Traveler, June 17, 1971]

IMPOSSIBLE DREAM FOR U.N.

(By John Chamberlain)

If there is any way of putting Red China in the United Nations without forcing the Nationalist (Taiwan) Chinese out, it is not

apparent to anyone who has the slightest acquaintance with Chinese psychology. Generalissimo Chiang Kai-shek, who still guides the destinies of the Free Chinese, is a man who has always insisted on maintaining "face." It is inconceivable that, if the vote went against him in the U.N. next autumn, he would stick around to suffer the degradation of being ousted from the Security Council.

Chiang may or may not have been responsible for all the strategic blunders attributed to him by the late Gen. "Vinegar Joe" Stilwell in World War II. However, Chiang's very persistence in wrong courses as well as in right ones was due to a pride that never once cracked during 45 years of unswerving opposition to Communism, and 15 years of war with Japan. He isn't going to change his character in the late evening of his life.

So a "two-China" policy is an impossible dream; if Red China comes to the Glass House on Manhattan's East River, the Free Chinese will surely depart.

And if they depart, what then? The shock would register all around the East Asian periphery—in Japan, which would take the change order of events as proof that the United States no longer counts for beans as a protector; in South Korea, squeezed at the end of a peninsula; in Taiwan itself, which would have to become a garrison island; in the Philippines, where there are 500,000 Chinese who could cause trouble no matter which way they chose to move; in Indonesia, which might have to worry about a revived Communist party; in Saigon, which would be faced with intolerable pressure from the North; in Thailand, which would have to wriggle and placate in hopes that Peking would leave it alone; and in India, a subcontinent that would have to resign itself to watching the two great Communist powers of Soviet Russia and Red China contend for sovereignty in the Indian Ocean.

Sen. Peter Dominick (R., Colo.), both in interviews and in speeches, seems to be the only important U.S. statesman who has considered the impact of Red China U.N. membership on the perimeter Asian nations. To these nations the mainland Chinese have been an aggressive force, not a peaceful country that could be counted on to live up to the U.N. Charter.

As Sen. Dominick says, the mainland Chinese "were the ones who started the militant revolution in Indonesia . . . They've been in a war with Japan on several occasions as we all know . . . Each one of these countries is going to have to take another look if we suddenly decide that we're not going to maintain the principles of the United Nations Charter which is that we shall not have an aggressive policy for enforcement of the international law, I think we would be making a very bad mistake not to make this a really important question."

As for the lure of trade with Red China, it shapes up as good for Boeing of Seattle, which might sell some jets to Peking; and for U.S. wheat farmers in competition with the Canadians. But the long-term advantage of relaxed trading rules does not impress Sen. Dominick as being very significant.

"What most people don't recognize," he says, "is that when you trade through a Communist country, you trade through a Communist-controlled corporation. You are not allowed to trade business to business or person to person. The result of that is that to the extent that we should import more than we export to them, which seems doubtful, but let's suppose we did, we would then be increasing their economic situation to control the seven or eight hundred million Chinese that are on the mainland . . . The more economic power we give the government to hold the Chinese people down, the poorer situation the people of China find themselves in."

In worrying about Peking's chains on the

Chinese people, Sen. Dominick is more humane than our State Department, which doesn't believe in making trouble for our enemies if such action might disturb the status quo. But when the Senator asks what the Red Chinese have to sell us in exchange for "technological stuff," it is a pertinent question which any realist should be able to see.

The Red Chinese have silk to hurt our textile industry . . . and pig bristles which we can put in hair brushes." And, oh, yes, they have opium. If we plan to give jet planes and wheat away for silk, pig bristles, and opium, we ought to have our heads examined. Sen. Dominick doesn't quite put it that way, but it is a logical deduction from what he has said.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order the Chair recognizes the Senator from Virginia for not to exceed 15 minutes.

THE PRESIDENT'S ANNOUNCEMENT ON HIS PROPOSED VISIT TO COMMUNIST CHINA

Mr. BYRD of Virginia. Mr. President, I wish to make a brief comment on the President's announcement of last evening.

For the leaders of two great nations to meet face to face seems to me to be a worthwhile step. It could lead to an easing of world tensions. At the very least it gives the opportunity to each leader to form a firsthand opinion of his counterpart in another country.

Mainland China is the largest nation in the world, with a population of 750 million. We cannot pretend it does not exist.

So I think the President's announcement last evening is one which could give us hope for the future. I assume, however, that President Nixon will proceed with caution in dealing with the Chinese Communists and will not make any commitments detrimental to our ally and friend, Nationalist China.

DEPENDENCE OF UNITED STATES UPON SOVIET UNION FOR CHROME ORE

Mr. BYRD of Virginia. Mr. President, on March 29 I introduced S. 1404, a bill designed to end the dependence of the United States upon the Soviet Union for chrome ore—a material vital to the defense of this country.

I ask unanimous consent that the following Senators be added as cosponsors of this measure: The distinguished Senator from North Carolina (Mr. ERVIN), the distinguished Senator from Arizona (Mr. GOLDWATER), and the distinguished Senator from Florida (Mr. GURNEY).

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

Mr. BYRD of Virginia. Mr. President, the United States today faces an imminent and serious shortage of chrome. This material is essential in the manufacture of such critical defense items as jet aircraft, missiles, and nuclear submarines.

Moreover, chrome is vital to many products used in the communication and

transportation networks which must back up any defense effort.

My legislation is simple in structure. It would amend the United Nations Participation Act of 1945 to provide that the President could not prohibit imports of a strategic material from a free world country as long as the importation of the same material is permitted from a Communist-dominated country.

Late in 1966 the United Nations Security Council imposed selective sanctions on Rhodesia. The embargo later was made complete.

After the action by the Security Council, President Johnson ordered an embargo on trade between the United States and Rhodesia. This was done by unilateral Executive action, without consulting the Congress.

That is an important point. This action by President Johnson was taken by unilateral Executive action, without consulting Congress.

Prior to the sanctions, Rhodesia was the largest single source of metallurgical chrome ore imported into the United States.

There is no domestic production of this commodity, so our country now has become dependent on the next largest supplier, the Soviet Union, for about 60 percent of its chrome ore.

I believe that this is a dangerous situation. I believe it is vital that the Senate have the opportunity to vote on this important issue.

My legislation, S. 1404, was referred to the Senate Committee on Foreign Relations. Last week—on July 7 and July 8—hearings were held on my bill by the African Affairs Subcommittee of the Foreign Relations Committee.

Witnesses appearing at the hearings included former Secretary of State Dean Acheson, representatives of the metallurgical industry and myself, in support of the bill; and Representative CHARLES C. DIGGS, JR., of Michigan and officials of the State Department, in opposition to the bill.

Immediately following the hearing, the chairman of the African Affairs Subcommittee, the senior Senator from Wyoming (Mr. MCGEE), told reporters that he would recommend that the full Foreign Relations Committee take no action on S. 1404.

In view of the expressed opinion of the Senator from Wyoming, the chairman of the subcommittee, I feel it is my duty to try to see that the Senate is given the opportunity to vote on S. 1404.

Senator CANNON, chairman of the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Committee on Armed Services, told the Senate on April 29 that the chrome ore problem is one "we cannot continue to ignore."

At this point I want to note that Senator CANNON pointed out in his statement that the United States now relies upon Russia for 60 percent of its chrome ore. He held lengthy hearings on the subject of strategic materials.

In the same statement, Senator CANNON pointed out that since becoming the prime source of chrome ore for the United States, the Soviet Union has increased the price per ton of this ore from

\$25 to \$72. This is an increase of about 188 percent.

The increase in price is a disadvantage to the United States, but what concerns me most—and what prompted me to introduce S. 1404—is that the United States has placed itself in a position of dependence upon Russia for a strategic commodity. To me, this is illogical and dangerous.

Senator CANNON stated the matter very well in his remarks on the floor on April 29:

Mr. President, I strongly urge that the Committee on Foreign Relations, to which was referred the bill—S. 1404—introduced by the senior Senator from Virginia, take prompt action on the measure, mindful that it raises a serious problem for this Nation, which, unfortunately, we cannot continue to ignore.

I think it is important to review briefly the background of the present policy of the United Nations and the United States toward Rhodesia.

In my view, the imposition of sanctions on Rhodesia by the United Nations Security Council was not justified. The principal reasons given for the sanctions policy were three in number: First, Rhodesia unilaterally declared her independence from Great Britain—How else would a country do it if it did not do it unilaterally? How did the new country of the United States of America do it 195 years ago?—second, the Rhodesian government failed to provide for "an orderly transition to majority rule"; and third, Rhodesia represents "a threat to international peace and security."

As to the first point, the declaration of independence, that is rightly a matter to be settled between Great Britain and Rhodesia. It is not properly the business of the United Nations or of the United States.

The second charge is positively ludicrous. If the United Nations Security Council were to impose economic sanctions on every country ruled by a minority, it would have to begin with one of the most prominent members of the Council itself—the Soviet Union, where 240,000,000 people are ruled by a tiny handful of Communist Party leaders.

The third charge made by the United Nations Security Council—namely, that Rhodesia threatens world peace—is obviously absurd. No one actually believes that Rhodesia threatens the peace.

The policy of the United Nations Security Council toward Rhodesia is rooted in falsehood and injustice. Yet, the United States has actively supported this policy.

It should be noted that the sanctions policy is not only unjust, but is also ineffective. The Secretary General of the United Nations has written to all member states requesting information on actions taken by the several governments to assure compliance with the sanctions against Rhodesia.

As of the latest available Security Council reports, replies had been received from 104 of the 127 members of the United Nations. This means that 23 members have not even answered the inquiry of the Secretary General.

Of the nations which have replied, at

least six—Zambia, Botswana, Portugal, Malawi, South Africa, and Switzerland—have indicated that they are unwilling or unable to comply with the United Nations policy. And of the 95 countries that have definitely indicated compliance, many never had any trade with Rhodesia in the first place. This fact was specifically noted in replies from 13 member countries.

Furthermore, enforcement of the boycott has not been successful. Last year a special United Nations committee on enforcement of the sanctions reported that 60 reports of violations were received during 1969. Since then, additional complaints have been received. I understand the total is now over 100.

I am now and have been from the outset opposed to the policy of sanctions against Rhodesia as being unjust and contrary to the interests of the United States.

However, my legislation would not require that the United States abandon all sanctions against Rhodesia—much as I wish that this be done.

The only commodity affected by S. 1404 would be chrome ore.

The reason for singling out this commodity is clear and simple: It is the one item which could and should be imported from Rhodesia that is vital to the national security of the United States.

At the present time, there is pending in the Senate Armed Services Committee legislation supported by the administration which would authorize withdrawal from the national stockpile of approximately 30 percent of this Nation's strategic reserve of chrome ore. Release of this amount—approximately 1.3 million tons—would provide a short-range solution for the problems faced by American industry because of the present chrome shortage.

However, withdrawal from the stockpile clearly leaves the long-range problem unsolved. If the present rate of consumption of chrome ore continues, the amount to be disposed of would supply our requirements for less than 2 years. Obviously, we cannot go on reducing the stockpile indefinitely without jeopardizing national security.

Furthermore, withdrawals from the stockpile do nothing toward eliminating our dependence upon the Soviet Union for a large portion of the chrome needed for industry and defense.

I do not believe that it is logical for the United States to continue to be dependent on Communist Russia for a material vital to our national defense.

We are spending billions of dollars for weaponry as a protection against possible Russian aggression.

Russia is the No. 1 reason—and indeed almost the sole reason—for our huge defense expenditures.

In summary, my legislation does one thing and one thing only: It simply provides that the President could not prohibit imports of a strategic material from a free world country if importation of the same material is permitted from a Communist-dominated country.

I believe it is vital that this question come to a vote in the full Senate. I shall try to insure that the Senate is given the

chance to register its will on this vital question.

I ask unanimous consent that the text of S. 1404 be printed in the RECORD at this point.

There being no objection, the bill (S. 1404) was ordered to be printed in the RECORD, as follows:

S. 1404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the United States Participation Act of 1945 (22 U.S.C. 287c(a)) is amended by adding at the end thereof the following new sentence: "On or after the effective date of this sentence, the President may not prohibit or regulate the importation into the United States pursuant to this section of any material determined to be strategic and critical pursuant to section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a), which is the product of any foreign country or area not listed as a Communist-dominated country or area in general headnote 3(d) of the Tariff Schedules of the United States (19 U.S.C. 1202), for so long as the importation into the United States of material of that kind which is the product of such Communist-dominated countries or areas is not prohibited by any provision of law."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed H.R. 9388, an act 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, in which the concurrence of the Senate is requested.

BILLS PLACED ON CALENDAR

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, was read twice by its title and ordered placed on the calendar.

The PRESIDING OFFICER (Mr. DOMINICK). Under the previous order, the Senator from Alaska (Mr. GRAVEL) is now recognized for not to exceed 15 minutes.

HOME BY CHRISTMAS

Mr. GRAVEL. Mr. President, I rise today to compliment and praise the President of the United States. I must admit I do not do this frequently.

However the President's statement last evening that he will go to the People's Republic of China on a goodwill visit is one I must applaud.

I congratulate the Government of the People's Republic of China on inviting him and I congratulate him on accepting that invitation.

Certainly such a visit will enhance the chances of peace.

Nevertheless I hope the projected travel plans of one American to Asia will not deflect the public's attention from the travel plans of many Americans from Asia.

Mr. President, I hope that this trip to China will not be used in a public relations manner to overshadow the chance that we could have our prisoners of war home with their families by Christmas if the President of the United States would similarly go on television and announce his decision to make this happen.

On July 1 Madame Binh presented a seven point program to the negotiators at the Paris Peace Conference.

She stated the North Vietnamese requirements for peace, which are:

First, the United States must stop the Vietnamization program, withdraw our troops and dismantle our bases by the end of 1971 in return for the release of all American prisoners of war held by North Vietnam. Such a withdrawal would include a limited cease-fire.

Second, the United States must cease backing the bellicose Thieu regime so that a provisional government can be set up. This will form a national concord, stop terrorist actions, stabilize living conditions, and supervise free elections.

Third, the Armed Forces question must be settled in South Vietnam.

Fourth, the North and the South will jointly form a government. It will refrain from joining military alliances or supporting military activities of other nations.

Fifth, the new government will base its foreign policy on peace and neutrality with all countries.

Sixth, the United States must bear full responsibility for all losses and destructions it has caused the Vietnamese people.

Seventh, the parties will negotiate the guarantee of these accords.

I ask unanimous consent that the full text of that peace plan be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. GRAVEL. Mrs. Binh expanded her proposal on July 7 in an interview. She stated the plan is not an "inflexible take-it-or-leave-it package" which must be totally accepted or rejected by the other parties involved.

Le Duc Tho, member of the North Vietnamese Politburo and the chief Communist negotiator made the same point the day before. In a New York Times interview, Tho made it clear that the points of the plan are not interdependent and are open to negotiation.

At first the U.S. chief negotiator, Ambassador David K. E. Bruce, reserved comment on the plan. Then he said the proposal would receive "careful consideration."

And that is all he said.

The Nixon administration responded in Washington on July 2. Presidential Press Secretary Ron Ziegler said that the administration saw "positive as well as clearly unacceptable elements" in the latest Communist peace plan.

Eventually Ambassador Bruce gave the official response, and asked for an unusual secret session of the Paris peace talks to consider those proposals.

He requested that future talks be held in so-called "restricted sessions—free from the glare of publicity and without

the need to make public statements except to the degree we mutually agree upon."

The U.S. reaction was waffled and left a great deal of to be desired, while many other nations responded openly and favorably to the plan. The Soviet Union, France, the People's Republic of China, and even the Vice President of South Vietnam stated they viewed the proposal as a substantial basis upon which to build a settlement.

Where does this leave the United States?

To answer this we must trace what the Nixon administration has defined as our policy in the Southeast Asian war.

First a look at the prisoner of war issue.

The administration had suggested last October 7 that a troop withdrawal be tied to a release of POW's.

The Vietnamese have now taken up our offer.

The agony of the wives and families involved is heartbreaking.

Many have realized they were foils for the President's rhetoric and are now castigating the Nixon administration.

The United States could accept part of Madame Binh's proposal and negotiate the rest of it and have our POW's home by Christmas.

Why hasn't the Nixon administration not chosen to do this?

What has stopped such a course of action?

The response to this must be as follows:

The administration's response is based solely on a desire to maintain the present Government of South Vietnam in power. The POW issue is simply a strawman issue, used by the present administration for political rhetoric and expediency.

Our men could be home by Christmas. But they will not be.

We must ask "Why?"

The answer to this is hidden in the rhetoric of our supposed policy goals.

The first stated goal of the administration is to give the current South Vietnamese Government a reasonable chance for political survival.

The South Vietnamese Government could survive politically under the north's peace plan. Included in that peace plan is a provision to set up a neutral government with open elections.

The Thieu regime has not even guaranteed that.

A new election law passed over the Memorial Day weekend requires presidential candidates to get the sponsorship of 100 provincial councilors or 40 national assemblymen.

This law makes a mockery of the democratic election process.

Vice President Ky and General Big Minh may not even be able to meet the election requirement, essentially doing away with any legitimate opposition candidate to President Thieu.

The last presidential candidate to oppose Thieu is in prison.

Another would-be popular candidate, Truong Nat Thao, is also in prison.

Others are being harassed by the government.

Our Embassy has chosen to publicly ignore these antics, certainly proof that we can no longer continue the rhetoric of defending free elections and democracy in South Vietnam.

The second stated goal of the Nixon administration's presence in South Vietnam is to give the government a chance to survive—a military chance to survive.

South Vietnamese forces outnumber the North Vietnamese 4 to 1.

They also have superior resources and material to wage an air or a sea war.

We have poured billions of dollars into equipping South Vietnam's army and have spent hundreds of thousands of man hours training their forces.

The Nixon administration has repeatedly extolled the great successes of its Vietnamization policy.

And now we are told we must do even more to insure the military survival of the current government.

Will the likelihood of peace hurt the military survival chance of South Vietnam or will it hurt only the Thieu Government?

Vice President Ky has talked of peace in his campaign for the Presidency.

So has General Big Minh.

Our peace efforts cannot wait until after the October 3 election. And they do not have to unless the Nixon administration is afraid that such efforts will hurt Thieu's reelection chances.

If that is so, we are not working for peace. We are working for Thieu.

Instead of working openly for peace we are calling for secret negotiations where we can present our response to North Vietnam's seven-point peace program.

The desire to negotiate in secret and to delay meaningful negotiations until after the October 3 election is a desire which seeks to guarantee a client state in South Vietnam under the vassalship of Thieu.

We are proceeding by secret means to insure the continued subjugation of the South Vietnamese to the desires of the United States.

We are ignoring the cries of Americans to bring our prisoners home—now.

We are ignoring the expressed desire of the U.S. Senate to set a date for withdrawal of U.S. forces from South Vietnam.

Instead, we are calling for a "fresh start" in secret talks and delaying significant negotiations until after the October 3 elections.

There is only one conclusion we can come to:

While using the rhetoric of working for a negotiated peace, we are actually working for a politically expedient settlement that will insure the survival of Thieu's government.

That is a repetition of prior history.

We are using the rhetoric of peace while missing chances to insure that peace.

President Nixon has stated time and time again that he wishes to negotiate a peace settlement. He has said the only item that is stopping us now is giving the Vietnamese people a chance to survive.

He really means the only item that stops us now is our need to insure Thieu's survival.

Only one conclusion can be drawn.

The present administration's power clearly denotes a lack of candor and a lack of desire to keep the American people informed as to what is actually happening and as to what its actual goals are in Southeast Asia.

That is a charge that has been made against prior administrations as a result of the revelations made in the Pentagon papers.

Certainly the Nixon government's efforts to quash publication of the Pentagon papers is evident testimony that the American people might, through comparative analysis, truly realize—putting Republican rhetoric aside—that the goals pursued in Vietnam by this Government are not peaceful ones.

They are political ones.

Mr. President, as a rapid addition to the foregoing, the minority leader stated he felt that the actions taken with China of late by the President would act as a catalyst to push North Vietnam from behind. I would suggest that we have been undergoing similar activity with the Soviet Union for several years. Of course, it has not acted as a catalyst to push from behind. In fact, the record of the last 10 or 15 years indicates the contrary. I would hope that the administration would take a very straightforward approach and push from the front. Of course, we ourselves are the only ones who can push from the front, in the full light of day, by offering to negotiate sincerely and publicly.

EXHIBIT 1

VIETCONG: UNITED STATES MUST END ITS INTERFERENCE IN SOUTH VIET AFFAIRS

PARIS, July 1.—The following, in unofficial translation, is the text of the seven-point program put forward at the Paris conference on Vietnam today by Mrs. Nguyen Thi Binh, representative of the Vietcong's Provisional Revolutionary Government.

(1) 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 other foreign countries in the U.S. camp, and dismantle all U.S. bases in South Vietnam, without posing any condition whatsoever.

The government must set a terminal date for the withdrawal from South Vietnam of the totality of U.S. forces and those of the other foreign countries in the U.S. camp.

If the U.S. government sets a terminal date for the 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 of 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 U.S. camp as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of U.S. forces and

those of the other foreign countries in the U.S. camp.

(2) Regarding the question of power in South Vietnam: The U.S. government must really respect the South Vietnam people's right to self-determination, put an end to its interference in the internal affairs of South Vietnam, cease backing the bellicose group led by Nguyen Van Thieu at present in office in Saigon, and stop all maneuvers, including tricks on elections, aimed at maintaining the puppet Nguyen Van Thieu in office.

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. The Provisional Revolutionary Government of the Republic of South Vietnam will immediately enter into talks with that administration to settle the following questions:

(A) To form a broad three-segment government of national concord that will assume its functions during the period between the restoration of peace and the holding of general elections and will organize general elections in South Vietnam.

A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces and the armed forces of the Saigon administration as soon as a government of national concord is formed.

(B) 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 party, to ensure every democratic liberty to the South Vietnam people, to release all persons jailed for political reasons, to dissolve the concentration camps and to liquidate all forms of constraint and coercion so as to permit the people to return to their native places in complete freedom and to freely engage in their occupations.

(C) To see that the people's conditions of living are stabilized and gradually improved, to create conditions allowing everyone to contribute his talents and efforts to heal the war wound and rebuild the country.

(D) To agree on measures to be taken to enable the holding of genuinely free, democratic, and fair general elections in South Vietnam.

(3) Regarding the question of Vietnamese armed forces in South Vietnam: The Vietnamese parties will together settle the question of Vietnamese armed forces in South Vietnam in a spirit of national concord, equality, and mutual respect, without foreign interference. In accordance with the post-war situation and with a view of alleviating the contributions of the population.

(4) Regarding the peaceful reunification of Vietnam and the relations between the north and south zones:

(A) The re-unification of Vietnam will be achieved step by step, by peaceful means, on the basis of discussions and agreements between the two zones, without constraint or annexation by either party, without foreign interference.

Pending the reunification of the country, the north and the south zones, will reestablish normal relations, guarantee free movement, free correspondence, free choice of residence, and will maintain economic and cultural relations on the principle of reciprocal advantages and mutual assistance.

All questions concerning the two zones will be settled by qualified representatives of the Vietnamese people in the two zones on the basis of negotiations, without foreign interference.

(B) In keeping with the provisions of the 1954 Geneva agreements on Vietnam, in the present temporary partition of the country into two zones, the north and the south zones of Vietnam will refrain from joining any military alliance with foreign countries,

from allowing any foreign country to have military bases, troops and military personnel on their soil, and from recognizing the protection of any country of any military alliance or bloc whatever.

(5) Regarding the foreign policy of peace and neutrality of South Vietnam will pursue a foreign policy of peace and neutrality, will establish relations with all countries regardless of their political and social regime, in accordance with the five principles of peaceful coexistence, will maintain economic and cultural relations with all countries, will accept the cooperation of foreign countries in the exploitation of the resources of South Vietnam, will accept from any country economic and technical aid without political conditions attached and will participate in regional plans of economic cooperation.

On the basis of these principles, after the end of the war, South Vietnam and the United States will establish relations in the political, economic, and cultural field.

(6) Regarding the damages caused by the United States to the Vietnamese people in the two zones: The U.S. government must bear full responsibility for the losses and the destructions it has caused to the Vietnamese people in the two zones.

(7) Regarding the respect and the international guarantee of the accords that will be concluded: The parties will find agreement on the forms of respect and international guarantee of the accords that will be concluded.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of routine morning business, not to exceed 15 minutes, with a limitation of 3 minutes on each Senator to be recognized.

CHANGE IN PROGRAM FOR TODAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the close of morning business today, the Senate proceed to the consideration of H.R. 9417, an act making appropriations for the Department of the Interior and related agencies.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on the disposition today of H.R. 9147, the Senate then proceeded to the consideration of the motion to take up the motion to reconsider Senate Resolution 100.

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

Mr. BYRD of West Virginia. By way of explanation regarding the changed program today, Mr. President, it was the desire of the leadership to assist the distinguished Senator from Indiana with respect to his schedule by programming the motion to proceed to the motion to reconsider Senate Resolution 100 at the close of morning business today. It now appears that this cannot be done; and because of this circumstance, the change in the program has been necessitated. It is not anticipated that a great deal of time will be required, however, in the consideration of the disposition of the appropriation bill for the Department of the Interior.

The PRESIDING OFFICER. Is it the intention to leave these orders un-

changed and merely alter the order of consideration?

Mr. BYRD of West Virginia. Yes. I thank the distinguished Presiding Officer. The Chair is correct.

The PRESIDING OFFICER. The unanimous-consent agreements relative to each will stand, and the order in which they will be taken up is reversed.

Mr. BYRD of West Virginia. Exactly.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY, JULY 19, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to exceed 30 minutes.

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

AUTHORIZATION TO CONSIDER H.R. 9272, APPROPRIATIONS FOR DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, at the conclusion of the period for the transaction of routine morning business, the Senate proceed to the consideration of H.R. 9272, an act making appropriations for the Departments of State, Justice, and Commerce.

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

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESIDENT NIXON'S TRIP TO THE PEOPLES REPUBLIC OF CHINA

Mr. BYRD of West Virginia. Mr. President, I applaud President Nixon for the breakthrough he has achieved in his decision to visit the People's Republic of China. This, I think, may mark an all-important turning point in America's quest for peace among the nations of the world.

The reaction to the announcement last night is overwhelmingly favorable, both in this country and abroad.

I believe that what the President has done should indicate a settlement of the Vietnamese war and will lessen tensions in Asia and in Europe.

In timing his visit to occur before next May—some 10 months from now—President Nixon has hopefully improved the prospects for negotiation of a final and honorable peaceful settlement in Indochina.

As for Taiwan, the President has indicated that while realities must be faced, the United States will continue to honor its obligations to the Government of Nationalist China. This, of course, could preclude for the time being the establishment of formal diplomatic relations between the United States and Mainland China.

But if the Peking Government is admitted to the United Nations—as it now appears will be done—opportunities so badly needed could be provided for the representatives of our Government and the government of the most populous country in the world to begin consideration of problems that are mutual concern to both countries.

The President's decision to visit the Peoples Republic of China will strengthen the image of the United States throughout the world—as if that image needed improvement—as a nation which tries to seek peace and which truly desires peace.

I shall support the President fully in the course on which he has now embarked.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GAMBRELL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AIKEN. 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 PRESIDENT'S PROPOSED VISIT TO MAINLAND CHINA

Mr. AIKEN. Mr. President, first off, let me commend the President on his statement last night, first because he made a statement that did not leak and, second, because he made a statement of extreme importance not only to the United States but also to the entire world.

It will, of course, take some time to evaluate the full significance of the statement which President Nixon has made relative to his pending visit to the People's Republic of China, an historic incident in itself. But we can be sure that as a result of what he has done, mainland China will most certainly take part in any Asian conference which is held to consider the future of the countries of that great continent.

I feel that the participation of mainland China is essential to the success of any such conference. I also feel that the President's announcement, which was announced simultaneously in Peking, should have considerable influence on the North Vietnamese Government and should convince Hanoi that the sooner a satisfactory settlement can be made for complete withdrawal of the troops of both North Vietnam and the United States from the battle arena, and the release of all prisoners held by both sides, the more highly beneficial it will be, not only to the countries directly involved but to the rest of the world as well.

I believe that the President's statement will be effective in convincing the rest of the world that this world of ours is not divided into just two parts, part Russian and part United States. It may conceivably be helpful in getting beneficial results from the SALT talks, but that remains to be seen.

Perhaps most important of all, it will reassure millions of Americans who had doubts that the President was really concerned with restoring peace to the entire world, and in maintaining it.

It goes without saying that the action by the President will create some new problems. We cannot have progress in almost any field without creating problems, because problems and progress go hand in hand. But so far as the President's announcement is concerned, that he is going to visit mainland China with the undoubtedly better relations that will follow between that part of the world and the rest of the world, including ourselves, I am satisfied that the benefits contained in the President's statement will far outweigh any new problems created, many times over.

Mr. JAVITS. Mr. President, just a word or two concerning the sensational announcement respecting mainland China which was made by President Nixon last night.

I thoroughly agree with the distinguished Senator from Vermont (Mr. AIKEN), who has just spoken, that its advantages will far outweigh its disadvantages.

I believe it to be one of the most portentous, if not the most portentous statement made on foreign policy since World War II. It is certainly one of the most portentous developments since that time.

To me, it signals the fact that foreign policy, from now on, will have to be designed for the remainder of the 20th century. It is completely premised, in my judgment, on the fact that by the time the President visits mainland China, we will be, so far as our troops are concerned, out of Vietnam.

That is all to the good. For practical purposes, it already fixes the date of our withdrawal from Vietnam.

I think also that Americans should be watchful of any euphoria about this matter, because Communist China, or mainland China, is still strongly revolutionary and does not agree with our system of government and will do its utmost to install its system wherever it can. However, that is something we have lived with for many years with the Soviet Union and we can live with it with mainland China. But the bridges to be built, the relations with the rest of the world to be had, and the possibility of a nuclear weaponry agreement between the big three, not just the big two, are so great as to far outweigh the danger which continues to the freedom of mankind.

Thus, Mr. President, I welcome the President's statement very much and think, as I have said, that it is really one of the great initiatives in foreign policy that we have seen since World War II.

INTERNATIONAL LABOR ORGANIZATION

Mr. JAVITS. Mr. President, as I shall be necessarily absent on Monday, I wish to record my great appreciation and satisfaction—I think it is a great boon to the country—that the Appropriations Committee has included in the State, Justice, and Commerce bill, which will be considered on Monday, the full amount required to pay our dues to the International Labor Organization.

I had the honor to be an observer of the Senate at Geneva at its last meeting and made an extensive report to the Senate urging this step.

I believe that we have now accomplished a great deal of the reform we wanted and are in a position to accomplish much greater reforms by paying our dues than by withholding them. Paying our dues is far more compatible with our status. Whatever may have been my views before, I think something was gained in withholding our dues. However, it would now be counter-productive and regressive to withhold them.

I commend this point of view to all Senators. I want very much to see the Appropriations Committee sustained. I hope that the Appropriations Committee will stand fast in the conference.

Mr. President, I ask unanimous consent that my testimony before the Subcommittee of the Appropriations Committee given on this matter on July 8 may be printed in the RECORD.

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

TESTIMONY BY SENATOR JAVITS, PREPARED FOR DELIVERY AT THE APPROPRIATIONS COMMITTEE HEARING ON THE APPROPRIATION FOR THE INTERNATIONAL LABOR ORGANIZATION

Mr. Chairman, I appreciate this opportunity to testify in support of the Administration's appropriation request for \$11.6 million to enable us to meet our current and past dues obligation to the International Labor Organization.

Pursuant to my appointment by the Senate as an observer, I attended the opening of the recently concluded 56th annual conference to meet with the tripartite members of the American delegation, as well as the Director-General of the ILO, Wilfred Jenks. At these meetings I was able to explore in depth the problems which have arisen for us within the ILO in recent years, and the progress which has been made in resolving them.

The American delegation—government, labor, and employer delegates—were unanimous in the view that any further withholding of our funds from the ILO would be extremely counterproductive from our point of view.

They made it clear that as a result of our action in withholding our dues payments for the last half of 1971 we have now reached a critical stage with respect to our relationship with the ILO; and that continued failure to appropriate funds to pay our dues will have the most serious ramifications for the ILO and our ability to function as a member of the organization.

I share that view and on June 21, 1971, I filed with the Senate a full report on the ILO which analyzes the problems that have arisen within the organization for us, the improvements which have been made in response to our complaints, and the reasons

why I believe we should pay our dues and not withdraw from the organization. I ask unanimous consent that the text of my report be made a part of the record.

In my report, I point out what I believe to be the compelling reasons why we should now appropriate the funds to enable us to pay our dues obligations to the ILO.

To summarize the reasons for paying our dues:

First, we have a binding international obligation to pay our dues. We have long criticized the failure of communist nations to pay their U.N. assessments, and have gone to the point of pressing the matter before the World Court of Justice. Our cavalier disregard for our financial obligations to the ILO is not only demeaning to us as a great nation, but also undercuts our stand in the U.N. with respect to communist failures to pay assessments. Our sincerity and credibility on this issue has already been substantially impaired in the eyes of the world because of this ILO situation.

Second, during the past year a number of developments have occurred within the ILO which signify great improvement of the ILO from our point of view. These encouraging developments have already been brought to the attention of this Subcommittee in the testimony of Assistant Secretary of State de Palma. They include:

- (1) A marked decrease in the anti-American polemics in various ILO conferences;
- (2) Better control of the content of ILO publications to screen out communist propaganda;
- (3) The willingness of the Conference Committee on Freedom of Association to face squarely the question of violation of the important Freedom of Association convention in Czechoslovakia and the U.S.S.R.;
- (4) The resistance to structural changes demanded by the communists to overcome the refusal of worker and employer delegates to recognize as such their communist counterparts, and;
- (5) The election of an employer representative as the President of the recently-concluded annual conference over the objections of the communists.

It may well be that these encouraging developments within the ILO are attributable to our withholding of our dues for the last half of fiscal year 1971. Although I opposed this action last year because I considered it to be a violation of our international obligation and a bad precedent, certainly there is no doubt that the withholding of our dues last year had a great "shock" value within the ILO, with the result that our complaints were taken more seriously by the International Labor Office and by the member countries in the ILO. Granting this shock value, however, it does not follow, as was argued in the other body, that we should continue to withhold our dues payment in the hopes of seeking further improvement. For, I believe continuance of this practice will be highly prejudicial to us and to the ILO.

Our dues (\$7.9-million) represent about 25 percent of the ILO budget. Our failure to pay the last half of our 1971 dues has necessitated some administrative belt-tightening and the use of reserves, but up to now no permanent cutbacks in staff or in operations have been necessary. However, continued withholding of our dues will necessitate permanent cutbacks in staff and in operations, commencing this fall. The result of such cutbacks would be a legacy of bitterness toward the U.S. within the ILO and, equally important, among the countries of the developing world which depend upon the ILO for technical assistance and manpower projects.

Thus, there would be a further weakening

of the field structure on which the future of the whole operational program of the Organization was dependent.

This, together with the drastic cuts in regular budget technical cooperation already in force, and the serious weakness of technical departments that will be caused by the reductions, would seriously reduce the ILO's future technical cooperation work at a time when new United Nations Development Program approaches to programming require a competent mobile ILO presence in the field more than ever; in many areas there would simply not be the people, the expertise, and the travel facilities to develop new projects and to complete successfully those already started.

The World Employment Program will be further affected; the Jobs and Skills Program for Africa, already seriously delayed as a result of measures taken hitherto, could not start; the research program, which was important to ensure the vitality of policy and relevance of action in this essential field, would be further reduced.

Further postponements of meetings would become necessary.

There would be consequent weakening of personnel and financial management.

It will be necessary to terminate the appointments of a further number of Professional and General Service officials whose skills and experience would, in all likelihood, be permanently lost to the Organization.

As I have explained in my report to the Senate, the work of the ILO is extremely important in helping the developing countries of the world cope with the inevitable strains and tensions of industrialization. The tripartite system on which the ILO is premised, and upon which its projects are based, is fundamentally consistent with Western democratic ideals and irreconcilable with totalitarianism of the left or the right. It is thus to our benefit—not the communists—to have the ILO continue as a strong, viable organization.

No other organization offers us a format in which we can challenge so directly the myths about freedom within communist countries frequently propagated by the communists. The program of multilateral aid and assistance offered by the ILO is certainly superior to any system of bilateral aid which could be devised as a substitute for it in case we were to withdraw from the ILO.

The standards developed by the ILO in various fields through Conventions and Recommendations on subjects such as social security and occupational health and safety have had considerable effect on legislation enacted by both developed and developing countries throughout the world and could be of benefit in helping to establish principles of fair international competition as the basis for resolving some of the difficult trade problems which have arisen for the U.S. and other countries recently. I am pleased to note, in the latter connection, that the Director-General, in his closing address to the 56th annual conference, pledged to initiate discussions in the field of trade problems with the other international agencies directly concerned such as GATT and UNCTAD.

Under these circumstances, even assuming—which I do not—the propriety of withholding our dues as a tactical move to improve our position in the ILO, it is apparent that any further withholding of our dues would not work to our advantage. In that connection, I note further that it is apparently the position of the House Committee that we should remain in arrears in our dues until the last possible moment before we lose our voting rights under the ILO Constitution and then pay only enough of our debt to preserve our right to vote. Such a tactic is not only morally and legally indefensible, but it also would be counterproductive. I cannot

envisage a policy which would be better calculated to turn the International Labor Office and the delegates of other countries so much against us.

We are, thankfully, past the stage where crude international conduct of this kind can be expected to work, nor can we afford the luxury of a "rule or ruin" attitude toward international organizations just because we pay a large proportion of the cost.

Our policy toward the ILO, as toward other international organizations, must be to fight aggressively and effectively within the organization for what we believe to be right; not to act like a spoiled child. We cannot, of course, expect to win all the time; compromises will be necessary and reverses may have to be accepted. But I am confident that with the proper amount of commitment we shall more than hold our own in the ILO and that it will be most worthwhile for us. As I have pointed out in my report, it bears emphasis in this connection that many of our problems with the ILO actually stem from our own failure to devote sufficient time, energy and resources to the ILO, a failure which has been acknowledged by the Administration. This year we did take the ILO seriously, and the resulting improvements, which I have summarized above, speak for activism.

Finally, there is one point which was raised in the debate in the House of Representatives on the ILO appropriation which was not covered in my report. It concerns the construction of a new headquarters building for the ILO, at a cost of approximately \$30-million. It was argued in the House that the Congress had not received any previous notice of the decision to construct a new ILO headquarters building at a substantial cost to us.

It may well be that no official notice was transmitted to the Congress, or the House or Senate Appropriations Committees, of the decision to erect the new headquarters building. It should be made clear on the record, however, that American representatives did participate fully in the decisions of the Governing Body and the ILO Annual Conference Sessions authorizing the new building. In that connection, I ask that a memorandum concerning the decision to erect the new ILO building showing U.S. participation in the decision, be printed in the record.

I certainly share the view that Congress ought to be informed of decisions within international organizations entailing long-term commitments in U.S. funds. This should be the responsibility of the State Department as a general matter—it is a problem which involves all international organizations of which we are members, not just the ILO. But the failure of the State Department to notify Congress concerning the new ILO building, in particular, is no reason for us to go back on our obligations to the ILO, which had every right to rely on the good-faith and authority of those American representatives who participated in the decision authorizing the new building.

To summarize: Our delegation to the ILO is unanimously of the view that we ought to pay our dues to the ILO and there is no legal, moral or tactical justification for us to continue to withhold them. We will not succeed in bludgeoning the ILO into submission through withholding of our dues; on the contrary, the more likely result will be to create a permanent legacy of bitterness towards us, jeopardizing our future effectiveness within the organization—and the effectiveness of the Organization.

I hope very much the Committee will recognize the futility of the course chosen by the House from the standpoint of our long-term interest in a strong, viable ILO and will restore the funds to enable us to pay our dues.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. PACKWOOD) laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Substantial Savings By Obtaining Competition in the Rental of the Government's Punched Card Accounting Machine Equipment, dated July 15, 1971 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

A letter from the Chairman, Administrative Conference of the United States, transmitting, pursuant to law, a report of that Conference, for 1970-71 (with an accompanying report); to the Committee on the Judiciary.

REPORTS RELATING TO THIRD- AND SIXTH-PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, report relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Armed Services:

S. 2296. An original bill to amend sections 107 and 709 of title 32, United States Code, relating to appropriations for the National Guard and to National Guard technicians, respectively (Rept. No. 92-267).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S. 986. A bill to provide minimum disclosure standards for written consumer product warranties against defect or malfunction; to define minimum Federal content standards for such warranties; to amend the Federal Trade Commission Act in order to improve its consumer protection activities; and for other purposes (Rept. No. 92-269).

By Mr. LONG, from the Committee on Finance, with amendments:

H.R. 4590. An act relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore (Rept. No. 92-268).

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. BYRD of Virginia:

S. 2296. An original bill from the Committee on Armed Services to amend sections 107 and 709 of title 32, United States Code, relating to appropriations for the National Guard and to National Guard Technicians, respectively. Ordered to be placed on the calendar.

By Mr. MATHIAS (for himself, Mr. BEALL, Mr. BYRD of Virginia, and Mr. SPONG):

S. 2297. A bill to amend the National Capital Transportation Act of 1969 (83 Stat. 320) to provide for Federal guarantees of obliga-

tions issued by the Washington Metropolitan Area Transit Authority, to authorize an increased contribution by the District of Columbia, and for other purposes. Referred to the Committee on the District of Columbia.

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

S. 2298. A bill to declare that certain federally owned land is held by the United States in trust for the Fort Belknap Indian Community. Referred to the Committee on Interior and Insular Affairs.

By Mr. PEARSON:

S. 2299. A bill to amend the Federal Aviation Act of 1958 to provide proper penalties in the event of aircraft piracy, and for other purposes. Referred to the Committee on Commerce.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MATHIAS (for himself, Mr. BEALL, Mr. BYRD of Virginia, and Mr. SPONG):

S. 2297. A bill to amend the National Capital Transportation Act of 1969 (83 Stat. 320) to provide for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority, to authorize an increased contribution by the District of Columbia, and for other purposes. Referred to the Committee on the District of Columbia.

FEDERAL GUARANTEES OF WMATA OBLIGATIONS

Mr. MATHIAS. Mr. President, for myself and the junior Senator from Maryland (Mr. BEALL), the senior Senator from Virginia (Mr. BYRD), and the junior Senator from Virginia (Mr. SPONG), I introduced for appropriate reference a bill to amend the National Capital Transportation Act of 1969 to provide for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority, to authorize an increased contribution by the District of Columbia, and for other purposes.

This legislation will assure the marketability of the revenue bonds to support the Washington regional rapid rail transit system, and will help WMATA meet the increased costs which have resulted from severe, prolonged inflation in the construction industry. In short, this bill will provide the financial fuel for the Metro system.

The Congress and Washington area governments have been engaged in planning, shaping, and laying the foundations for a regional mass transit system for almost 20 years. Throughout that time, the Congress has responded to the area's needs by approving a series of vital measures, most recently the landmark National Capital Transportation Act of 1969 which authorized the construction of a 98-mile regional rapid rail transit system. That act not only responded to the Washington area's urgent need for transportation alternatives to private automobiles and buses. It also reflected an unprecedented degree of regional political and financial cooperation, a spirit which has characterized this massive project from the start.

Since that time Metro has become far more than an abstract proposal or a network of lines on a map. Construction is well underway. Metro contractors are visibly and audibly at work near Union Station, at Judiciary Square, along G

Street, on Connecticut Avenue, at Dupont Circle, and in Rosslyn. Less visible but especially impressive is the tunnel now inching from Rock Creek toward downtown Washington. If the current schedule is maintained, the first Metro trains should begin to run early in 1974.

When the National Capital Transportation Act of 1969 was enacted, the total cost of the 98-mile regional system was estimated to be \$2,535 billion. Of this, \$835 million was to be realized through revenue bonds, to be supported by fare box receipts. The balance of the cost, \$1.7 billion, was to be shared by the Federal Government and the eight participating jurisdictions on a two-thirds Federal, one-third local matching basis.

Since that time, two factors have developed to impair that financial plan. The first is the unusually high rate of escalation of construction costs, an escalation which became apparent to WMATA as soon as the first bids had been solicited. Restudies of projected construction costs last summer showed that, as a result of inflation and some unexpected delays, the system is likely to cost about \$500 million more than the original projections. While revenue projections have also increased somewhat, the net increase in costs has been pegged at about \$450 million.

The second development has been the need to expedite the marketing of the necessary revenue bonds by providing investors with improved assurances. This problem results from the combination of higher interest rates than originally anticipated, the new \$450-million gap in the Metro financial plan, and an apparent unwillingness of investors to purchase transportation securities in a market offering the current quantities of time-tested kinds of securities.

After a thorough review of these problems and the alternatives available, the legislation being introduced today was developed by the Department of Transportation and the Washington Metropolitan Area Transit Authority, with the full concurrence of all participating local jurisdictions. Essentially this bill is intended to assure the timely sale of revenue bonds and to assure the completion of the Metro system on a schedule best calculated to minimize its overall cost. The bill has seven basic features:

First, it provides for a Federal guarantee of WMATA's revenue bonds;

Second, the guarantee is conditioned on the conversion of the Authority's securities to taxable obligations;

Third, the revenue flowback to the Treasury through the taxes imposed on earnings on these securities will be returned to the Authority as an interest subsidy;

Fourth, the interest subsidy of 25 percent of the rate applicable to the Authority's obligations will be sufficient to cover the debt service of an additional \$300 million in revenue bonds, bringing the total to \$1.2 billion and thus providing the Federal two-thirds of the additional cost of the system;

Fifth, as a condition of this additional \$300 million in Federal assistance, the participating jurisdictions will be required to contribute an additional \$150

million, thus preserving the two-thirds/one-third matching formula;

Sixth, provision is made for the payment of the District of Columbia's share of the increased local contributions; and Seventh, the bill includes compact amendments required to arrange for the issuance of its obligations.

This approach has three basic advantages. It will facilitate the immediate sale of the bonds at the most favorable interest rate, thereby avoiding any disruption of the construction schedule. It will give local governments up to 3 years to complete the necessary legal steps to provide for their additional contributions. At the same time, the Federal interest will be protected, since the sale of the additional \$300 million in bonds will be contingent upon the completion of appropriate matching arrangements.

In my judgment, this is a sound and logical approach. Prompt congressional consideration and approval of this legislation will continue the tradition of congressional responsiveness to the transportation needs of the Washington area. In this regard, I am especially pleased that all three of my colleagues representing this region have joined me today in sponsoring this bill, as evidence of our continuing commitment to the Metro system and the cooperative, bipartisan approach which it reflects.

As one Senator, I believe that the Metro system is essential to the future health and growth of the National Capital area and should be completed as rapidly as possible. Metro is simply too important to be held hostage to free-ways, inflation, or interest rates. I know that my colleagues from Maryland and Virginia, and the other members of the Senate Committee on the District of Columbia, will continue to exert their best efforts to secure the necessary legislation and funding to make Metro's trains start to run on time.

Mr. SPONG. Mr. President, I am pleased to join the distinguished Senator from Maryland in sponsoring a bill to provide a Federal guarantee of the revenue bonds for the Washington area's Metro system. An improved transportation system is one of the most critical needs facing the National Capital area and the subway is a vital link in that system. This guarantee is essential to keep the project alive and it could result in significant savings through lower interest payments.

As one of the original sponsors of the Metro authorization bill, I have been deeply concerned about the delays in releasing the District's contribution toward building that system. Metro is already experiencing difficulties in the bond market where investors quite properly insist upon some assurance that the system will be built according to the original 98-mile plan. Continued delay in releasing the District of Columbia contribution not only weakens Metro's position in the bond market but is unfair to the local jurisdictions of northern Virginia and Maryland which scrupulously have lived up to their agreement.

I am not unsympathetic to the desire of certain Members of the Congress to see progress in the construction of new

highways. These highways will be necessary to help carry the predicted traffic increase of the next decade. But, just as we cannot afford to emphasize subways to the neglect of highways, we cannot insist upon highways at the cost of jeopardizing the subway system. We need balanced transportation and we may need legislation which will assure that that balanced transportation takes place.

In large measure, the bill that is being introduced today has been made necessary by the continuing dispute over the District of Columbia Metro contribution. I think it is essential that the Congress end this long-boiling argument and make the District of Columbia money available in this year's budget. If it becomes necessary, I intend to propose as a rider to the appropriations bill when it comes to the Senate, an amendment to tie highway and subway funds together. Under this amendment, money would be provided for both developments or it would be provided for none.

This is not a course of action which I want to take and I hope it will not be necessary. I do want the Senate to know, however, that I will not stand by while the subway is allowed to wither by the failure of the Federal Government to honor its obligation and costs are allowed to escalate to prohibitive levels.

By Mr. PEARSON:

S. 2299. A bill to amend the Federal Aviation Act of 1958 to provide proper penalties in the event of aircraft piracy, and for other purposes. Referred to the Committee on Commerce.

HIJACKING LEGISLATION

Mr. PEARSON. Mr. President, I reintroduce today a bill to increase our ability to deal with the problem of hijacking.

A year ago a hijacking incident at Dulles International Airport captured the attention of the Nation. In the dramatic sequence of events, a TWA captain and resident of my State was wounded in the stomach. The next day I asked representatives from the airlines, airline pilots, and airport operators to meet with John Shaffer, Administrator of FAA, Secor Browne, Chairman of the Civil Aeronautics Board, and representatives of the Justice and State Departments and me to discuss what could be done about hijacking. The interchange of ideas that occurred during our meeting was most helpful and led to my introduction of this bill in the last Congress.

It is obvious, Mr. President, that the solutions to this problem are numerous and varied, as experts in this area well know. There are international problems, involving our relations with Cuba and other sanctuaries. The Tokyo and Hague Conventions, in which the United States has actively participated, have been steps in the proper direction. President Nixon has appealed to the United Nations for high priority on this problem stating:

This is an issue which transcends politics; there is no need for it to become the subject of polemics or a focus of political differences. It involves the interests of every nation, the safety of every air passenger, and the integrity of that structure of order on which a world community depends.

I would point out, Mr. President, that during the last year we experienced two

hijackings of 747's. Because the introduction of these new jumbo jets, with their increased passenger capacity, represented a new era in air travel, I think we all dreaded the day when one of them would be hijacked. Yet, it has happened twice. And it may happen again.

Mr. President, in 1961 the Congress enacted Public Law 87-197, entitled the Air Piracy Act, which was intended to provide adequate tools for the prosecution and, hopefully, the deterrence of air piracy. The bill I am introducing today would add two additional tools to better implement the intention of that act. First, 49 U.S.C. section 1472, subsection (i) would be amended so as to provide differential penalties. For example, there is a need for legislation to allow a lesser penalty to be imposed on a hijacker who, after taking over an airliner, surrenders his weapons and his control of the aircraft.

Under the present mandatory sentence, an air pirate has nothing to gain by abandoning his adventure once he begins. The proposed amendment would offer an inducement to any hijacker who, through persuasion by the crew or by law-enforcement authorities, decides to abandon his dangerous escapade. Second, 49 U.S.C. section 1472 would be amended so as to provide a penalty of \$5,000 or 5 years' imprisonment or both for carrying a concealed weapon aboard or in an attempt to board an aircraft. Presently, the act provides a penalty of only \$1,000 fine or 1 year's imprisonment or both, which is in the category of a misdemeanor in some jurisdictions.

Not only would this amendment elevate the penalty so as to make the act a better deterrent, but it would also strengthen the authority of a law officer conducting a protective search.

Mr. President, these are difficult times for the aviation industry. I think we all recognize that. The legislation I urge today is intended to improve the law enforcement and safety programs which are the responsibility of not just the airlines, but of the Federal Government as well. It is my hope and my belief that these and other steps to prevent hijacking might well be among the most helpful things we could do to improve our aviation industry.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

I also ask unanimous consent to have printed in the RECORD an exhaustive compilation of statistics furnished me by the Federal Aviation Administration, Office of Air Transportation Security. I would invite the attention of the Senate to these statistics because they indicate the number of hijackings, what cities and what airlines have been affected, what weapons or explosives have been used, the conviction or legal status of each hijacker, and other pertinent information. Finally, Mr. President, I ask unanimous consent that a letter from Capt. J. J. O'Donnell of the Air Line Pilots Association be printed in the RECORD. In it he states:

The provisions of your Bill to amend Section 902 of the Federal Aviation Act would be an aid to flight crews.

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

S. 2299

A bill to amend the Federal Aviation Act of 1958 to provide proper penalties in the event of aircraft piracy, 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 902 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472), is further amended as follows:

(1) Subsection (i) is amended by inserting immediately before "by death" in subparagraph (1) (A), and immediately before "by imprisonment" in subparagraph (1) (B), "except as provided for in paragraph (3)" and by inserting the following new paragraph:

"(3) Notwithstanding the penalties outlined in paragraph (1) of this subsection, in the event any person who commits or is in the process of committing aircraft piracy shall, upon being advised by a crew member of the aircraft of the penalties contained in paragraph (1) surrender himself and whatever weapons he may have to the crew member thus allowing the aircraft to land at either its original destination or a point under control of the United States of America, he shall not be subject to the penalties contained in paragraph (1) but in lieu thereof shall be imprisoned for not more than five years."

(2) Subsection (j) is amended by striking "Whoever" and inserting in lieu thereof, "Except as provided for in paragraph (3) of subsection (i) of this section, whoever"; and

(3) Subsection (h) and (l) are amended by striking "\$1,000" and "one year" whenever appropriate and inserting in lieu thereof "\$5,000" and "five years".

HIJACKING STATISTICS—U.S. REGISTERED AIRCRAFT (1961 TO PRESENT)

	Air carrier			General aviation			Total		
	Suc- cessful	Unsuc- cessful	Total	Suc- cessful	Unsuc- cessful	Total	Suc- cessful	Unsuc- cessful	Total
1961.....	3	2	5	0	0	0	3	2	5
1962.....	0	0	0	1	0	1	1	0	1
1963.....	0	0	0	0	0	0	0	0	0
1964.....	0	0	0	1	0	1	1	0	1
1965.....	1	3	4	0	0	0	1	3	4
1966.....	0	0	0	0	0	0	0	0	0
1967.....	0	0	0	1	0	1	1	0	1
1968.....	13	4	17	5	0	5	18	4	22
1969.....	33	7	40	0	0	0	33	7	40
1970.....	18	8	26	1	0	1	19	8	27
1971.....	8	6	14	1	0	1	9	6	15
Total.....	76	30	106	10	0	10	86	30	116

Note: There have been 11 successful hijackings of U.S. registered aircraft which have terminated at locations other than Cuba. The locations are: Honolulu, Hawaii, 1965; Damascus, Syria, 1969; Rome, Italy, 1969; Beirut, Lebanon, 1970; Washington, D.C., 1970; Cairo, Egypt (2), 1970, 1970; Zerka, Jordan, 1970; Vancouver, B.C., 1971; Nassau, Bahama, 1971; and Buenos Aires, Argentina, 1971.

Source: Federal Aviation Administration Office of Air Transportation Security. Updated: July 6, 1971.

Type aircraft involved in hijacking incidents

Air carriers:	
Jets	96
Prop-Jets	4
Propeller Driven	6
Total	106
General aviation:	
Jets	0
Prop-Jets	0
Propeller Driven	10
Total	10

Cessna 177	1
Cessna 172	2
Convair 600	1
Heron	1
B-737	3
Cessna 402	1
Total	116

WHERE HIJACKER BOARDED AIR CARRIER (BY RANK AND ALPHABETICALLY WITHIN RANK)

Type aircraft:	No. of incidents
B-747	2
B-727	33
DC-8	26
B-707	12
DC-9	13
B-720	3
DC-3	3
DC-6	1
Convair 880	4
Convair 440	1
Piper Apache	3
Lockheed 188	1
Fairchild F-27	1
Cessna Twin	2
Cessna 182	1

Number	Rank	City	Number of hijackings
1	1	New York	11
2	2	Miami	9
3	3	Los Angeles	7
4	4	Chicago	7
5	5	Newark	6
6	5	Atlanta	4
7	5	San Juan	4
8	6	San Francisco	4
9	6	Tampa	3
10	7	Baltimore	3
11	7	Birmingham	2
12	7	Boston	2
13	7	Dallas	2
14	7	Kansas City	2
15	7	Mexico City	3
16	7	Phoenix	2
17	7	Pittsburgh	2
18	8	Albuquerque	1
19	8	Alexandria, La.	1

Number	Rank	City	Number of hijackings
20	8	Amsterdam	1
21	8	Beirut	1
22	8	Caracas	1
23	8	Charleston, S.C.	1
24	8	Charleston, W. Va.	1
25	8	Charlotte, N.C.	1
26	8	Chico, Calif.	1
27	8	Cincinnati	1
28	8	Cleveland	1
29	8	Detroit	1
30	8	El Paso	1
31	8	Frankfurt, Germany	1
32	8	Honolulu	1
33	8	Houston	1
34	8	Jacksonville	1
35	8	Key West	1
36	8	Las Vegas	1
37	8	Marathon, Fla.	1
38	8	Milwaukee	1
39	8	Mobile	1
40	8	Molokai	1
41	8	Munich	1
42	8	New Orleans	1
43	8	Oakland	1
44	8	Orlando	1
45	8	Paris	1
46	8	Petoskey, Mich.	1
47	8	Philadelphia	1
48	8	Raleigh/Durham	1
49	8	Rome	1
50	8	Saigon	1
51	8	San Diego	1
52	8	Winston-Salem	1

WHERE HIJACKER BOARDED AIR CARRIER (CHRONOLOGICALLY BY RANKED CITY)

Rank and where boarded	Date	Carrier	Next scheduled stop	Remarks	
1 New York	Nov. 24, 1968	PAA	San Juan		
	Jan. 2, 1969	EAL	Miami		
	Jan. 19, 1969	EAL	do		
	Feb. 3, 1969	NAL	do	Unsuccessful.	
	Mar. 5, 1969	NAL	do		
	May 5, 1969	NAL	do		
	Sept. 7, 1969	EAL	San Juan		
	Sept. 10, 1969	EAL	do	Do.	
	Dec. 26, 1969	UAL	Chicago		
	Aug. 2, 1970	PAA	San Juan		
2 Miami	Mar. 31, 1971	EAL	do		
	May 1, 1961	NAL	Key West		
	July 24, 1961	EAL	Tampa		
	Oct. 26, 1965	NAL	Key West	Do.	
	Nov. 30, 1968	EAL	Dallas		
	Jan. 9, 1969	EAL	Nassau		
	May 26, 1969	NEA	New York		
	Aug. 29, 1969	NAL	New Orleans		
	Oct. 30, 1970	NAL	Tampa		
	May 28, 1971	EAL	New York	To Nassau.	
3 Los Angeles	July 17, 1968	NAL	New Orleans		
	Jan. 28, 1969	NAL	Miami	Stop Houston, New Orleans.	
	June 25, 1969	UAL	New York		
	Oct. 9, 1969	NAL	Miami		
	Oct. 31, 1969	TWA	San Francisco	To Rome.	
	Sept. 15, 1970	TWA	do	Unsuccessful.	
	Jan. 3, 1971	NAL	Tampa		
	July 1, 1968	NWA	Miami		
	Nov. 23, 1968	EAL	do		
	May 25, 1970	AAL	New York		
3 Chicago	do	DAL	Miami		
	Aug. 24, 1970	TWA	Philadelphia		
	Feb. 4, 1971	DAL	Nashville		
	June 12, 1971	TWA	New York	Do.	
	Feb. 3, 1969	EAL	Miami		
	June 22, 1969	EAL	do		
	Feb. 16, 1970	EAL	do		
	Mar. 17, 1970	EAL	Boston	Do.	
	Aug. 19, 1970	TRC	San Juan		
	Apr. 22, 1971	EAL	Miami	Do.	
4 Newark	Jan. 28, 1969	EAL	do		
	Feb. 25, 1969	EAL	do		
	Mar. 17, 1969	DAL	Augusta		
	Aug. 20, 1970	DAL	Savannah		
	Sept. 20, 1968	EAL	Miami		
	Feb. 10, 1969	EAL	do		
	Apr. 13, 1969	PAA	do		
	Dec. 21, 1970	PRINAIR	Ponce, P.R.	Do.	
	Aug. 9, 1961	PAA	Guatemala		
	Oct. 21, 1969	PAA	Merida, Mex.		
July 2, 1971	BNF	San Antonio	To Buenos Aires via Lima and Rio de Janeiro.		
6 San Francisco	Jan. 31, 1969	NAL	Tampa		
	Dec. 2, 1969	TWA	Philadelphia		
	Feb. 26, 1971	WAL	Seattle	To Vancouver, B.C.	
	Feb. 21, 1968	DAL	Tampa		
	Mar. 12, 1968	NAL	Miami		
	Dec. 3, 1968	NAL	do		
	July 12, 1968	DAL	Houston	Unsuccessful.	
	June 28, 1969	EAL	Miami		
	Nov. 2, 1968	EAL	Chicago	Averted on ground.	
	Mar. 31, 1971	DAL	do	Do.	
6 Tampa	Aug. 14, 1969	NEA	Miami		
	Sept. 22, 1970	EAL	San Juan	Unsuccessful.	
	Mar. 19, 1969	DAL	New Orleans	Do.	
	Mar. 25, 1969	DAL	San Diego		
	July 4, 1968	TWA	Las Vegas	Unsuccessful.	
	Dec. 11, 1968	TWA	Miami	Stop St. Louis, Nashville, St. Louis.	
	Aug. 3, 1961	CAL	El Paso	Unsuccessful.	
	June 4, 1970	TWA	St. Louis		
	July 31, 1969	TWA	Los Angeles	Stop Indianapolis, St. Louis.	
	Sept. 19, 1970	AAA	Philadelphia		
7 Baltimore	Dec. 19, 1970	CAL	Tulsa	Unsuccessful.	
	May 30, 1969	TTA	New Orleans	Do.	
	Sept. 6, 1970	PAA	New York	To Beirut-Cairo.	
	May 29, 1971	PAA	Miami		
	June 22, 1970	PAA	Rome		
	Sept. 25, 1969	NAL	Jacksonville	Stop Savannah.	
	June 4, 1971	UAL	Newark	Unsuccessful.	
	Aug. 5, 1969	EAL	Tampa	Do.	
	July 31, 1961	PAC	San Francisco	Averted on ground.	
	Nov. 10, 1969	DAL	Chicago	Do.	
7 Birmingham	Mar. 11, 1970	UAL	Atlanta		
	Jan. 13, 1969	DAL	Miami	Unsuccessful.	
	July 27, 1969	CAL	Midland, Tex.		
	Sept. 6, 1970	TWA	New York	To Jordan.	
	Aug. 31, 1965	HAL	Kauai	To Honolulu.	
	Nov. 17, 1965	NAL	New Orleans	Unsuccessful.	
	Jan. 11, 1969	UAL	Miami		
	Jan. 24, 1969	NAL	do		
	July 1, 1970	SEA	Tampa	Stop New Orleans.	
	June 29, 1968	SEA	Key West		
7 Boston	Jan. 22, 1971	NWA	Detroit		
	Mar. 8, 1971	NAL	New Orleans	Averted on ground.	
	Oct. 11, 1965	TSA	Honolulu	Do.	
	Aug. 2, 1970	PAA	West Berlin	Unsuccessful.	
	Nov. 4, 1968	NAL	Miami		
	June 17, 1969	TWA	New York		
	Jan. 6, 1970	DAL	Jacksonville	Do.	
	Jan. 8, 1970	TWA	Rome		
	Apr. 22, 1970	NCA	Sault St. Marie	Averted on ground.	
	Dec. 19, 1968	EAL	Miami		
7 Dallas	Nov. 12, 1970	EAL	Atlanta		
	Aug. 29, 1969	TWA	Athens	To Damascus.	
	Feb. 9, 1968	PAA	Hong Kong	Averted on ground.	
	Nov. 1, 1970	UAL	Los Angeles		
	June 18, 1971	PAI	None	Do.	
	7 Phoenix	Aug. 3, 1961	CAL	El Paso	Unsuccessful.
	7 Pittsburgh	July 31, 1969	TWA	Los Angeles	Stop Indianapolis, St. Louis.
	8 Albuquerque	Sept. 19, 1970	AAA	Philadelphia	
	8 Alexandria, La.	Dec. 19, 1970	CAL	Tulsa	Unsuccessful.
	8 Amsterdam	May 30, 1969	TTA	New Orleans	Do.
8 Beirut	Sept. 6, 1970	PAA	New York	To Beirut-Cairo.	
8 Caracas	May 29, 1971	PAA	Miami		
8 Charleston, S.C.	June 22, 1970	PAA	Rome		
8 Charleston, W. Va.	Sept. 25, 1969	NAL	Jacksonville	Stop Savannah.	
8 Charlotte, N.C.	June 4, 1971	UAL	Newark	Unsuccessful.	
8 Chico, Cal.	Aug. 5, 1969	EAL	Tampa	Do.	
8 Cincinnati	July 31, 1961	PAC	San Francisco	Averted on ground.	
8 Cleveland	Nov. 10, 1969	DAL	Chicago	Do.	
8 Detroit	Mar. 11, 1970	UAL	Atlanta		
8 El Paso	Jan. 13, 1969	DAL	Miami	Unsuccessful.	
8 Frankfurt	July 27, 1969	CAL	Midland, Tex.		
8 Honolulu	Sept. 6, 1970	TWA	New York	To Jordan.	
8 Houston	Aug. 31, 1965	HAL	Kauai	To Honolulu.	
8 Jacksonville	Nov. 17, 1965	NAL	New Orleans	Unsuccessful.	
8 Key West	Jan. 11, 1969	UAL	Miami		
8 Las Vegas	Jan. 24, 1969	NAL	do		
8 Marathon, Fla.	July 1, 1970	NAL	Tampa	Stop New Orleans.	
8 Milwaukee	June 29, 1968	SEA	Key West		
8 Mobile	Jan. 22, 1971	NWA	Detroit		
8 Molokai, Hawaii	Mar. 8, 1971	NAL	New Orleans	Averted on ground.	
8 Munich	Oct. 11, 1965	TSA	Honolulu	Do.	
8 New Orleans	Aug. 2, 1970	PAA	West Berlin	Unsuccessful.	
8 Oakland	Nov. 4, 1968	NAL	Miami		
8 Orlando	June 17, 1969	TWA	New York		
8 Paris	Jan. 6, 1970	DAL	Jacksonville	Do.	
8 Petoskey, Mich.	Jan. 8, 1970	TWA	Rome		
8 Philadelphia	Apr. 22, 1970	NCA	Sault St. Marie	Averted on ground.	
8 Raleigh/Durham	Dec. 19, 1968	EAL	Miami		
8 Rome	Nov. 12, 1970	EAL	Atlanta		
8 Saigon	Aug. 29, 1969	TWA	Athens	To Damascus.	
8 San Diego	Feb. 9, 1968	PAA	Hong Kong	Averted on ground.	
8 Winston-Salem	Nov. 1, 1970	UAL	Los Angeles		

NEXT SCHEDULED STOP OF HIJACKED AIR CARRIER (BY RANK AND ALPHABETICALLY WITHIN RANK)

Number	Rank	City	Number of hijackings
1	1	Miami	30
2	2	New York	8
3	3	San Juan	7
4	4	New Orleans	6
5	4	Tampa	6
6	5	Chicago	4
7	6	San Francisco	3
8	6	Key West	3
9	6	Philadelphia	3
10	7	Atlanta	2
11	7	Jacksonville	2
12	7	Los Angeles	2
13	7	Rome, Italy	2
14	8	Athens, Greece	1
15	8	Augusta	1
16	8	Boston	1
17	8	Dallas	1
18	8	Detroit	1
19	8	El Paso	1
20	8	Guatemala	1
21	8	Hong Kong	1
22	8	Honolulu	1
23	8	Houston	1
24	8	Kauai, Hawaii	1
25	8	Las Vegas	1
26	8	Merida, Mexico	1
27	8	Midland, Tex.	1
28	8	Nashville	1
29	8	Nassau	1
30	8	Newark	1
31	8	Ponce, P.R.	1
32	8	San Antonio	1
33	8	San Diego	1
34	8	Sault Ste. Marie	1
35	8	Savannah	1
36	8	Seattle	1
37	8	St. Louis	1
38	8	Tulsa	1
39	8	West Berlin	1
40	8	West Palm Beach	1

HIJACKING INCIDENTS PER AIRLINE/OTHER

Airline	Rank	Successful	Unsuccessful	Total
EAL	1	19	6	25
NAL	2	16	4	20
TWA	3	10	3	13
DAL	4	6	6	12
PAA	5	8	2	10
UAL	6	5	1	6
CAL	7	1	2	3
NEA	8	2	0	2
NWA	8	2	0	2
AAA	9	1	0	1
Aloha	9	0	1	1
AAL	9	1	0	1
BNF	9	1	0	1
HAL	9	1	0	1
NCA	9	0	1	1
PAC	9	0	1	1
PAI	9	0	1	1
PRINAIR	9	0	1	1
Southeast	9	1	0	1
TTI	9	0	1	1
TRC	9	1	0	1
WAL	9	1	0	1
Subtotal		76	30	106
General aviation		10	0	10
Total		86	30	116

Kinds of weapons involved in hijacking incidents

Type	Number of incidents
Firearms (alleged and real)	78
BB gun	1
Knives	21
Bombs, explosives (alleged and real)	30
Razor or razor blade	3
Tear gas pen	1
Broken bottle	1
Fire threat	1
Hatchet	1
Acid	1
Total	137

1 Several hijackers used combinations of two or more weapons.

AVERTED HIJACKING ATTEMPTS AND DATES

June 31, 1961: Subdued by co-pilot and passengers prior to take-off after shooting pilot and passenger agent; also shot at passengers.

August 3, 1961: Border Patrol Officers shot out tires and engines prior to take-off; hijackers were eventually disarmed.

October 11, 1965: Captain used flare pistol to disarm one man; a ramp agent using a shotgun apprehended the second man; aircraft not in flight.

October 26, 1965: Captain knocked gun from hijacker with fire axe (during flight). Captain and Flight Engineer subdued individual.

November 17, 1965: Sixteen year old high school student after firing nine shots was disarmed and subdued by crew; aircraft was in flight.

November 9, 1968: Details not known. Marine Private attempted to hijack Pan Am flight from Saigon to Hong Kong; aircraft did not depart.

June 4, 1968: Convict in custody of U.S. Marshals threatened stewardess and ordered pilot to fly to Mexico; pilot pretended compliance but landed at Las Vegas, Nevada.

June 12, 1968: Flight crew engaged gunman in conversation; persuaded him to give up hijacking attempt; flight landed safely at original destination.

November 2, 1968: Co-pilot diverted gunman's attention; Captain wrested shotgun from would be hijacker; aircraft not in flight.

January 13, 1969: Stewardess ran into the cockpit and locked the door after being confronted by a hijacker with a shotgun. Plane was on final approach and landing was completed. Hijacker was taken into custody while sitting quietly in his seat with the unloaded shotgun at his feet.

February 3, 1969: Crew convinced 21 year old hijacker and his 18 year old female accomplice that refueling was necessary at Miami. Flight originated in New York. Ground crew became suspicious at Miami and alerted police. Pilot persuaded very sensitive and disturbed hijacker to relinquish the knife and aerosol spray type can which he was carrying.

March 19, 1969: Hijacker was convinced of the necessity for refueling in New Orleans. While on the ground, he was persuaded to allow passengers to deplane. An FBI Special Agent (passenger) wrestled the gun from the hijacker and placed him under arrest. One shot was fired from the hijacker's gun, but no injuries resulted.

May 30, 1969: Two prisoners who were being transported by law enforcement officers handed a note to the stewardess indicating that they had a hand grenade, and unless the plane was flown to Cuba, they would explode the grenade. The aircraft was on final approach and the pilot landed without incident. The prisoners were taken off the plane after landing by law enforcement officers. The prisoners did not have a hand grenade or any other type of weapon.

August 5, 1969: Seventy-four-year-old man attempted to hijack aircraft while in flight. He was armed with a five-inch straight razor and a pocketknife. Pilot convinced him refueling was necessary in order to fly to Cuba. Hijacker commented he would be apprehended if a refueling stop was necessary and returned to his seat. He was taken into custody at original destination.

September 10, 1969: Subject grabbed a stewardess and said "I want to go to Cuba." He returned to his seat after failing to unlock the cockpit door with keys provided by the stewardess. He was then subdued by passengers and taken into custody at San Juan.

November 10, 1969: Fourteen-year-old boy

boarded aircraft without ticket using an 18-year-old girl as a hostage. He held a butcher knife against the girl's back and demanded to be taken to Sweden. When told the plane was not capable of such a long flight (DC-9) he requested it be flown to Mexico. The youth was persuaded to surrender as the plane taxied about the runways.

January 6, 1970: A male passenger, armed with a knife, attempted to hijack the aircraft while holding a stewardess as a hostage. The incident occurred shortly before a scheduled landing. The hijacker lost his balance, after the landing, when the pilot made a tight turn and reversed the engines. The hijacker was overpowered by passengers and crew members.

March 17, 1970: Armed male entered cockpit and demanded that aircraft be flown out to sea. Stated he wanted to be notified when only 2 minutes of fuel remained. When captain turned aircraft in the direction of U.S. mainland, hijacker began shooting at the Captain and Co-pilot. Co-pilot, although mortally wounded, succeeded in shooting the hijacker twice with hijacker's revolver. Captain who had been shot in both arms landed plane at original destination. Hijacker recovered.

April 23, 1970: An armed male adult hijacked a bus and forced the driver to take him to the airport. He then proceeded to use the driver as a hostage, as he boarded an air carrier aircraft which was boarding passengers. Michigan State Police overpowered the individual after responding to a call for assistance from the crew.

August 3, 1970: Male armed with starter pistol shouted to stewardess to have aircraft diverted from Munich/West Berlin to Budapest. Pilot dissuaded him from hijacking aircraft. Met by police as he deplaned at Berlin.

September 15, 1970: Hijacker armed with pistol handed a note to the chief stewardess stating he wished to go to North Korea. Hijacker remained in his seat. Aircraft landed at San Francisco for refueling at which time 35 women, children, and military were allowed to evacuate. Hijacker was then shot by a Brinks guard who had been a passenger on the aircraft.

September 22, 1970: A Federal prisoner, who was being transported from Boston, Massachusetts to San Juan, P.R., locked himself in lavatory and threatened to burn airplane if plane was not diverted to his destination of choice. He was overpowered and forcibly subdued by two escorting U.S. Marshals.

December 19, 1970: Hijacker handed a note to a stewardess stating that he had a gun and directing flight to Cuba. Hijacker permitted landing at Tulsa to allow passengers to deplane. Crew deplaned with the passengers, stranding the hijacker in the aircraft. Police boarded the aircraft and arrested the unarmed hijacker who was hiding in a washroom.

December 21, 1970: Hijacker stated he had bomb and wanted to go to Mexico. Crew convinced him of necessity to return to San Juan (Point of departure) to refuel. Hijacker was overpowered by the crew after landing at San Juan.

March 8, 1971: Hijacker armed with .38 cal pistol. Initiated hijack attempt while aircraft on ground loading for departure to New Orleans. Other passengers deplaned and flight departed from Montreal, Canada. When in vicinity of Knoxville, Tenn., crew persuaded hijacker to abandon hijack attempt and divert to Miami. FBI agents surrounded the aircraft as it stopped on the ramp and took the hijacker into custody.

March 31, 1971: Fourteen year old hijacker enplaned without ticket at Birmingham airport. Armed with pistol, held hostess as hostage. Demanded to go to Cuba. Allowed passengers and other hostesses to deplane. Hostess convinced him to abandon the hijacking.

April 21, 1971: Hijacker searched prior to boarding. Prior to arrival at Miami, hijacker claimed he had a gun and grenade, would permit aircraft to land Miami, but wanted to go to Italy. Pilot called bluff. Aircraft landed Miami. Hijacker arrested. He carried no weapons.

June 4, 1971: Hijacker armed with pistol commandeered aircraft 10 minutes after take off and demanded to be flown to Israel. When told the aircraft did not have enough fuel for trip, hijacker allowed landing at Dulles and permitted passengers and stewardesses to

deplane. After 3 hours on the ground, hijacker went to get a drink of water leaving pistol on seat. Hijacker taken into custody.

June 12, 1971—Twenty-three year old Negro, armed with pistol, forced his way on board aircraft, held stewardess hostage and demanded to be flown to North Vietnam. He killed one passenger who got in the way, then allowed passengers, body and hostesses (except hostage) to deplane. During this pause, a deputy U.S. Marshal sneaked aboard the aircraft. The aircraft then took off for New York, ostensibly to change to an air-

craft with longer range. During the flight, several shots were exchanged between the crew, marshal and hijacker. When plane landed at JFK, the crew and marshal escaped. The hijacker was wounded and captured by the FBI.

June 18, 1971: Hijacker boarded aircraft after termination of flight. Claimed to have explosive and acid. Demanded to go to Cuba. Captain informed would-be hijacker that aircraft needed fuel and additional crew. While second pilot was enplaning, he overpowered hijacker.

CHRONOLOGY OF HIJACKINGS OF U.S. REGISTERED AIRCRAFT

Date	Hijacker(s)	Airline/other flight No.	Type aircraft	Incident occurred on flight		Successful (to Cuba unless indicated)	Unsuccessful
				From—(hijacker boarding point)	To—(next scheduled stop)		
May 1, 1961	Ortiz	NAL 337	CV-440	Miami, stop: Marathon, Fla.	Key West	X	
July 24, 1961	Oquendo	EAL 202	L-188	Miami	Tampa	X	
July 31, 1961	Britt	PAC 62	DC-3	Chico, Calif., (ground)	San Francisco		X
Aug. 3, 1961	Bearden, Bearden	CAL 54	B-707	Phoenix	El Paso		X
Aug. 9, 1961	Cadon	PAA 501	DC-8	Mexico City	Guatemala City	X	
Apr. 13, 1962	Healy, Oeth	Charter	Cessna-172	Miami	Local	X	
Feb. 18, 1964	Hernandez, Rodriguez	Charter	Piper PA-23	do	do	X	
Aug. 31, 1965	Fergerstrom	HAL 358	DC-3	Honolulu	Kauai	X	
Oct. 11, 1965	Heister, Boyd	TSA 755	F-27	Molokai, Hawaii, (ground)	Honolulu		X
Oct. 26, 1965	Medina-Perez	NAL 209	L-188	Miami	Key West		X
Nov. 17, 1965	Robinson	NAL 30	DC-8	Houston	New Orleans		X
Nov. 20, 1967	Babler	Crescent (charter)	Twin Apache	Hollywood, Fla	Bimini, B.W.I	X	
Feb. 9, 1968	Clark	PAA (R. & R.)	DC-6	Saigon (ground)	Hong Kong		X
Feb. 17, 1968	Boynton	Private	Piper Apache	Marathon, Fla	Miami	X	
Feb. 21, 1968	Rhodes	DAL 843	DC-8	Tampa	West Palm Beach	X	
Mar. 12, 1968	Gonzales, Armentoros, Martin	NAL 28	DC-8	do	Miami	X	
June 29, 1968	Carter	SEA 101	DC-3	Marathon, Fla	Key West	X	
July 1, 1968	Fonseca	NWA 714	B-727	Chicago	Miami	X	
July 4, 1968	Morris	TWA 329	B-727	Kansas City	Las Vegas		X
July 12, 1968	Bendicks	Island Flying Service (charter)	Cessna-210	Key West	Miami	X	
July 12, 1968	Richards	DAL 977	CV-880	Baltimore	Houston		X
July 17, 1968	Leyva	NAL 1064	DC-8	Los Angeles, stop: Houston	New Orleans-Miami	X	
Aug. 4, 1968	Jessie	Private	Cessna-182	Naples, Fla	Local	X	
Aug. 22, 1968	McBride	do	Cessna	Nassau	Georgetown, Bahamas	X	
Sept. 20, 1968	Garcia	EAL 950	B-720	San Juan	Miami	X	
Oct. 23, 1968	Truitt	Private	Cessna-177	Key West	Dry Tortugas Islands	X	
Nov. 2, 1968	Pastorich	EAL 224	DC-9	Birmingham (ground)	Chicago		X
Nov. 4, 1968	Johnson	NAL 186	B-727	New Orleans	Miami	X	
Nov. 23, 1968	Garcia, Velasquez, Quintero, Viera, Rodriguez	EAL 73	B-727	Chicago	do	X	
Nov. 24, 1968	Cruz, Soltren, Castro	PAA 281	B-707	New York	San Juan	X	
Nov. 30, 1968	Sanchez	EAL 532	B-720	Miami	Dallas	X	
Dec. 3, 1968	Cantera	NAL 1439	B-727	Tampa	Miami	X	
Dec. 11, 1968	Patterson, Patterson	TWA 496	B-727	Kansas City, stops: St. Louis, Nashville	do	X	
Dec. 19, 1968	Washington	EAL 47	DC-8	Philadelphia	do	X	
Jan. 2, 1969	Austin, Austin	EAL 401	DC-8	New York	do	X	
Jan. 9, 1969	Bohle	EAL 831	B-727	Miami	Nassau	X	
Jan. 11, 1969	Helme	UAL 459	B-727	Jacksonville	Miami	X	
Jan. 13, 1969	McPeck	DAL 297	CV-880	Detroit	do		X
Jan. 19, 1969	Payano	EAL 9	DC-8	New York	do	X	
Jan. 24, 1969	Coulter(?)	NAL 424	B-727	Key West	do	X	
Jan. 28, 1969	Booth, Smith	EAL 64	DC-8	Los Angeles, stops: Houston, New Orleans	do	X	
Jan. 28, 1969	2 unknowns	EAL 121	DC-8	Atlanta	do	X	
Jan. 31, 1969	Jackson	NAL 44	DC-8	San Francisco	Tampa-Miami	X	
Feb. 3, 1969	Garcia, Estrada	EAL 7	B-727	Newark	Miami	X	
Do	Peparo, Fitzgerald	NAL 11	B-727	New York	do		X
Feb. 10, 1969	DeQuesda	EAL 950	DC-8	San Juan	do	X	
Feb. 25, 1969	Ervin	EAL 955	DC-8	Atlanta	do	X	
Mar. 5, 1969	Bryant	NAL 97	B-727	New York	do	X	
Mar. 17, 1969	Sandlin	NAL 581	DC-9	Atlanta	Augusta	X	
Mar. 19, 1969	Dickey	DAL 918	CV-880	Dallas	New Orleans		X
Mar. 25, 1969	Frese	DAL 821	DC-8	do	San Diego	X	
Apr. 13, 1969	Sanchez, Aguero, Claro, Castaneda	PAA 460	B-727	San Juan	Miami	X	
May 5, 1969	Charrette, Allard	NAL 91	B-727	New York	do	X	
May 26, 1969	Zamora, Gracial, Bolivar	NEA 6	B-727	Miami	New York	X	
May 30, 1969	Niemeyer	TTA 669	CV-600	Alexandria, La	New Orleans		X
June 17, 1969	Brent	TWA 154	B-707	Oakland	New York	X	
June 22, 1969	Esquivel	EAL 7	DC-8	Newark	Miami	X	
June 25, 1969	Marques	UAL 14	DC-8	Los Angeles	New York	X	
June 28, 1969	Anthony	EAL 173	B-727	Baltimore	Miami	X	
July 27, 1969	Crawford	CAL 156	DC-9	El Paso	Midland, Lubbock, Amarillo, Tex.	X	
July 31, 1969	Perry	TWA 79	B-727	Pittsburgh, stops: Indianapolis, St. Louis	Los Angeles	X	
August 5, 1969	McCreery	EAL 379	DC-9	Charlotte, N.C.	Tampa		X
August 14, 1969	Diaz, Perez	NEA 43	B-727	Boston	Miami	X	
Aug. 29, 1969	Isawi, Khaled	TWA 840	B-707	Rome	Athens-Tel Aviv	Damascus	
Do	Delgado	NAL 183	B-727	Miami	New Orleans-Houston	X	
Sept. 7, 1969	Coplin	EAL 925	DC-8	New York	San Juan	X	
Sept. 10, 1969	Medina	EAL 929	DC-8	do	do		X
Sept. 25, 1969	Hernandez	NAL 411	B-727	Charleston, stop: Savannah	Jacksonville-Miami	X	
Oct. 9, 1969	Perez	NAL 42	DC-8	Los Angeles	Miami	X	
Oct. 21, 1969	Shorr	PAA 551	B-720	Mexico City	Merida, Mexico-Miami	X	
Oct. 31, 1969	Minichiello	TWA 85	B-707	Los Angeles	San Francisco	Rome	
Nov. 10, 1969	Booth	DAL 670	DC-9	Cincinnati (ground)	Chicago		X

Date	Hijacker(s)	Airline/other flight No.	Type aircraft	Incident occurred on flight		Successful (to Cuba unless indicated)	Unsuccessful
				From—(hijacker boarding point)	To—(next scheduled stop)		
Dec. 2, 1969	Hamilton	TWA 54	B-707	San Francisco	Philadelphia	X	
Dec. 26, 1969	Martinez	JAL 929	B-727	New York	Chicago	X	
Jan. 6, 1970	Funjek	DAL 274	DC-9	Orlando, Fla.	Jacksonville-Atlanta		
Jan. 8, 1970	Belon	TWA 802	B-707	Paris	Rome, Italy	Beirut	
Feb. 16, 1970	Abad	EAL 1	B-727	Newark	Miami	X	
Mar. 11, 1970	Stubbs	JAL 361	B-727	Cleveland	Atlanta	X	
Mar. 17, 1970	Divivo	EAL 1320	DC-9	Newark	Boston	X	
Apr. 6, 1970 ¹	Little	TWA 90		San Francisco	Paris	X	X
Apr. 22, 1970	Meeks, Meeks	Charter	Cessna 172	Gastonia, N.C.	Local	X	
Apr. 22, 1970 ²	Wagstaff	NCA 945	DC-9	Petoskey, Mich. (ground)	Sault Saint Marie		X
May 25, 1970	Quesada	DAL 199	CV-880	Chicago, stop: Atlanta	Miami	X	
May 25, 1970	Molina	AAL 206	B-727	Chicago	New York	X	
June 4, 1970	Barkley	TWA 486	B-727	Phoenix	St. Louis	Washington (Dulles)	
June 22, 1970	Xyafari	PAA 119	B-707	Beirut	Rome	Cairo	
July 1, 1970	Lopez	NAL 28	DC-8	Las Vegas, Stop: New Orleans	Tampa	X	
Aug. 2, 1970	Rioz	PAA 299	B-747	New York	San Juan	X	
Aug. 3, 1970 ²	Huber	PAA	B-727	Munich	West Berlin		X
Aug. 19, 1970	Martinez, Ramos-Cobas, Luridan	TRC 401	DC-8	Newark	San Juan	X	
Aug. 20, 1970	Graves	DAL 435	DC-9	Atlanta	Savannah	X	
Aug. 24, 1970	Labadie	TWA 134	B-727	Chicago	Philadelphia	X	
Sept. 6, 1970	2 Unk	PAA 93	B-747	Amsterdam	New York	X	
Sept. 6, 1970	2 Unk	TWA 741	B-707	Frankfurt	do	Zerka, Jordan	
Sept. 15, 1970	Irwin	TWA 15	B-707	Los Angeles	San Francisco		X
Sept. 19, 1970	Witt	AAA 730	B-727	Pittsburgh	Philadelphia	X	
Sept. 22, 1970	Donovan	EAL 945		Boston	San Juan		X
Oct. 30, 1970	Unk	NAL 43	DC-8	Miami	San Francisco	X	
Nov. 1, 1970	Larrazolo	JAL 598	B-727	San Diego	Los Angeles	X	
Nov. 13, 1970	Unk	EAL 257	DC-9	Raleigh/Durham	Atlanta	X	
Dec. 19, 1970	Denis	CAL 144	DC-9	Albuquerque	Tulsa		X
Dec. 21, 1970	Lopez	PRINAIR 157	Heron	San Juan	Ponce		X
Jan. 3, 1971	Wilson, Graves, White, White	NAL 36	DC-8	Los Angeles	Tampa	X	
Jan. 22, 1971	Grant	NWA 433	B-727	Milwaukee	Detroit-Washington	X	
Feb. 4, 1971	Unk	DAL 379	DC-9	Chicago	Nashville	X	
Feb. 26, 1971	Paterson	WAL 328	B-737	San Francisco	Seattle	Vancouver, Canada	
Mar. 8, 1971	Marston	NAL 745	B-727	Mobile (ground)	New Orleans		X
Mar. 31, 1971	Matthews	DAL 400	DC-9	Birmingham (ground)	Chicago		X
Do	Romirez	EAL 939	DC-8	New York	San Juan	X	
Apr. 5, 1971	Hernandez	Charter	Cessna 402	Key West	Miami	X	
Apr. 22, 1971	Anile	EAL 403	DC-8	Newark	do		X
May 28, 1971	Bennett	EAL 30	B-727	Miami	New York	Nassau	
May 29, 1971	Landaeta	PAA 442	B-707	Caracas	Miami	X	
June 4, 1971	Riggs	UAL 796	B-737	Charleston, W. Va	Newark		X
June 12, 1971	White	TWA	B-727	Chicago	New York		X
June 18, 1971	White	PAI	B-737	Winston-Salem (ground)	None		X
July 2, 1971	Jackson	BNF 14	B-707	Mexico City	San Antonio	Buenos Aires	

¹ Considered as attempt by Department of Justice but not by FAA.

² Considered as attempt by FAA but not by Department of Justice.

LEGAL STATUS OF HIJACKERS AS OF JULY 6, 1971

There have been approximately 150 persons involved in 115 hijackings of U.S. registered aircraft and of one foreign aircraft engaged in U.S. air commerce. Of these, two have committed suicide. These data have been coordinated with the Department of Justice and, as best can be determined, the legal status of the 150 individuals is as follows:

Fugitives ¹	92
Convictions	29
U.S.	26
Foreign ²	3
Acquittals ³	3
Dismissals	10
Mental	7
Other ⁴	3
Pending	16
Mental exam	4
Other ⁵	12
Total	150

¹ Includes a number of passive companions indicted along with active hijackers and one who committed suicide.

² One in Mexico, one in Lebanon, and one in Italy—convicted, imprisoned, and released. The one released from Lebanese imprisonment was retried in France on unrelated charges and imprisoned.

³ Includes one incident of non-U.S. registered aircraft engaged in U.S. air commerce.

⁴ Includes one suicide.

⁵ Includes one in Egyptian custody—status unknown, two in Argentinian custody, and

one whose previous sentence (25 years) has been reversed.

HIJACKING CASES INVOLVING U.S. AIRCRAFT SINCE MAY 1, 1961

A summary of convictions, pending cases, cases dropped, and foreign cases giving dispositions, names of subjects, dates of incidents, and penalties or status of cases. Prepared 6 July 1971 from Federal Aviation Administration records, coordinated with Justice Department records.

Total number of individuals—150.

Convictions—29.

Aircraft Piracy—1: Bendicks, Leonard S. (7/12/68)—10 years.

Attempted Aircraft Piracy—1: Funjek, Antonio (1/6/70)—25 years.

Aircraft Piracy and Kidnapping—5:

Healey, David Thomas (4/13/62)—20 years + 1 year.

Oeth, Leonard Malcolm (4/13/62)—20 years + 1 year.

Truitt, Alben Wm. Barkley (10/23/68)—20 years + 20 years.

Ervin, Lorenzo Edward, Jr. (2/25/69)—Life.

Crawford, J. C. (7/27/69)—50 years.

Kidnapping—2:

Boynton, Thomas J. (2/17/68)—20 years.

Jessie, Willis (8/4/68)—10 years.

Interference with Flight Crewmember—7.

Washington, Thomas George (12/19/68)—2 years.

McPeck, Kenneth Carl (1/13/69)—15 years.

Fergerstrom, Harry F. (8/31/65)—Juvenile, correctional institution.

Peparo, Michael A. (2/3/69)—Custody of Attorney General under Youth Correction Act.

Fitzgerald, Tasmin R. (2/3/69)—Custody of Attorney General under Youth Correction Act.

Anthony, Ray (6/28/69)—15 years.

Paterson, Chappin S. (2/24/71)—10 years.

Assault—1: Robinson, Thomas H. (11/17/65)—Juvenile, correctional institution. Currently on probation.

Conveying False Information Concerning an Attempt to Commit Air Piracy—1: Denis, Carlos (12/19/70)—5 years, subject to mental examination.

Armed Assault and Illegal Possession of Firearms—1: Britt, Bruce McRae (7/31/61)—20 years.

Interruption of Air Commerce on Threat of Violence—2:

Bearden, Leon (8/3/61)—20 years.

Bearden, Cody (8/3/61)—Juvenile, committed to correctional institution, released (date unknown).

Escape—1: Morris, John Hamilton (7/4/68)—5 years.

Court Martial (USN)—2:

Heisler, Laurence D. (10/11/65)—4 years confinement, dishonorable discharge. (Sentence completed.)

Boyd, Richard K. (10/11/65)—4 years confinement, dishonorable discharge. (Sentence completed.)

Carrying Weapon Aboard Aircraft—2:

Pastorich, Roger C. (11/2/68)—Juvenile delinquent. Probation.

Matthews, John M., Jr. (3/31/71)—Suspended sentence.

Foreign—3:

Cadon, Albert C. (8/9/61)—Mexico—Robbery and illegal possession of firearms—8 years, 9 months sentence—released on completion of sentence.

Minichiello, Raphael (10/31/69)—Italy—7½ years, reduced to 2½ years—released 5/1/61.

Belon, Christian R. (1/8/70)—Lebanon—9 months—released. Convicted France—illegal possession of firearms—8 months.

Pending cases—16.

Trial Pending—2:

Donovan, David W. (9/22/70)—indicted for aircraft piracy—custody.

Bohle, Ronald T. (1/9/69)—original sentence (25 years) reversed.

Charged—3:

Lopez, Victor (12/21/70)—aircraft piracy and interference with flight crewmember.

Riggs, Glen E. (6/4/71)—aircraft piracy.

White, Gregory L. (6/12/71)—assaulting Federal officer—aircraft piracy.

Custody, Mental Examinations—4:

Irwin, Donald B. (9/15/70)—indicted for aircraft piracy.

Sandlin, Robert (3/17/69)—indicted for aircraft piracy.

Barkley, Arthur (6/4/70)—indicted for aircraft piracy and interference with flight crewmember.

Bennett, James (5/28/71)—indicted for aircraft piracy and kidnaping.

Custody—2:

Wagstaff, Joseph A. (4/23/70) (Not considered as hijacker by Dept. of Justice.).

White, Bobby R. (6/18/71).

Custody, Foreign—3:

Xyferi, Hexhi H. (6/22/70)—Egypt (Current status unclear. Possibly released).

Jackson, Robert L. (7/2/71)—Argentina.

Sanchez-Archilla, Ligia L. (7/2/71)—Argentina.

Released on Bond—2:

Anile, Francisco (4/21/71)—Charged with aircraft piracy. Released on bond 5/25/71.

Marston, Thomas K. (3/8/71).

Dropped cases—13:

Acquittal—3:

Perez, Luis M. (10/26/65)—aircraft piracy and assault—insanity.

Helme, Robert M. (1/11/69)—aircraft piracy.

Pinkney, James (2/11/69)—aircraft piracy and interference with flight crewmember.

NOTE: Non-U.S. aircraft engaged in U.S. air commerce.

Dismissed, Committed to Mental Institutions—7:

Labadie, Robert Y. (8/24/70).

Richards, Oran D. (7/12/68)—released 1/10/70.

McCreery, John S. (8/5/69).

Little, Lynn (4/6/70). (Not considered as hijacker by FAA.)

Rhodes, Lawrence M. (2/21/68).

Dickey, Douglas A. (3/19/69).

Niemeyer, Torrence (5/30/69).

Dismissed, Death—1: Divio, John (3/17/70).

Dismissed, Other—2:

Clark, William L. (2/9/68)—aircraft not engaged in U.S. air commerce.

Medina, Jose L. G. (9/10/69)—temporary insanity.

Fugitives—92 (including one suicide).

Recapitulation

Convictions ¹	29
Pending ²	16
Dropped	13
Fugitives	92

Total 150

¹ Three (3) foreign convictions.

² Three (3) foreign custody.

CURRENT LEGAL STATUS OF SUSPECTED OR CONVICTED HIJACKERS AS OF JULY 6, 1971

Defendant(s)	Date of incident	Aircraft	Flight	Indicted	Disposition
1. Ortiz, Antulio Ramirez	May 1, 1961	NAL	Marathon to Key West, Fla.	July 28, 1961 in Miami, Fla.	Fugitive.
2. Oquendo, Wilfredo Roman	July 24, 1961	EAL	Miami to Tampa	August 23, 1961 in Miami, Fla.	Fugitive.
3. Britt, Bruce McRae	July 31, 1961; unsuccessful.	PAC	Chico, Calif., to San Francisco		Convicted (illegal possession of firearms) Sentenced in Orville, Calif.
4. Bearden, Leon	August 3, 1961; unsuccessful.	CAL	Phoenix to El Paso		Convicted—Interruption of commerce on threats of violence, 20 years.
Bearden, Cody					Juvenile—Indeterminate sentence. Committed to correctional facility. Released—date unknown.
5. Cadon, Albert Charles	August 9, 1961	PAA	Mexico City to Guatamala City.		Convicted in Mexican court on charges of robbery and illegal possession of firearms. Received 8 years 9 months sentence. Released after completion of sentence.
6. Healy, David Thomas	Apr. 13, 1962	General Aviation	Miami local	Apr. 20, 1962 in Miami, Fla.	Convicted Nov. 12, 1964, on charges of aircraft piracy and kidnaping. Received sentence of 20 years and 1 year to run concurrently.
Oeth, Leonard Malcolm				Apr. 20, 1962 in Miami, Fla.	Convicted Nov. 12, 1964, on charges of aircraft piracy and kidnaping. Received sentence of 20 years and 1 year to run concurrently.
7. Hernandez, Enrique Costella	Feb. 18, 1964	General Aviation	Miami local	Feb. 17, 1969 in Florida	Fugitive.
Rodriguez, Reinaldo Juan Lopez				Feb. 17, 1969 in Florida	Do.
8. Fergestrom, Harry F.	Aug. 31, 1965	Hawaiian Airlines	Honolulu to Kauai		Juvenile—Indeterminate sentence. Committed to juvenile correctional facility.
9. Heisler, Lawrence D.	Oct. 11, 1965; unsuccessful.	Aloha	Molokai to Honolulu		U.S. Navy General Court Martial. Sentenced to 4 years confinement. Dishonorably discharged.
Boyd, Richard K.					U.S. Navy General Court Martial. Sentenced to 4 years confinement. Dishonorably discharged.
10. Perez, Luis Medina aka: Medina.	Oct. 26, 1965; unsuccessful.	NAL	Miami to Key West		Acquitted June 24, 1966 of charges of aircraft piracy and assault. (Declared incompetent.)
11. Robinson, Thomas Harvey	Nov. 17, 1965; unsuccessful.	NAL	Houston to New Orleans		Juvenile—Indeterminate sentence—Committed to juvenile correctional facility. Paroled June 8, 1967. Continued probation.
12. Babler, Gabor Louis	Nov. 20, 1967	General Aviation	Hollywood, Fla. to Bimini	May 7, 1969 in Miami, Fla.	Fugitive.
13. Clark, William	Feb. 9, 1968; unsuccessful.	PAA	Saigon to Hong Kong		Court of Military Appeals dismissed charge of aircraft piracy as flight was not in air commerce.
14. Boynton, Thomas J.	Feb. 21, 1968	General Aviation	Marathon to Miami	June 13, 1969 in Southern District of Florida.	Pled guilty, 18 USC 1201, May 12, 1970. 20 years.
15. Rhodes, Lawrence M.	Feb. 17, 1968	Delta	Tampa to West Palm Beach	June 12, 1968 in Southern District of Florida.	Jan. 4, 1971: Charges dismissed. Committed to mental institution.
16. Gonzales, Gilberto Carrazana. Armentoros, Jesus Martin, Ramon Donato	Mar. 12, 1968	NAL	Tampa to Miami		Oct. 14, 1969 in Tampa.
17. Carter, E. H.	June 29, 1968	SEA	Marathon to Key West		Fugitive—no positive identification.
18. Fonseca, Mario V.	July 1, 1968	NWA	Chicago to Miami	Complaint filed in Miami on July 3, 1968.	Fugitive.
19. Morris, John Hamilton	July 4, 1968; unsuccessful.	TWA	Kansas City to Las Vegas		Pled guilty on June 16, 1969, to escape. Sentenced 5 yrs. to run consecutive with present term.
20. Bendix, Leonard S.	July 12, 1968	General Aviation	Key West to Miami	Oct. 9, 1968. Southern District of Florida	Found competent to stand trial. Sentenced to 10 years Mar. 4, 1971, 18 U.S.C. 1201.
21. Richards, Oran Daniel	July 12, 1968; unsuccessful.	Delta	Baltimore to Houston		Charges dismissed on Sept. 3, 1969. Released from state mental institution, Dayton, Ohio, Jan. 10, 1970.
22. Leyva, Rogelio H.	July 17, 1968	NAL	Los Angeles to Miami	Aug. 28, 1969, in New Orleans	Fugitive.
23. Jessie, Willis	Aug. 4, 1968	General Aviation	Naples, Fla., local		Pled guilty on June 26, 1969, to charge of kidnaping. Received 10-year sentence.
24. McBride, Bill	Aug. 22, 1968	General Aviation	Nassau to Georgetown, Bahamas.		No positive identification.
25. Garcia, Jose Antonio Suarez	Sept. 20, 1968	EAL	San Juan to Miami	Complaint filed in District of Puerto Rico on June 19, 1969.	Fugitive.
26. Truitt, Alben William Barkley	Oct. 23, 1968	General Aviation	Key West to Dry Tortugas Islands.		Convicted Aug. 13, 1969. Received 20 years for aircraft piracy and 20 years for kidnaping to run consecutively.
27. Pastorcich, Roger C.	Nov. 2, 1968; unsuccessful.	EAL	Mobile to Chicago		Charged with carrying a weapon aboard an aircraft. Placed on probation due to his minority; to continue under psychiatric care.
28. Johnson, Jr., Raymond	Nov. 4, 1968	NAL	Houston to Miami	June 13, 1969, in New Orleans	Fugitive.
29. Garcia, Aramis Suarez	Nov. 23, 1968	EAL	Chicago to Miami	Complaint filed Aug. 27, 1969, in Western District of Kentucky.	Do.
Velasques, Miguel Mayor				do.	Do.
Quintero, Alberto Arroyo				do.	Do.
Viera, Irardo Mendoza				do.	Do.
Rodriguez, Moises Rodriguez				do.	Do.

Defendant(s)	Date of incident	Aircraft	Flight	Indicted	Disposition
30. Cruz, Jose Rafael Rios..... Soltren, Luis Armando Pena..... Castro, Miguel.....	Nov. 24, 1968.....	PAA.....	New York to San Juan.....	Dec. 20, 1968 in Southern District of New York.	Fugitive.
31. Sanchez, Miguel Montesino.....	Nov. 30, 1968.....	EAL.....	Miami to Dallas.....	Apr. 9, 1969 in Miami.....	Do.
32. Cantera, Eduardo.....	Dec. 3, 1968.....	NAL.....	Tampa to Miami.....		No positive identification made.
33. Patterson, James Joseph..... Patterson, Gwendolin.....	Dec. 11, 1968.....	TWA.....	Nashville to Miami.....	Oct. 13, 1969 in Northern District of Georgia.....	Fugitive.
34. Washington, Thomas George.....	Dec. 19, 1968.....	EAL.....	Philadelphia to Miami.....		Charged with aircraft piracy and kidnapping. Pleaded guilty to interfering with flight crew on Mar. 24, 1970. 2 years. Killed in bank robbery, N.Y., Apr. 22, 1971.
35. Austin, Tyrone Ellington..... Austin, Linda.....	Jan. 2, 1969.....	EAL.....	New York to Miami.....	Mar. 25, 1969 in eastern district of New York. Mar. 25, 1969 in eastern district of New York.	Fugitive.
36. Bohle, Ronald Thomas.....	Jan. 9, 1969.....	EAL.....	Miami to Nassau.....		Original sentence reversed. New trial pending.
37. Helme, Robert McRae.....	Jan. 11, 1969.....	UAL.....	Jacksonville to Miami.....		Acquitted Nov. 20, 1969 in southern district of Georgia.
38. McPeck, Kenneth Carl.....	Jan. 13, 1969; unsuccessful.....	DAL.....	Jacksonville to Miami.....		Received 15-year sentence on July 31, 1969 for interference with flight crewmember.
39. Payano, Aristogarez Antonio Navarro.....	Jan. 19, 1969.....	EAL.....	New York to Miami.....	Complaint filed Jan. 27, 1969.....	Fugitive.
40. Ayre.....	Jan. 24, 1969.....	NAL.....	Key West to Miami.....		No positive identification made.
41. Booth, Byron Vaughn..... Smith, Clinton Robert.....	Jan. 28, 1969.....	NAL.....	New Orleans to Miami.....	Jan. 28, 1970 in central district of California. Jan. 28, 1970 in central district of California.	Fugitive.
42. Unknown subjects (2).....	Jan. 28, 1969.....	EAL.....	Atlanta to Miami.....		No positive identification made. Fugitives.
43. Jackson, L.....	Jan. 31, 1969.....	NAL.....	San Francisco to Tampa.....		No positive identification made. Fugitive.
44. Peparo, Michael Anthony..... Fitzgerald, Tamsin Rebecca.....	Feb. 3, 1969; unsuccessful.....	NAL.....	New York to Miami.....		On May 7, 1969 sentenced to custody of Attorney General under provisions of Youth Correction Act. On May 7, 1969 sentenced to custody of Attorney General under provisions of Youth Correction Act.
45. Garcia, Wilfredo Hernandez..... Estrada, Joaquin Babin.....	Feb. 3, 1969.....	EAL.....	Newark to Miami.....	Complaint filed Feb. 27, 1969 in district of New Jersey. Complaint filed Feb. 27, 1969 in district of New Jersey.	Fugitive.
46. DeQuasada, Pedro Pablo Alvarey.....	Feb. 10, 1969.....	EAL.....	San Juan to Miami.....	Complaint filed June 18, 1969 in San Juan, P.R.	Fugitive.
46a. Pinckney, James.....	Feb. 11, 1969.....	BWI.....	Nassau to Miami.....		Acquitted Nov. 14, 1969.
47. Ervin, Jr. Lorenzo Edward.....	Feb. 25, 1969.....	EAL.....	Atlanta to Miami.....	Mar. 5, 1969 in Northern District of Georgia.	Sentenced Jul. 7, 1970 to life imprisonment.
48. Bryant, Anthony Garnet.....	Mar. 5, 1969.....	NAL.....	New York to Miami.....	Mar. 25, 1969 in Eastern District of New York.	Fugitive.
49. Sandlin, Robert.....	Mar. 17, 1969.....	DL.....	Dallas to Augusta.....	Jul. 14, 1969 in Southern District of Georgia.	Custody—mental examination.
50. Dickey, Douglas Alton.....	Mar. 19, 1969; unsuccessful.....	DL.....	Las Vegas to New Orleans.....	Mar. 25, 1969 in New Orleans.....	Charges dismissed due to insanity. Transferred to Arizona State Institution where local charges outstanding.
51. Frese, Luis Antonio.....	Mar. 25, 1969.....	DL.....	New York to San Diego.....	June 2, 1969 in Western District of Texas.	Fugitive.
52. Sanchez, Hiran Courrouneau..... Auer, Manuel Vargas..... Claro, Jose Diaz..... Castaneda, Esmeraldo Ramirez.....	Apr. 13, 1969.....	PAA.....	San Juan to Miami.....	Jul. 16, 1969 in San Juan, P.R. Jul. 16, 1969 in San Juan, P.R. Jul. 16, 1969 in San Juan, P.R. July 16, 1969 in San Juan, P.R.	Fugitive. Fugitive. Fugitive. Fugitive.
53. Charrette, Jean Pierre..... Allard, Alain.....	May 5, 1969.....	NAL.....	New York to Miami.....	Complaint filed July 3, 1969 in Southern District of Florida. Complaint filed July 3, 1969 in Southern District of Florida.	Do. Do.
54. Zamora, Crecencio Parra..... Gracial, Roberto Romero..... Bolivar, Samon Marino.....	May 26, 1969.....	NEA.....	Miami to New York.....	Complaint filed May 29, 1969 in Southern District of Florida. Complaint filed May 29, 1969 in Southern District of Florida. do.	Do. Do. Do.
55. Neimyer, Terrence.....	May 30, 1969; unsuccessful.....	Texas International.....	Alexandria, La., to New Orleans.....	Complaint filed Eastern District of Louisiana.	Charges dismissed Apr. 15, 1971. Found to be insane. Committed to State institution Louisiana. Two larceny charges outstanding.
56. Brent, William Lee.....	June 17, 1969.....	TWA.....	Oakland to New York.....	June 24, 1969, in Las Vegas, Nev.	Fugitive.
57. Esquivel, Medrano Augustin.....	June 22, 1969.....	EAL.....	Newark to Miami.....	Aug. 25, 1969, in eastern district of North Carolina.	Do.
58. Marques, John Gerard.....	June 25, 1969.....	UAL.....	Los Angeles to New York.....	Jan. 14, 1970, in central district of California.	Do.
59. Anthony, Ray.....	June 28, 1969.....	EAL.....	Baltimore to Miami.....		Sentenced September 1970 to 15 years.
60. Crawford, J. C.....	July 27, 1969.....	CAL.....	Los Angeles to Miami.....		Sentenced Sept. 14, 1970, to 50 years for aircraft piracy.
61. Perry, Lester Ellsworth.....	July 31, 1969.....	TWA.....	Philadelphia to Los Angeles.....	Complaint filed Aug. 1, 1969, in district of Kansas.	Fugitive.
62. McCreery, John Scott.....	Aug. 5, 1969; unsuccessful.....	EAL.....	Charlotte to Tampa.....		Charges dismissed Jan. 12, 1970. Committed to mental institution.
63. Diaz, Domingo Torres..... Perez, Julio Lezaro Menea.....	Aug. 14, 1969.....	NEA.....	Boston to Miami.....	Dec. 10, 1969 in District of Massachusetts. Dec. 10, 1969 in District of Massachusetts.	Fugitive. Fugitive.
64. Isawi, Salim..... Khajed, Leila Ali.....	Aug. 29, 1969.....	TWA.....	Los Angeles to Tel Aviv.....	Complaint filed Jan. 16, 1970 in District of Columbia. Complaint filed in District of Columbia Jan. 16, 1970.	Fugitive. Fugitive.
65. Delgado, George Carabelle.....	Aug. 29, 1969.....	NAL.....	Miami to New Orleans.....	Nov. 6, 1969 in Middle District of Florida.	Fugitive.
66. Coplin, Felix Rolondo P.....	Sept. 7, 1969.....	EAL.....	New York to San Juan.....		Fugitive.
67. Medina, Jose Lewis Gonzales.....	Sept. 10, 1969; unsuccessful.....	EAL.....	New York to San Juan.....	Sept. 18, 1969 in San Juan, P.R.	Committed to mental institution on Jan. 30, 1970.
68. Hernandez, Alfred A.....	Sept. 24, 1969.....	NAL.....	Newark to Jacksonville.....	Nov. 19, 1969, in Middle District of Florida.	Fugitive.
69. Perez, Francisco Riveria.....	Oct. 9, 1969.....	NAL.....	Los Angeles to Miami.....	Complaint filed Oct. 10, 1969, in Western District of Texas.	Do.
70. Shorr, Henry.....	Oct. 21, 1969.....	PAA.....	Mexico City to Merida, Mexico.....	Complaint filed Oct. 24, 1969, in Eastern District of Michigan.	Suicide in Cuba.
71. Minichiello, Raphael.....	Oct. 31, 1969.....	TWA.....	Los Angeles to San Francisco.....	Dec. 3, 1969, in Eastern District of New York.	Sentenced to 7½ years. Reduced to 3½ years, with 2 years committed. Released May 1, 1971.
72. Booth, David Lawrence.....	Nov. 10, 1969; unsuccessful.....	DL.....	Cincinnati to Chicago.....		Fugitive.
73. Hamilton, Benny Ray.....	Dec. 2, 1969.....	TWA.....	San Francisco to Philadelphia.....	Complaint filed Dec. 8, 1969, in Omaha, Nebr.	Do.

Footnotes at end of table.

CURRENT LEGAL STATUS OF SUSPECTED OR CONVICTED HIJACKERS AS OF JULY 6, 1971

Defendant(s)	Date of Incident	Aircraft	Flight	Indicted	Disposition
74. Martinez, M.	Dec. 26, 1969	UAL	New York to Chicago	Complaint filed Dec. 29, 1969, in southern district of New York.	Fugitive.
75. Funjek, Anton	Jan. 6, 1970; unsuccessful.	DL	Orlando to Jacksonville		Sentenced July 31, 1970, to 25 years. Attempted air piracy.
76. Belon, Christian Reni	Jan. 8, 1970	TWA	New York to Rome	Complaint filed Jan. 16, 1970, in District of Columbia.	Fugitive. Submitted to 9 months' imprisonment in Lebanon. Released Nov. 18, 1970. Sentenced in France to 8 months' imprisonment on Jan. 22, 1971, for illegal possession of firearms.
77. Abad, Daniel Lopez	Feb. 16, 1970	EAL	Newark to Miami	Complaint filed Feb. 24, 1970, in district of New Jersey.	Fugitive.
78. Stubbs, Clemmie	Mar. 11, 1970	UAL	Cleveland to Atlanta	Complaint filed Mar. 12, 1970, in N.A. District of Ohio.	Do.
79. Divivo, John	Mar. 17, 1970; unsuccessful.	EAL	Newark to Boston		Suicide—charges dismissed.
79(a) Little, Lynn	Apr. 6, 1970; unsuccessful. ²	TWA	San Francisco to Paris	Complaint filed Apr. 7, 1970, in Western District of Pennsylvania.	Complaint dismissed. Committed to mental institution.
80. Meeks, Ira Meeks, Dianne	Apr. 22, 1970	Charter		Complaint filed Apr. 24, 1970, in Western District of North Carolina.	Fugitive.
81. Wagstaff, Joseph A.	Apr. 23, 1970	NCA	Petoskey to Sault-St. Marie		Custody.
82. Molina, Nelson	May 25, 1970	AAL	Chicago to New York	Complaint filed May 27, 1970, in Eastern District of New York.	Fugitive.
83. Quesada, Graciella	do	DAL	Atlanta to Miami	May 29, 1970, Macon, Ga.	Do.
84. Barkley, Arthur	June 4, 1970	TWA	Phoenix to St. Louis	June 5, 1970, Eastern District of Virginia.	In custody for mental examination.
85. Xyferi, Hexhi H.	June 22, 1970	PAA	Bierut to Rome	Sept. 19, 1970, Northern District of California.	In custody—Egypt.
86. Lopez, George E.	July 1, 1970	NAL	New Orleans to Tampa	Dec. 18, 1970, Eastern District of Louisiana, 49 U.S.C. 1472(i).	Fugitive.
87. Rioz, Rudolfo	Aug. 2, 1970	PAA	New York to San Juan	Aug. 27, 1970, Eastern District of New York.	Do.
88. Huber, Johan	Aug. 8, 1970	PAA	Munich to West Berlin	None. Aircraft not engaged in U.S. air commerce.	Unknown.
89. Martinez, Jose A. Ramos-Cobas, Jesus Luridan, Brelin T.	Aug. 19, 1970	TCB	New York to San Juan	Mar. 25, 1971, FGJ, Newark 49U.S.C.1472(X), 18 U.S.C. 32, 371, 837, 1201(a)(c), 2.	Fugitive.
90. Graves, Gregory A.	Aug. 20, 1970	DAL	Chicago to Savannah	Feb. 2, 1971, Macon, Ga. 49U.S.C.1472(i), 18 U.S.C. 1201.	Do.
91. Labadie, Robert J.	Aug. 24, 1970	TWA	Las Vegas to Philadelphia	Sept. 10, 1970 in Northern District of Indiana.	Found incompetent Dec. 28, 1970.
92. Unknown subjects	Sept. 6, 1970	TWA	Frankfurt to New York		Fugitives.
93. Unknown subjects	Sept. 6, 1970	PAA	Amsterdam to New York		Do.
94. Irwin, Donald	Sept. 15, 1970; unsuccessful.	TWA	New York to San Francisco	Sept. 16, 1970 Northern District of California.	Custody. Mental examination.
95. Witt, Richard D.	Sept. 19, 1970	AAA	Pittsburgh to Boston	Oct. 8, 1970 Eastern District of Pennsylvania.	Fugitive.
96. Donovan, David W.	Sept. 22, 1970; unsuccessful.	EAL	Boston to San Juan	Nov. 17, 1970 Puerto Rico. Assaulting Federal Officer.	Custody. To be tried for unrelated murder charge Apr. 22, 1971.
97. Unknown subject	Oct. 30, 1970	NAL	Miami to San Francisco		Fugitive.
98. Larrazolo, Felipe F.	Nov. 1, 1970	UAL	San Diego to Los Angeles	Dec. 9, 1970, Los Angeles	Do.
99. Unknown subject	Nov. 13, 1970	EAL	Richmond to Dallas		Do.
100. Denis, Carlos	Dec. 19, 1970; unsuccessful.	CAL	Wichita to Tulsa		Feb. 9, 1971, sentenced to 5 years subject to medical/mental examination for conveying false information reattempt to commit air piracy.
101. Lopez, Victor	Dec. 21, 1970	PRINAIR	San Juan to Ponce		In custody.
102. Wilson, Arthur J. Graves, Lolita K. White, Carl White, Norma Jean	Jan. 3, 1971	NAL	Los Angeles to Tampa		Fugitive.
103. Grant, Garland	Jan. 22, 1971	NWA	Milwaukee to Washington, D.C.	FGJ, Milwaukee, Mar. 9, 1971, 49 U.S.C. 1472(X)(J).	Do.
104. Unknown subject	Feb. 4, 1971	DAL	Chicago to Nashville		Do.
105. Paterson, Chappin S.	Feb. 25, 1971	NAL	San Francisco to Seattle	Complaint filed Feb. 26, 1971, Seattle, 49 U.S.C. 1472(j).	Custody.
106. Marston, Thomas K.	Mar. 8, 1971	NAL	Mobile to New Orleans	49 U.S.C. 1472(i).	Released on bond.
107. Matthews, John M., Jr.	Mar. 31, 1971	DAL	Birmingham to Chicago	Complaint filed Mar. 31, 1971, Birmingham, 49 U.S.C. 1472(i).	June 7, 1971, suspended sentence.
108. Ramirez, Diego	Mar. 31, 1971	EAL	New York to San Juan		Fugitive.
109. Hernandez, Carlos	Apr. 5, 1971	Charter	Key West to Miami	Complaint filed Apr. 7, 1971, Miami 49 USC 1472(i).	Do.
110. Anile, Frank F.	Apr. 21, 1971	EAL	Newark to Miami	Complaint filed Miami, Apr. 23, 1971.	Released on bond.
111. Bennet, James	May 28, 1971	EAL	Miami to New York	Complaint filed May 29, 1971, New York 49 USC 1472.	Custody.
112. Landata, Ivan G. B.	May 29, 1971	PAA	Caracas to Miami		Fugitive.
113. Riggs, Glen E.	June 4, 1971	UAL	Charleston, W. Va. to Newark	Arraigned June 12, 1971 Alexandria, Va.	Custody.
114. White, Gregory	June 12, 1971	TWA	Chicago to New York	Arraigned June 12, 1971 Brooklyn, N.Y.	Do.
115. White, Bobby R.	June 18, 1971	PAI	Winston-Salem (Ground)	Complaint filed June 18, 1971, Greensbor, N.C., 49 USC 1472.	Do.
116. Jackson, Robert L.	July 2, 1971	BNF	Mexico City to San Antonio		Custody (Argentina).

¹ Foreign air carrier engaged in U.S. air commerce.² Considered as an attempt by Justice Department, but not FAA.³ Considered as attempt by FAA but not Justice Department.AIR LINE PILOTS ASSOCIATION,
Washington, D.C., June 25, 1971.Senator JAMES B. PEARSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PEARSON: Regarding Bill #S3972 that you submitted to the Senate on June 16 of last year, we would be extremely interested to know if you have, or are planning to, resubmit this Bill this year.

As you are well aware, air piracy on com-

mercial airlines is still a serious problem. Measures taken to stop these acts have been, in general, too little and too late. The provisions of your Bill to amend Section 902 of the Federal Aviation Act would be an aid to flight crews.

If we can assist in the passage of this Bill in any way, please advise us.

Sincerely,

J. J. O'DONNELL,
President.

ADDITIONAL COSPONSORS OF BILLS
AND JOINT RESOLUTIONS

S. 1404

At the request of Mr. BYRD of Virginia, the Senator from North Carolina (Mr. ERVIN), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Florida (Mr. GURNEY) were added as cosponsors of S. 1404, relating to the prohi-

bition of imports of critical materials from free world countries.

S. 1534

At the request of Mr. HUMPHREY, the Senator from Iowa (Mr. MILLER) was added as a cosponsor of S. 1534, a bill to provide maternity benefits for dependents of armed services personnel recently discharged.

SENATE JOINT RESOLUTION 62

At the request of Mr. GRIFFIN, the Senator from Maine (Mrs. SMITH) was added as a cosponsor of Senate Joint Resolution 62 to authorize the display of the flags of each of the 50 States at the base of the Washington Monument.

VETERANS DRUG AND ALCOHOL TREATMENT AND REHABILITATION ACT OF 1971—AMENDMENT

AMENDMENT NO. 252

(Ordered to be printed and referred to the Committee on Veterans' Affairs.)

AMENDMENT TO S. 2108 TO INSURE MEDICAL CONFIDENTIALITY AND PROTECT AGAINST SELF-INCRIMINATION WITH RESPECT TO INFORMATION PROVIDED BY VETERAN DRUG ADDICT OR ALCOHOLICS UNDERGOING TREATMENT AND REHABILITATION

Mr. CRANSTON. Mr. President, I send to the desk for printing an amendment I intend to propose to S. 2108, the proposed Veterans Drug and Alcohol Treatment and Rehabilitation Act of 1971, a bill to amend chapters 17 and 31 of title 38, United States Code, to require the availability of comprehensive treatment and rehabilitative services and programs for certain disabled veterans suffering from alcoholism, drug dependence and alcohol or drug abuse disabilities, and for other purposes.

At joint hearings of the Health and Hospitals Subcommittee, which I am privileged to chair, of the Veterans' Affairs Committee and the Alcoholism and Narcotics Subcommittee, chaired by the distinguished Senator from Iowa (Mr. HUGHES), of the Committee on Labor and Public Welfare on June 23, serious questions arose as to the position of the Veterans' Administration with respect to information confided to its physicians by drug addicts or alcoholics receiving treatment and rehabilitation. Because of the close connection between drug addiction and criminal activity, there is a very real possibility that a drug addict undergoing treatment and rehabilitation may disclose possibly incriminating information during such treatment and rehabilitation with regard to criminal activity in which he engaged in order to support his habit.

Under such circumstances, there appears to be a very good possibility that the present state of the law would require the Veterans' Administration to disclose information regarding a specific criminal act to the Department of Justice upon that Department's request for such information.

The possibility of such revelation connected with criminal prosecution would, in my judgment, seriously threaten the integrity of the treatment program. It seems clear to me that if such disclosure to another Federal agency is required, it would be incumbent upon the VA doctor

to so advise and warn the veteran addict patient at the outset of his treatment. Were such warnings standard procedure, there can be little doubt that the effectiveness of treatment and rehabilitation thereafter would be impaired. Indeed, the Chief Medical Director of the Veterans' Administration conceded this likelihood at our June 23 hearing.

The amendment I am submitting would provide that, notwithstanding any provision of any other law, absolute medical confidentiality shall be preserved during drug and alcoholism treatment and rehabilitation programs unless competent medical authority determines that the veteran is a danger to himself or to others. It also absolutely prohibits the admission into evidence in any judicial proceeding, criminal or civil, of administrative proceeding against any veteran of any such information divulged in medical confidence unless the veteran consents to such admission.

Mr. President, the Health and Hospitals Subcommittee, which I am privileged to chair of the Veterans' Affairs Committee will hold hearings on S. 2108—and this amendment to it—and related veterans' drug legislation on July 20 at 10:30 a.m. in room 6202 New Senate Office Building.

Mr. President, I ask unanimous consent that the text of the amendment I am submitting be set forth in the RECORD at this point.

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

AMENDMENT NO. 252

On page 5, line 11, insert the following: Insert immediately after the words "which the Administrator contracts." the following new sentence: "Notwithstanding any other provision of law, absolute medical confidentiality shall be preserved with respect to any information divulged by a veteran in medical confidence during treatment and rehabilitation provided under this section unless competent medical authority determines that the veteran is a danger to himself or others, and in no event shall such information be admitted into evidence in any judicial proceeding, criminal or civil, or administrative proceeding against him without his consent."

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1972—AMENDMENT

AMENDMENT NO. 253

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

Mr. ERVIN. Mr. President, I am introducing an amendment to H.R. 9272, the appropriation bill for State, Justice, Commerce, the Judiciary, and related agencies, which I ask to have printed and kept at the desk until called up.

This amendment is very simple, but the issues to which it is directed are most grave.

This bill appropriates money for the Subversive Activities Control Board. That Board is very controversial. It has been inactive for years. There is serious question whether we should continue to give money to any agency which does nothing.

What the agency is supposed to do is even more controversial. It is authorized

to hold hearings leading to a judgment that a particular group is Communist. The first amendment consequences of such an action are very serious, and the Supreme Court has substantially restricted the ability of the Board to operate because of the first amendment harm it causes.

On top of these existing controversies, we are faced with yet another one, and that is the one to which my amendment is directed. On July 2, a new Executive order was issued by the President purportedly giving the Board the power to designate groups on what has come to be known as the Attorney General's subversive list. That order, which was published only on July 8, and which I saw for the first time myself only Thursday, also makes new definitions of what is subversive.

We are now faced with a difficult situation. There is a question of the President's power to issue such orders by Executive order, and not by legislation. There is also the increased threat and harm to first amendment liberties by the new order.

If we pass this appropriation bill we will—and the Justice Department has made this very clear—we will be putting our stamp of approval on all that it implies. My amendment simply serves to save the Senate from giving approval until we have had time to consider the issues.

It may be that the senior Senator from Wisconsin (Mr. PROXMIRE) will be successful in his efforts to abolish the Board entirely. In that case my amendment will be unnecessary. But should that effort fail, I intend to offer my amendment. I certainly hope the Senate will adopt it.

The Attorney General's list was created in the late 1940's and given some semblance of regularity and authority by Executive Order 9835 in 1947 and Executive Order 10450 in 1953. It is ostensibly a list of groups the Justice Department thinks are of sufficiently suspicious nature to warrant membership in them as grounds for disqualification from Federal employment. In reality it is an official public list of Government-determined subversive groups. Membership in a group listed by the Attorney General as subversive means uncalculated harm to the individual, his family, and his friends. The immediate impact of the list is on Federal employees and those who would work for their Government. Originally, there was no hearing, no right to testify, no public determination. That was bad enough. But clearly the major defect is the first amendment impact of such listings, and the harm it does to the employee who may some time have been a member. I question very seriously the need and certainty the propriety of such a list of the Attorney General.

The SACB is also controversial. It is authorized by law to make public determinations of Communist organizations. Its official purpose is merely to inform the public of the nature of these groups, although members of designated groups were at one time subject to certain legal disabilities. In effect its actions have the same consequences as if the group were listed by the Attorney General.

Over the past decades the courts have

effectively paralyzed both the Board and the Attorney General's list. The courts said that organizations could not be put on the list without a hearing. As a result, the list has been moribund since 1965.

By the same token, the SACB's powers have been severely circumscribed by the courts. In 20 years, it has issued only 8 final orders. They were never enforced. With one exception, every time the Board's action has been challenged in the courts, it has been ruled unconstitutional, or otherwise frustrated because of legal defects.

Because it too has been moribund, there has been a strong effort to abolish it. The new Executive order transfers the Attorney General's listing functions to the Board. Clearly, it is an effort by the President to save the Board from abolishment.

The impact on Federal employees of this Attorney General's list is exceptionally severe. They too have constitutional rights and the listing clearly affects their constitutional rights of speech and association.

Beyond these distinctions between the Attorney General's list and the SACB are of course the great questions of constitutional principle and public policy.

The dangers of this so-called Attorney General's subversive list that this executive order would transfer to the Subversive Activities Control Board extend far beyond the great harm it will do to the constitutional rights of Americans who would serve their country by working for their government. The list of so-called subversives is in reality a list of those citizens whom the Justice Department—or now the Subversive Activities Control Board—has decided are disloyal and traitorous to the country. It is an official blacklist—a notice to the entire country that these citizens are pariahs, that they should be shunned because the Government has decided they are un-American.

Much more than a Government job is at stake.

Who dares give a job to a person the Government says is a traitor?

Who dares meet on social basis with a person the Government says is a traitor?

Who dares voice his agreement with the views of a person—no matter how reasonable—that the Government says is a traitor?

Not many.

The reason is easy to understand. The black mark that the Government gives a citizen by listing him as a subversive is indelible, and it is contagious. It rubs off on all those who associate with these so-called subversives. Guilt by association is a fact of life when we consider "subversives." A man who knowingly hires a subversive, who knowingly associates with him, who knowingly agrees with his political views—that man also receives the stigma of being an American of doubtful loyalty himself.

And then the process begins again. Those who associate with people who associate with subversives, and so on in an unending contagion of guilt.

It is a great mistake to think that this is a simple matter of distinguishing between "loyal" and "disloyal" Ameri-

cans. The line is not clear cut at all, as the members of the Constitutional Rights Subcommittee have found out all too vividly in the recent hearings on Army spying. Those hearings also dealt with "subversives"—in this case it was all those Americans who were "involved" in civil disturbance. But to the Army, "involved" did not mean only those who had broken the law. To the Army it included all those who agreed with the views of those who might be breaking the law; all those who had the same general position on issues; all those who gave support or comfort or failed to criticize the views of these Americans.

In real terms, this included all Americans who disagreed with the administration on the great issues of the war in Vietnam, on the draft, on military defense, and all those who were active in any way—and on either side—of the civil rights issue.

It does not take much to realize that this Army view of "civil disturbance subversives" inevitably might include every single citizen in the United States who expressed a view on these great issues of our time so long as that view differed from what the Army thought was the proper "American" position. Indeed, the Army collected literally tens of thousands of names.

The list of excesses that we discovered runs into hundreds of examples. Let me list just a few:

In one city, it meant every person who had a peace symbol on his car.

In another, every black seen walking on the highway in a suspicious manner.

It included those who signed petitions, those who gave speeches, those who listened to speeches, those who filed lawsuits, those who bought or merely read certain newspapers. Only in the rarest case was there some indication—but never proof—that the person had engaged in some violent or otherwise illegal act. In the greatest majority of cases these citizens were only exercising their constitutionally guaranteed right of free speech. Their only sin—but it was sin enough—was to disagree with the administration.

Who were these people. There were not only the names we have come to learn from television and the newspapers. They included church groups, ministers, college professors, students, labor unions, the Quakers, the Unitarians, Methodists, Jews, the NAACP, the Urban League, the John Birch Society, movie stars, poets, philosophers, Senators, Congressmen, mayors, city councilmen, human rights commissions, reporters, housewives, high school students, taxi drivers.

And, of course, it included the ordinary American citizen, whose only crime was to express his views in public, and sometimes even in private, on these great public issues that divide our country.

To get an idea of the way the Army viewed this problem one need only look at the description of civil disturbance issued by the Army Intelligence command in 1968. As the target of their efforts they list "dissident elements." Included in here were, as I said antiwar, antimilitary, and civil rights people.

Listed under "subversive conspiratorial aspects" were the "peace movement" and the "civil rights movement." But the Army also had a description of the "good guys," or in their terminology, the "friendly forces." Who were the friendly forces in the United States? The U.S. Army Intelligence Command and the U.S. Army. None other. Presumably everybody else—if there was anybody else—was neutral.

This illustrates the great danger of trying to list loyal and disloyal Americans. Eventually, everybody but those making the lists come under suspicion.

And then they begin looking at each other.

Now I often say that those like myself who hold any "establishment" views have nothing to fear from such listmaking by the Government. But that is not so. What better justification could there be for my being on a "subversive" list than to take a public position opposing an effort by the President to make a simple list of subversives? I think when we consider what is involved in this Executive order, we realize that all of us might make the list.

That is not an exaggeration. I have heard a story, which I cannot document, that the official concern with the Army spying activities only arose when a high-ranking general discovered he was in the Army computers. He was in the computers because someone had entered his name for a subscription to an underground, antiwar newspaper.

Whether this story is true or not, I cannot say. But I do know that an American family, including the children, were listed by the Army because they had mistakenly subscribed to a Japanese leftist periodical. They were visiting Japan and didn't speak the language. To this day they probably do not know that the Army listed them as associated with foreign leftist radical groups. If some day a member of this family fails to get a job or a security clearance, it will be because of the overzealous, uncontrolled effort by the Army to protect the country against what it saw as real or potential subversives.

These are the dangers which vividly were brought to our attention by the disclosures about Army spying. The agency may be different, but the dangers are the same. A list of subversives created under the vague words of this Executive order would really be no different than the lists the Army created when it sought to discover all Americans involved in riots and civil disturbances.

Just a quick look at the Executive order shows how vague the definitions are.

What is "an unlawful act to deny others their rights or benefits guaranteed by the Constitution or laws of the United States"?

Is it an invasion of the fourth amendment by using a wiretap in domestic security cases without statutory authorization?

Is it the imprisonment of a citizen even though he has not been convicted by a trial before a jury of his peers?

Is it forcibly breaking into his home without first getting a search warrant?

Is it attempting to halt the publica-

tion of a newspaper despite the first amendment guarantees of freedom of the press?

Is it getting a man's name into a "subversive" computer and thereby discouraging him from voicing his opinions on the policies of his Government—a right guaranteed by freedom of speech?

What is a "Fascist organization" that "fosters racism"?

Is it a group of "willful" Senators who filibuster against a civil rights law or the extension of the draft?

Or is it a group of blacks who set up a group dedicated to helping blacks advance in education, employment, and the like?

We all have our own views of what is racism, what is freedom of speech, what is the protection afforded by the fourth amendment. But what this executive order proposes to do is to allow one group of a few men to define what they think is American, what they think the Constitution and the laws permit and forbid, and then designate those who disagree as subversives.

We get a glimpse of how dangerous this can be from the testimony of the chairman of the Board before the Appropriations Committee. Senator McCLELLAN asked what the value of the Board was and here is the exchange.

Mr. MAHAN. We think the disclosure to the American people of these dissident groups is healthy for the country, and necessary.

Senator McCLELLAN. You say dissident groups. You certainly have reference to those that advocate violence and overthrow of the Government of the United States and anything like that, not because anybody dissents from the policies of Government?

Mr. MAHAN. No sir. I meant only those who wish to overthrow the Government by force and violence.

Now the Board Chairman misspoke himself, but that slip of the tongue should give us pause for long thought when we look at how the Army saw the problem. They, too, made no distinction between subversion and dissent. Senator McCLELLAN had to remind the Board of the difference. No one was around to remind the Army.

Another remark—again a slip of the tongue or maybe a bad choice of words—should make us pause. The Board was testifying as to why the Board had very little work.

Mr. MAHAN. That is the first time we have had a front case since back before Robert Kennedy was Attorney General. Before we had individual cases. The Circuit Court of Appeals ruled that it was against the First Amendment as it is now written. We have to amend the law to give us the authority to try individual cases again. I hope Congress does.

Now I know the remark was not meant as it sounds, but on first reading, it is chilling—"the first amendment as it is now written."

There is no need for an Attorney General's list or a Subversive Activities Control Board's list. If any person violates the law, let him be prosecuted according to the law. America can well survive without such a subversive list. It did fairly well from 1776 to 1947, when there was no Executive order and an Attorney General's list. And it has managed to get by from 1955 to 1971 when the Attorney

General's list was collecting dust somewhere in the Justice Department.

Not only is there no need for such new powers by the Subversive Activities Control Board, but I believe there is a very serious constitutional issue raised merely by the attempt of the President to give these powers to the Board. The Constitution—the same one this Board would be protecting—says that—

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

That is in article I, section 1. They are the very first words of the Constitution. I look in vain for any grant of legislative powers to the President.

There are none. The President's function is to execute the laws faithfully—not to write the ones himself that he thinks he might have trouble getting through Congress.

In the hearings on this bill, a number of Senators, including the senior Senator from Arkansas (Mr. McCLELLAN) and the senior Senator from Louisiana (Mr. ELLENDER) questioned the constitutional power of the President to issue such an order.

Mr. Robert Mardian, who is the new head of the Internal Security Division of the Justice Department rested his constitutional argument on only one basis—an appeal to the "inherent power" of the President. Here is the dialog:

Senator McCLELLAN. Does the President have the power to issue this regulation? Is there any question about that?

Mr. MARDIAN. He does have that power. I think that power is unquestioned with respect to the Executive Order.

Senator McCLELLAN. And the Board can operate under that Order, perform the functions that this Order provides?

Mr. MARDIAN. Yes, sir.
Senator McCLELLAN. Without legislation?
Mr. MARDIAN. Yes, sir.

Senator McCLELLAN was understandably skeptical:

Senator McCLELLAN. The statute may vest the President with certain powers, I do not know, we will have to check that, but unless it does, I do not see how the President by Executive Order can give to a Board created for one purpose by the Congress, with its powers and limitations prescribed, give to it a function which the Congress did not authorize.

Now Mr. Mardian, the head of the Internal Security Division of the Justice Department, also hedged a little. He said that if the President gave the Board the new powers and Congress then appropriated money, this was the equivalent of congressional authorization.

I question that as a general and unqualified rule. But it certainly does not apply in a case such as this when the order was issued a day or two before the hearing and the committee members had never heard of it, had not read about it, and did not know what it contained. That is obvious from the transcript:

Senator McCLELLAN. What does all of this mean? When was this Executive Order amended?

Mr. MARDIAN. The Executive Order was signed by the President within the past two days. I cannot tell you at this hour when it was signed.

Senator McCLELLAN. It has been signed in the last day or two, this amendment?
Mr. MARDIAN. Yes, sir.

Now whatever the validity of this general rule of authorizing by appropriating, certainly it does not apply when the Congress acts in the blind, when the new executive move comes after House action, and when the Senate committee has no knowledge of what it supposedly is approving. Our country does not run this way.

We have heard a lot about "inherent power" in recent months from this Justice Department. It is cited, it seems, every time the Justice Department wants to do something that affronts the constitutional rights of Americans.

We heard it when the Justice Department said it could tap phones to catch domestic security threats.

We heard it when the Justice Department sought to enjoin newspapers from publishing despite the first amendment and in the absence of any statute giving it power to sue for injunctions against the press.

We hear it when the executive branch refuses to tell Congress what Congress has a right to know.

We hear "inherent power" all the time these days. "Inherent power" is just the modern equivalent of the divine sovereignty of kings.

We fought a revolution to rid ourselves of the tyranny of the inherent powers of George III. We wrote a Constitution sharply limiting the powers of the Government, and especially the President, because we knew that the claim of inherent power is just another name for a claim to eventual total unrestrained power by one man.

The new Executive order talks about "totalitarian" government as "autocratic," when "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."

Well what is "inherent power" if it means that the people elect a Congress which has "all" legislative power, but the "inherent power" doctrine allows the President to pass laws he calls Executive orders despite the fact the Congress might not agree.

I do not mean to suggest that this is the state to which we have come in recent times. But again I want to refer to the testimony before the committee for insight.

Mr. Mardian was just informing the committee of the issuance of the new Executive order and he did it in these words:

Mr. MARDIAN. Since the decision in Boorda, the activities of the SACB as well as the Internal Security Act of 1950 and Executive Order 10450, issued by the President of the United States, have been under intensive study, and I can inform the committee today that the President has signed an amendment to Executive Order 10450, in accordance with his constitutional statutory powers.

I have never heard of the President's "constitutional statutory powers." It is not in my copy of the Constitution. If it is in Mr. Mardian's copy, I think we ought to take a very close look at it.

Mr. President, the constitutional issues involving the first amendment and separation of powers which this Executive order raises are very serious. I do not believe we should be put in a position of authorizing money for the Subversive Activities Control Board just a few days after an Executive order like this is issued giving it wide and unrestrained powers to do great harm to Americans.

I believe it is necessary at a minimum to make clear that if we do give money to the Board, we are not thereby approving the right of the President to invest the Board with these new duties.

For many years the Subcommittee on Separation of Powers has been considering the question of the so-called legislative powers of the President. The Constitutional Rights Subcommittee has also for many years been studying the threats to the first amendment that lie in lists and data banks such as the Subversive Activities Control Board would now create.

The least that we should do, therefore, is make it absolutely clear that the Senate does not approve of this new Executive order without first giving it the study that it requires. My amendment is designed to do just that. We should wait until these two subcommittees have a chance to report on the issues, and the Senate has a chance to consider their report and debate it thoroughly. If the President feels the great necessity for such an expansion of the Subversive Activities Control Board's powers, let him submit legislation to that effect.

But in the absence of such legislation, we have an obligation not to let pass such great infringements of our constitutional liberties. I hope the Senate will approve my amendment.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 121

At the request of Mr. GRAVEL, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 121, intended to be proposed to S. 1531, a bill relating to military construction.

ANNOUNCEMENT OF HEARING: VETERANS' DRUG LEGISLATION

Mr. CRANSTON. Mr. President, I announce, for the information of Senators, that next Tuesday, July 20, at 10:30 a.m. in room 6202, New Senate Office Building, the Health and Hospitals Subcommittee, which I am privileged to chair, of the Veterans' Affairs Committee will hold hearings on veterans' drug legislation pending before that subcommittee. The principal bills under consideration will be S. 2108, which I introduced on June 21, 1971—and an amendment to it I am submitting today—and H.R. 9265, as reported out of the House Veterans' Affairs Committee on June 30 and expected to be considered by the full House of Representatives on Monday July 19.

The Deputy Administrator of Veterans' Affairs, Mr. Fred Rhodes, and the Chief Medical Director of the Veterans' Administration, Dr. Marc J. Musser, will

testify at this hearing which will be considered a continuation of the hearings of June 15 and 23, 1971, held jointly by my subcommittee and the Alcoholism and Narcotics Subcommittee, chaired by the distinguished Senator from Iowa (Mr. HUGHES), of the Committee on Labor and Public Welfare.

The second witness will be Dr. Louis Jolyon West, director of the Neuropsychiatric Institute, University of California at Los Angeles.

ADDITIONAL STATEMENTS

THE AMERICAN LEGION SPEAKS OUT AGAIN

Mr. McINTYRE. Mr. President, the American Legion, Department of New Hampshire, has spoken out on two vital issues facing our Nation—the strength of the U.S. Navy and the need to achieve peace in Southeast Asia.

I want to bring these excellent resolutions to the attention of the Senate so that my colleagues will have the views of this dedicated group of Americans in New Hampshire.

Mr. President, I ask unanimous consent to have these resolutions printed in the RECORD.

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

Whereas the safety and defense of these United States should be a concern of all its citizens; and

Whereas the U.S. Navy has always been and will continue to be our first line of defense; and

Whereas in the years since World War II the U.S. Navy has seen both its surface vessels and submarine service become largely obsolete; and

Whereas in this same period of time the Navy of the Soviet Union has grown at a rate, both in number of vessels and in modernness of equipment and design, which makes it equal or superior to the Navy of the United States; and

Whereas any shift in Naval superiority would turn the balance of power against the United States and put us in a secondary position in protecting our interests at home and abroad;

Therefore be it resolved by the New Hampshire Department, The American Legion, in Convention assembled this 19th day of June, 1971, in Hampton, New Hampshire, that we petition the Congress of the United States to take immediate steps to return this country to its position as the world's greatest sea power and that adequate monies be appropriated to carry out a program of fleet modernization without delay; and

Be it further resolved that copies of this resolution be sent to the National Organization of The American Legion and to the members of the New Hampshire Congressional delegation in Washington for their approval and support.

Whereas there is much misunderstanding and discontent over this country's stand in Southeast Asia; and

Whereas we find the fundamental principles of our Government under attack by subversive elements;

Therefore be it resolved by the New Hampshire Department, The American Legion, in Convention assembled this 19th day of June, 1971, in Hampton, New Hampshire, that the Department of New Hampshire pledges its wholehearted support to the President of the United States in his efforts to find a just and honorable peace in Southeast Asia; and

Be it further resolved that the President be urged to end the war as quickly as possible with honor and with the returning home of all P.O.W.'s; and

Be it further resolved that copies of this resolution be forwarded to the President of the United States and to our Congressional Delegation in Washington.

U.S. ARMS TO PAKISTAN

Mr. CASE. Mr. President, I have been extremely concerned by the continuing shipment of U.S. arms to Pakistan. It is bad enough that the awful slaughter has gone on in East Pakistan, but that the United States should provide tools for the killing is intolerable. This is why I have introduced a resolution with Senator MONDALE which would call for the suspension of all military sales and assistance to Pakistan until the conflict is resolved and until the distribution of relief supplies is undertaken.

Moreover, I have become convinced that economic assistance, aside from humanitarian relief, should also be cut off, so I have joined as a cosponsor of the Church-Saxbe amendment which would accomplish this end.

A professor at Rutgers Law School, Dr. Albert Blaustein, shares my sentiments, and he has tried another approach: that of going to the courts to prevent shipment of military equipment to Pakistan.

I ask unanimous consent, Mr. President, that a Philadelphia Bulletin story about Dr. Blaustein's activities be printed in the RECORD.

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

[From the Philadelphia Evening Bulletin, July 3, 1971]

LAW PROFESSOR SUES TO BLOCK ARMS SHIP

A professor at Rutgers University School of Law in Camden, Dr. Albert P. Blaustein filed suit in federal court in New York yesterday to prevent a Pakistani freighter believed to be carrying arms from leaving New York harbor.

A civil war has ravaged East Pakistan since it declared its independence from West Pakistan last March. The more powerful West Pakistan is reported to have used U.S. arms in crushing the independence movement.

When Blaustein first read of the desolation and plight of the refugees caused by the fighting, he formed the Bengla-Desh-American Foundation. Bengla Desh means Bengali nation and is the name given to independent East Pakistan.

READS ABOUT IT

Blaustein first read newspaper articles on June 22 about U.S. arms shipped to West Pakistan. On June 29 he learned that the Pakistani ship *Kapal*, was in New York and took steps with a New York law firm to file the suit.

"The question is every once in a while you ask yourself what you can do," said the law professor yesterday, "and in this case it was to get a court order to restrain that ship from leaving the harbor."

Blaustein, who lives in Cherry Hill, N.J., has written books on civil rights and teaches a seminar in race relations.

In 1962 he wrote a report on desegregation of the Philadelphia school system. He has also worked with an organization to control the world's population growth.

Thursday morning the 10,000 ton freighter slipped across the port to a pier in Newark, N.J. When Blaustein's attorney learned this, the regional commissioner of customs for the

port of New York was named defendant in the suit.

WANT CARGO EXAMINED

The suit seeks to have the vessels cargo examined to insure it does not violate a presidential executive order, issued March 25, banning arms shipments to Pakistan.

An attorney for Blaustein said that if the ship's cargo is arms and its license was granted after March 25, then the cargo is contraband and subject to confiscation.

Commenting on the conditions in East Pakistan, Blaustein said, "It has 75 million people in an area the size of Pennsylvania.

"It's incredible to conceive so many people are suffering so seriously. We have such a mess in the Vietnam war we have forgotten we are a humanitarian nation."

PLAYBOY INTERVIEW: GEORGE MCGOVERN

Mr. MANSFIELD. Mr. President, the news media is beginning to devote a good deal of attention to the candidates, announced and unannounced, for the Democratic nomination for President. With election day some 15 months away, our party is most fortunate to have such a group of able candidates from which to choose.

The current issue of Playboy magazine, just out on the newsstands, contains a fine interview with GEORGE MCGOVERN, South Dakota's distinguished junior Senator and one of the most active presidential aspirants. It is a very fine interview and gives new insight into the thinking and activities of our colleague.

I ask unanimous consent to have this interview printed in the RECORD.

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

PLAYBOY INTERVIEW: GEORGE MCGOVERN

A blustery Bronx dawn greeted George McGovern one day last March. For the sanitation men he was to meet—Latin, Slavic, black, Mediterranean—the dreary morning began as usual: with the cluster in the cold before their trucks, the ritual daily "shape-up." To the accompaniment of reporters, tape recorders, audio cables and film crews, the Senator approached them cautiously, with a hand advanced and a small smile. His manner was polite, almost timid, with none of the backslapping bonhomie of a Rockefeller, the easy grace of a Kennedy nor the volubility of a Humphrey. He acted as if he felt that even a candidate for the Presidency should observe a certain decorum among people he doesn't know very well. But the men responded sympathetically—answering his questions about municipal sanitation, offering the opinions he solicited on the war and the Nixon Administration. Although the television cameras were nearby, McGovern made no speeches. Instead, he sipped coffee from a paper cup and listened—which is unusual for a political candidate. When he left that Bronx garage, it was unclear whether he had won any votes, but he had certainly found out something about the problems of a great city and about the men who live and work in it.

Learning something of these problems is crucial if McGovern is to become President, for he is a country boy to the core. He knows that American society's crisis point is its cities, but he was raised among horses and chickens in South Dakota, and it's there that he still feels most at home. Even McGovern recognizes that it's fair to ask whether a man of 49 can learn enough about America's metropolitan malaise to lead, as he hopes to do, a Presidential campaign for social regenera-

tion. He thinks the answer is yes—but the learning won't be easy. Hence his crash course in urban affairs through the dingy streets of the Bronx, past rows of abandoned buildings, across intersections crowded with junkies, into slum neighborhoods appalling even to hardened New Yorkers.

"If we had taken him into some of those buildings," said an assistant to Bronx Congressman Herman Badillo, "it would have taken him a lifetime to forget the stench. He's not ready for that yet." At one church, he heard blacks and Puerto Ricans denounce one another as racists. At another, they joined together to excoriate the city administration, the Federal Government, the landlords, the poverty program. All day long McGovern looked and listened—and exposed himself to the staggering variety of inhumanity one finds on the underside of urban life. When the tour was over, he collapsed into the air shuttle back to Washington, his body exhausted and his head swimming, but with the feeling that this had been an indispensable experience.

George McGovern didn't always want to be President. That would have been presumptuous for the son of a dust-bowl preacher growing up in Depression poverty. His father the late Reverend Joseph C. McGovern, played semiprofessional baseball around Des Moines after World War One before setting out on an odyssey that took him from town to town organizing Wesleyan Methodist congregations. Finally, he set up his own pulpit in Avon, a South Dakota prairie town of 600 people. There George Stanley McGovern was born on July 19, 1922. Six years later, the family—which now included two boys and two girls—migrated to Mitchell, a comparative metropolis of 6000. Etched in McGovern's boyhood memories are days in Mitchell when cabbage and potatoes were all the family had to eat. Is it Mitchell that he still considers home.

Educated in the local public schools, McGovern was attending Dakota Wesleyan University when World War Two erupted. He enlisted in the Army Air Corps, won his wings as a bomber pilot and flew 35 missions over Europe from bases in North Africa and Italy. On his 30th mission, when flak struck his plane and mortally wounded his navigator, McGovern nursed the disabled aircraft to a crash landing on the tiny Adriatic island of Viz and was awarded the Distinguished Flying Cross for valor. (He has often said that his military record established the credentials that entitled him to become a Vietnam dove many years later.) After the war, he returned to take his bachelor's degree at Dakota Wesleyan, then went on for a doctorate in history at Northwestern. It was during this period that McGovern, whose family was nominally Republican, became a Democrat—because, he explains, "My study of history convinced me that the Democrats were more on the side of the average American." In 1953, while he was teaching history and political science at Dakota Wesleyan, he decided to enter politics full time.

Just 30, McGovern became the first salaried organizer for the almost nonexistent Democratic Party in South Dakota, which held no major offices and only two of the legislature's 110 seats. After three years of intensive and successful efforts to rebuild the party, he ran for Congress himself. His campaign was conducted on a shoestring, a contribution often consisting of a chicken, which would serve as the candidate's supper. Once he had to peddle campaign buttons at a picnic to earn his transportation to the next day's rally. Yet he won the election and remained in the House for two terms, where he made a name for himself as a man with thoroughly liberal convictions—and enough good sense to make sure the farmers back home were well cared for. In 1960, McGovern ran for the

Senate against Karl Mundt, a conservative Republican, and lost. Then the newly elected President, John F. Kennedy, named him director of the Food for Peace program—a perfect platform for a farm-state humanitarian. By getting rid of farm surpluses and feeding the poor, McGovern endeared himself to liberals and conservatives alike. Then, in 1962, he ran for the Senate again and unseated the incumbent Republican, Senator Joe Bottum, by 597 votes.

If there is one issue that has dominated McGovern's entire Senate career, it has been his opposition to the Vietnam war. Since he made his first speech on the subject in September 1963, he has seen the antiwar movement grow from a quixotic lost cause to a majority position, both in Congress and in the nation. It was Vietnam, more than anything else, that attracted him to the Presidential candidacy of Robert Kennedy in 1968, though he had personally been much closer to Hubert Humphrey. After Kennedy was assassinated, McGovern was urged to hold Kennedy's antiwar supporters together by running himself at the Chicago convention; it was a rearguard action, but he received 146½ delegate votes. He also caught a severe case of Presidential flu. Since the election of Richard Nixon, and his own reelection to the Senate, McGovern has intensified his opposition to the war—and worked to solidify his Presidential ambitions for 1972.

Throughout the first years of the Nixon Administration, he made hundreds of appearances on college campuses, trying in his unostentatious way to keep antiwar ardor alive. In the Senate, he cosponsored with Oregon Senator Mark Hatfield a resolution requiring the withdrawal of all American forces from Indochina by the end of 1971. As chairman of the Senate Select Committee on Nutrition and Human Needs, he fixed public attention on hunger in America and refocused on his old objective of feeding the poor. And as chairman of the Democratic National Committee's McGovern Commission, he pressed successfully for adoption of a new set of rules to avoid a repetition of the 1968 fiasco at Chicago by assuring the open, democratic selection of national-convention delegates. Meanwhile, he labored slowly and methodically to build the staff and organization necessary for a Presidential campaign.

On January 18, 1971, McGovern formally declared his candidacy, promising the American people "a way out of the wilderness." It was an unprecedentedly early announcement and the first of the political season. But it was necessary, McGovern explained, if he was to conduct himself with candor and, at the same time, make up lost ground on his better-known rivals. Since that time, he has stepped up his travels throughout the country, quietly seeking support, developing the themes of his campaign, looking and learning in a manner that befits a scholar and former professor. According to the latest polls, McGovern has been gaining in the race for the nomination—but he still has a long way to go.

It wasn't easy for the candidate to fit in the time for this "Playboy Interview" with Milton Viorst, a political columnist syndicated by the Washington Star. But after a few false starts, the schedule was set, the office phones were turned off, the neckties were loosened and the two men settled down to talk. McGovern made only one rule: He refused to criticize his Democratic rivals. With that in mind, Viorst began by asking him to discuss his aspirations.

PLAYBOY. Senator, why do you want to be President?

MCGOVERN. Basically, because I have the confidence and the understanding to do something about the most important prob-

lems that confront the country today. It may sound old-fashioned to say that I love this country, but I do and I'm deeply distressed over the mistaken directions we're pursuing. We're on the wrong course in the world and the problems we're neglecting here at home have become so acute that 1972 may be the last turnaround chance we'll have. If we continue under the kind of leadership we've had in recent years, it's an open question whether our society can survive.

PLAYBOY. What makes you think you're more qualified for this job than Nixon—or Muskie, Kennedy, Hughes, Bayh, Jackson, Humphrey and all the other Democrats whose names have been mentioned as Presidential prospects?

McGOVERN. In addition to my experience, I think I have a steady, dependable temperament, as well as a sense of history and some degree of imagination. And I don't think I explode under pressure.

PLAYBOY. Are you referring to the reports suggesting that your rival for the nomination, Senator Muskie, is short-fused?

McGOVERN. No, not at all. I'm just talking about an assessment of my own strengths; I think I have the capacity to stand up under enormous pressure. As a matter of fact, that's when I do best. I believe that, should I become President, the confrontation with difficult problems would draw out the best in me rather than the worst. I'm the type of person whose best writing best speaking, best performances have always come at times of greatest challenge; that's a good quality to have in the President of the United States. I also think I have a broader and more sensitive perspective than the other candidates on the really crucial problems—and the alternative possibilities—before the country. I wouldn't be running if I didn't have the conviction that I had something to offer that the other candidates don't have. There's no point in running just to have a contest among equals.

PLAYBOY. What do you think are your most serious personal handicaps—in terms of not only becoming President but of exercising the powers of the Presidency?

McGOVERN. Well, I suppose the fact that I'm not as dynamic, as flamboyant a personality as a Theodore Roosevelt or a Franklin Roosevelt. Though I think there's entirely too much emphasis placed on "charisma" in politics, I must admit that it would be nice if, without being unnatural, I had a few more exciting personal qualities than I do. But I think those qualities will develop. I found in Chicago in 1968, strangely enough, a new vein of excitement running in myself. I was surprised at the way my brief bid for the Presidency stirred currents within me that I felt were transmitted to other people. There was no one in Chicago who said, "Well, he's a nice guy, but he's dull," when I confronted Humphrey and McCarthy on the only stage where all of us appeared. Many of those who were there, as a matter of fact, told me I came across as the most exciting of the three.

PLAYBOY. It's been said that a man must have an extraordinary sense of righteousness to want to be President, perhaps even a power neurosis. Do you agree?

McGOVERN. I don't think it requires a power neurosis. As a matter of fact, I believe anyone who backs away from the opportunity—if he's in a position to make a reasonable bid for the Presidency and has some understanding of what needs to be done—may be neurotic. It does require great self-confidence and maybe some degree of arrogance to run for the Presidency, but to me that stops short of being a neurosis.

PLAYBOY. It's also been said that a man who wants to run for the Presidency has to have a kind of political killer instinct—and that you don't have it.

McGOVERN. The great Presidents, in my judgment, weren't men with the killer instinct. The three biggest Presidential monuments in the Capitol are dedicated to Washington, Jefferson and Lincoln. These were very tough-minded men, but it wasn't the killer instinct that guided them. I think these were men with a rare degree of prudence, wisdom and compassion—qualities that are much needed now. Some cynics feel that decency in a politician is a handicap. But I think a sense of decency—not prudishness nor sanctimonious self-righteousness but old-fashioned concern and love for others—will be essential in the next President. That's the kind of President I want to be.

PLAYBOY. Don't you find that you have to compromise yourself to some degree in order to raise money, to make alliances, to organize a coalition behind you, to disassociate yourself from supporters who have become liabilities?

McGOVERN. Well, I've probably had to do less of that sort of thing than most candidates setting out for the Presidency, because I've recognized from the beginning that the principal assets I have as a candidate are my reputation and my record of being myself, of not trying to create some kind of manufactured position or image. I've tended over the years to speak out with considerable candor. I haven't backed away from any of the tough issues, even though they required paying a penalty. It may well be that in seeking the nomination, I'll be more circumspect about the kinds of groups I'm associated with, but so far I haven't rejected identification with controversial groups. I was one of the first to speak out against such sacred cows as J. Edgar Hoover, and I'm going to continue such direct talk, even recognizing that it may cost me support in some areas.

PLAYBOY. In this connection, is it possible that the press—or your opponents—will dredge up a scandal in your closet?

McGOVERN. I don't think so. I wouldn't want everything in my personal life spread on a billboard any more than anyone else would, because we've all had our escapades. But I've never in my life knowingly cheated anybody out of a penny nor taken a bribe nor done anything that I feel is basically dishonest. And I don't think there are any scandals that are so serious that, if they were spread around, would be of any particular consequence. They might be embarrassing, but I don't think they'd be fatal.

PLAYBOY. Who's supplying the money for your campaign?

McGOVERN. We've had a few contributions in the \$100 or \$200 range, but 99 percent of the more than \$300,000 we've raised so far has come in small amounts—averaging around ten dollars apiece—from direct mail, which may be new in American politics. I don't think any Presidential campaign ever began with a direct-mail fund appeal in advance of an actual announcement. And it's been successful. At least at this point, I can legitimately claim to be a grassroots candidate.

PLAYBOY. How much money will you need between now and the convention?

McGOVERN. We'll need \$500,000 in 1971, probably another \$500,000 for the first couple of primaries—and beyond that, no one can tell. It can run into millions, depending on how many primaries we enter and on how well we do. We must show some strength in the early primaries to raise the kind of money it takes to campaign in such big states as California, New York and Illinois.

PLAYBOY. How do you see your strategy for the nomination shaping up at this stage? Will you stress personal political contacts or primaries or just try to make a big popular wave?

McGOVERN. I think we have to do every thing. Every time I think we've got a neat strategy worked out, I see some missing element that we have to fill. I find it's a very bad operating procedure, for example, to go into a state without advance telephone calls and personal letters to key party leaders, labor leaders, farm leaders—those who regard themselves as the real movers and shapers in their state. All this takes an enormous amount of time, but it's essential when you consider that when it comes right down to it, the candidate will be selected by about 1500 of these people at the next national convention.

You can anticipate that 50 or 60 percent of those who were delegates in '68 are going to be back in '72. Though the delegations have not yet been selected, I know at least a dozen people who will be delegates from South Dakota, because they're going to do whatever is necessary, no matter what the system of delegate selection is, to see that their names are put forward. That tends to be true in every state. If we're intelligent enough, we'll be able to anticipate and work with at least half of these former delegates.

Beyond that is the question of how you influence their votes. One way is to show that you have broad popular appeal and that you can be elected. That requires effective speaking when you're in the state and some demonstration that you know how to put together an organization. But if there's just one central approach that I'm trying to keep in mind, it's to demonstrate to people that they can trust me, that when I tell them something, I mean it. If there's any over-all strategy, it's to resolve every question on the basis of what is honest and then to stay with that position.

PLAYBOY. In view of the reforms of your own McGovern Commission inside the Democratic Party, aren't all convention delegates supposed to represent a popular mandate much more than before, so that as individuals they will, presumably, assume less importance?

McGOVERN. That's correct. But even within a perfectly open, responsive political system, the person who works the hardest at trying to get selected as a delegate is still going to do pretty well. No matter what system we devise—whether it's a primary or a caucus or a convention system—the most ambitious and the most persistent potential delegates are, in at least 50 percent of the cases, going to be the ones who come out as delegates.

But it's a fact that the 18 guidelines of the so-called McGovern Commission will make the next convention a more grass-roots convention than any political party has had in memory. The guidelines are devised to eliminate boss rule, to make certain that women and minorities are well represented, to prohibit excessive fees and expenses and to assure that delegates aren't chosen before the issues and candidates are known. In short, the guidelines will take delegate selection out of the back rooms of politics and into the open. I think it will make a difference in that the slates will be more representative than they've been in the past. I would think, for instance, that at the next convention we'll see a representation of blacks, young people, women, Puerto Ricans, Mexican-Americans and Indians that's far closer to their proportion in the population, certainly closer than ever before in history.

PLAYBOY. You said the commission's guidelines have been devised to eliminate boss rule at conventions. Does that include Mayor Daley?

McGOVERN. Mayor Daley likes to win elections, and he saw the disastrous impact that boss-type images had on the Democratic Party in 1968. It wasn't an accident that Mayor Daley motioned at the Illinois State Convention to adopt the McGovern Commission guidelines unanimously. It wasn't

an accident that he was the lead-off witness at the McGovern Commission public hearings in Chicago in 1969. He's a very able and astute political figure who realizes that it's not smart to be against political reform these days.

PLAYBOY. Are you the kind of man, like Mayor Daley, who surrounds himself with those who agree with you, or do you like to employ people who'll tell you the truth about yourself even when it isn't pleasant?

McGOVERN. I certainly wouldn't characterize Mayor Daley as you do, but speaking for myself, I can take criticism, though sometimes it depresses me if I hear it late at night when I'm tired. Yet I know it's desperately important to have people around you who'll tell you the truth. I think that's the greatest single hazard that a President of the United States faces. One of the best books on politics I've seen in a long time was written by President Johnson's press secretary, George Reedy. It describes with marvelous insight the way in which Presidents are isolated from reality by ambitious assistants, and also the way in which the office corrupts a President. He's flattered and cajoled. It's always helicopters waiting and drivers and Secret Service and secretaries and everything right at his command. He's also under such great pressure that anyone who wants to get his ear tends to develop views that are compatible with the President's.

The great master at that art was Walt Rostow, who could always put into a neat rationalization the horrible things that we were doing in Southeast Asia. Whenever some catastrophe would take place out there, Walt had a way of saying that it was part of Plan A or Plan Z, designed to give great difficulty six months from now to the Chinese Communists. Everything was rationalized into a pattern. You have to avoid the rationalizers, who are always trying to make you look good and who have a way of explaining away catastrophes instead of telling you the truth.

PLAYBOY. Do you think President Nixon has isolated himself as Johnson did from diverse opinion?

McGOVERN. Yes, I think he has. I think the people around Nixon are people who are generally compatible with him and with his views; I don't think he's got anyone on his staff who's really a devil's advocate. I don't think he really invites people who disagree with him in for lengthy discussions. In view of what happened to his predecessor, I really don't understand why Nixon's doesn't have a steady stream of people coming in from various parts of our society—people who are critical students of the American scene: journalists who will really level with him in private, clergymen, professors, poets, people of all kinds who will tell him the truth. I would do that if I were President—if only to keep myself intellectually alive.

PLAYBOY. Is your personality so different from Nixon's?

McGOVERN. I don't know Nixon very well. I really don't know what his personality is like. Of all the men prominent in public life, I know the least about Nixon and feel the most uncertain about what kind of person he is. Yet I would say, instinctively, that over the years I can't think of anyone I would regard as more of an antithesis of me than Richard Nixon.

PLAYBOY. In what ways?

McGOVERN. Well, in terms of the way we reach judgments and the way we deal with people, I have the feeling that Nixon is a very detached man who sees politics as a process in which you manipulate various levers to advance your career, rather than as a process you use to advance certain ideals. Maybe that's unfair to him, but much of his career seems to me to have been built on undercutting the reputation of other people. He's almost the last man I wanted to see become President of the United States. If someone had told me in his great witch-

hunting days back in the Forties and Fifties, when he was on the Joe McCarthy line, that he would someday be President, it would have appalled me.

PLAYBOY. Does it appall you now?

McGOVERN. Well, yes, it does. I suppose one of the reasons I'm not more appalled is that I think the Democrats invited it by not addressing themselves to the transcendent issue of the Sixties, which was the Indochina war. We played into Nixon's hands in standing so faithfully by President Johnson's disastrous war policy, allowing Nixon to assure the American people, quite falsely, that he had a secret plan for peace. How any President can then go on to tell the American people that Vietnam is one of the finest hours in our national history—while claiming to be "winding down" the war—is just beyond my comprehension. Either he is so totally out of touch with reality that he should not be President, or he's willing to be just a cheap propagandist in order to put a false face on something the people need to confront for what it is. Nixon had an opportunity when he was elected to say, "I didn't start this war, but I did pledge to end it and I'm going to do it." But when he says it's the finest hour in our history and that he's going to do whatever is necessary to meet any kind of challenge from the other side, I think that's not only a betrayal of the public trust that brought him into the White House, I think it's also deceitful and dishonorable.

PLAYBOY. The President said not long ago that the reason he dismissed Gallup Polls indicating widespread public disenchantment with the war in Vietnam is that he "understands history" better than most Americans. What do you think of that?

McGOVERN. Nixon is a shrewd enough historian to know that where you stand in the polls in 1971 has very little to do with where you're going to be in 1972. I'm sure he figures that if he diminishes the war on the ground and reduces casualties and if the economy bounces back with some strength, he'll be in pretty good shape by Election Day. I think he does have that kind of historical perspective. As for the great trends of history, however, I think that the American people's sense that we're on the wrong course is more profound than the President's. He's more inclined to put a rosy interpretation on the situation than the American people are; I think they're closer to reality. In that sense, I believe his knowledge of history has failed him.

PLAYBOY. Does he have an anti-Communist ideologue's view of history?

McGOVERN. It may very well be that he's clinging to his old prejudices and, because of that, has cut himself off from sound historical perspective. But I must say, he seems to show signs of moderation. He's made overtures to the Chinese, he's let the SALT discussions go forward and he's been to central and eastern Europe.

PLAYBOY. Do you feel he's beginning to think in terms of coexistence?

McGOVERN. I hope so. Speaking for myself, I think communism is another economic system that doesn't happen to fit my view of how society ought to be organized, but I'm willing to live in a world of diversity and I think we can get along with the Communists. If people want to be organized under a Communist system, we've got to accept the fact that this is their judgment to make. The Soviets may be in competition with us, but that doesn't mean we can't coexist peacefully with them. And I think the same thing is true of the Chinese. We have had the view too long that because they are Communists, they are our mortal enemies.

I think even Nixon is beginning to see that. I mean, he seemed to enjoy being wine and dined in Romania by the Communist government. And he doesn't seem to

be particularly disturbed about communism in Yugoslavia. He even talks of being concerned about Czechoslovakia because of the difficulties with the Soviet Union. So I think even he is beginning to see that you can survive in the same world with Communists, that we don't have to get involved in any more holy crusades to "stem the Red tide."

PLAYBOY. If that's true, why does Nixon remain so hostile to the idea of Communist representation in a postwar Vietnamese coalition government?

McGOVERN. That's where his anti-Communist instinct has survived most disastrously. You can't run a schizophrenic foreign policy. A foreign policy has to stand for—and against—the same things everywhere. I simply don't understand how he can reconcile himself to communism in Romania and yet not stand the prospect of communism in Vietnam. As far as I'm concerned, who controls Vietnam is of approximately the same strategic significance as who controls Albania. If we hadn't become involved there, most of us wouldn't even know where Hanoi is. I think it was Ken Galbraith who said that if we hadn't become involved, Vietnam would be enjoying the oblivion it so richly deserves.

PLAYBOY. We gather that you don't believe in the domino theory.

McGOVERN. If you're talking about the theory that when one country falls to communism, others will somehow follow it, sort of automatically, I don't believe that at all. In fact, I believe quite the reverse. Our meddling in Indochina has hastened the fall of the dominoes. Laos and Cambodia were doing quite well until we came along, and now I'm not sure what's going to happen to them.

PLAYBOY. Do you sympathize with the aspirations of the Viet Cong and their North Vietnamese allies?

McGOVERN. In that they're striving for national independence, yes. Their posture is more legitimate than that of General Thieu, who is really a creature of French and American power. I can scarcely condone the terror the Viet Cong and Hanoi have adopted as a military tactic, but they've been on the side of Vietnamese national self-interest ever since they expelled the Japanese and then the French. Now it's our turn.

However good our intentions may originally have been—saying we were going there to ensure self-determination—our purpose began wearing thin from the very beginning. The moment Eisenhower said Ho Chi Minh was the choice of 80 percent of the Vietnamese, we made ourselves into hypocrites by claiming we were there to advance self-determination. We were there for precisely the opposite reason, which was to prevent the overwhelming sentiment of the country from bringing into power what we felt would be a Communist government and to use all our military might to keep the unpopular anti-Communist government in power.

Toward that insane end, we have nearly destroyed their nation with our guns and our bombs. My Lai is just a tiny pimple on the surface of a raging boil. The whole war is a massacre of innocent people and we all share in the guilt for it. Probably 1,000,000 innocent people have been slaughtered or maimed by American bombs and artillery. Another 4,000,000 or 5,000,000 have been systematically driven out of their homes and herded into miserable refugee centers. What makes Lieutenant Calley's acts so barbaric is that he personally looked down the barrel of a rifle and shot women and infants pleading for their lives. No matter how you explain it, that's more barbaric than a pilot under orders from a commander dropping bombs on a civilian target. But the results are just as devastating when you've killed several hundred people from 20,000 feet as when you've gunned them down in a village.

Calley may have disobeyed orders in doing what he did, but the devastation of Vietnam is a deliberate national policy that has the endorsement of the United States Government, its commanders in the field, its Armed Services Committee in the Congress and the Joint Chiefs of Staff. In that sense, we're involved as a free people in decisions that are murdering innocent individuals. So I think everybody from the President on down is as guilty as Lieutenant Calley. What I'm saying is that the whole Vietnam intervention by the United States is a criminal, immoral, senseless, undeclared, unconstitutional catastrophe, and the answer to the crime of our policy is not to pick out a few scapegoats. The answer is to indicate that we understand we made a mistake and to change our leadership.

PLAYBOY. Do you think the majority of Americans feels as you do?

McGOVERN. Yes, I think so. The fact that 73 percent of the people in a recent Gallup Poll said they favored the McGovern-Hatfield Amendment to disengage before the end of this year is indicative of the problems that confront Nixon. It's not just the war. It's the fallout from the war, the credibility problem, the economic distress, the inflation, the dislocations that the war has wrought in our own society.

PLAYBOY. If you should become President, and if the fighting is still going on by then—which the Administration claims won't be the case—how would you end it?

McGOVERN. I would announce on Inauguration Day that we were simply leaving on such and such a date—lock, stock and barrel. Perhaps I'd take a couple of days to notify the interested governments, but no longer. I would think that negotiations for the release of our prisoners and the safe exit of our forces could begin within 30 days after I became President. And once those negotiations were completed, I see no reason why a full withdrawal couldn't be executed in six or eight months' time.

I think the Nixon hang-up is that he won't let go of the Thieu-Ky regime. He somehow feels that we have to continue the bombing even after we withdraw our troops, so that we can ensure the survival of the Thieu-Ky regime—which means, in realistic terms, that American prisoners will be left in Hanoi indefinitely. Obviously, Hanoi isn't going to release our prisoners as long as we continue military operations, even though American ground forces may be gone. It also means that the Americans who remain behind, in however reduced numbers, are in danger of being wiped out.

Suppose Vietnamization works and you get American forces down to 100,000 by the summer of '72; those 100,000 men could be wiped out any time the other side decided to stage another Dien Bien Phu. And, of course, the prisoners would stay in their jails. If that happened, would Nixon unleash the full power of the American Air Force against Hanoi? If so, the prisoners would be destroyed. And if we really jeopardized North Vietnam's survival, I suppose the Chinese would intervene. So I think the alternative to disengagement might well be World War Three.

PLAYBOY. World War Three could also be ignited by continued hostilities in the Middle East. Do you think the U.S. has a more legitimate stake in that conflict than it does in Vietnam?

McGOVERN. Yes, I do. The Middle East is more important than Vietnam in terms of both our security and our traditions. But I don't agree with the President that it's more dangerous and explosive than Southeast Asia. The Nixon Administration has done reasonably well in trying to get the Israelis and the Arabs together in face-to-face negotiations. But I don't think we can dictate a settlement, whether on the basis of Secretary Rogers' plan or any other. We

must recognize the outstanding differences as essentially an Arab-Israeli concern, and no matter how important the outcome is to us, I don't think we can dictate it.

There are legitimate grievances on both sides. Even the Israelis recognize that the Palestinians who lost their homes have a right to a decent life. As Americans, we should do all we can to help them. It would remove a major obstacle to peace in the region. The principal concerns for Israel are to make sure that its borders are defensible and that its right to exist is recognized by the Arab states. I think Israel won't be fully secure until the United States and other countries guarantee its existence. Israel is the one free state we have in the Middle East. It represents democratic ideals, and I don't know of another country in the world that has the confidence and support of its own people to the degree that Israel has. I would be prepared to take whatever steps were necessary to ensure its survival.

PLAYBOY. Is Soviet expansionism in the Middle East creating the risk of a big-power showdown?

McGOVERN. I don't think the Soviets will press their expansion to the point where it precipitates a confrontation with the United States. And I don't think we will, either. I see the deepening Soviet involvement in the Middle East partly as an outgrowth of our obsession with Southeast Asia; I think the Russians thought they could make a little mischief in the Middle East while we were preoccupied in Southeast Asia. But the situation is dangerous. That's why it's so important for negotiations to proceed. Neither Russia nor the United States has the power to impose a solution on the Middle East. But as long as Russia keeps supplying arms to the Arabs, we have to make sure that the balance is sufficient for Israel to defend itself.

PLAYBOY. While we're at loggerheads with the Soviets in the Middle East, do you think we should cooperate with them on SALT talks for disarmament or on *détente* for central Europe?

McGOVERN. Yes, I do. I think, for example, we ought to have a standstill on any further ABM or MIRV deployment. We ought to unilaterally halt any further missile development and then press for agreements with the Soviets on the ABM. At least we could sign off on that one. We don't need the ABM anyway.

PLAYBOY. Why is the President unwilling to fulfill his promise to sign an anti-ABM agreement?

McGOVERN. I don't understand why. It may be a Cold War ploy; I'm sure he knows we don't really need it for our security. Or it may be the pressure of jobs and military contracts here at home.

PLAYBOY. Do you think the President would continue the arms race for the sake of jobs, when jobs can be created for peace time use?

McGOVERN. Well, I think he probably sees the ABM as a kind of harmless device to both keep people at work and satisfy the pressures on him from the military. I think Nixon lacks the imagination to see that a human-needs program could be pushed through Congress with his leadership. He vetoed the school bill, the hospital-construction bill and the manpower bill. It's ridiculous to build ABMs and MIRVs when you have all these vital things people need in areas where they can be kept employed.

The most outrageous single factor in American politics today, if you leave Vietnam aside, is that we continue to waste billions of dollars on nonessential military gadgets while pinching pennies on providing public-service employment here at home. We desperately need housing, schools, day-care centers, health care, new transit systems, antipollution devices, environmental programs of various kinds. There's enough work in this country for every man and woman who's capable of working, if we set our values straight.

PLAYBOY. Is there any way other than fur-

ther arms expansion to ensure our national security?

McGOVERN. Indeed there is. The best way to ensure our national security is to improve relations with the Soviet Union in every area we can. That means expanding international trade and trying to reach an agreement on such outstanding questions as the Middle East, Berlin, Southeast Asia and arms control. But if we're going to get anywhere in any of these areas, we're going to have to abandon our paranoia about Russia's ambition to dominate the world. I think if the Russians had messianic views at one time, they've largely subsided. The Soviets are interested in a security zone to protect them from another invasion from the West, from revived German militarism, and they see American policy in western Europe as reviving German power and building a nuclear cordon around them. I've always felt that's the real reason they wanted a cushion of Communist states on their western border, from Poland to the Mediterranean.

Though they're not particularly interested in Southeast Asia, except in getting us out, they won't permit us to defeat North Vietnam any more than the Chinese would permit us to defeat North Korea. But the Middle East is different. There's an old czarist carry-over involved there, I think, of wanting to have access to the eastern Mediterranean. I suppose they're concerned about the oil in the Middle East, although perhaps not as much as we are. But they're going to be a force in the Mediterranean whether we like it or not; they're going to increase their sea power in that area.

PLAYBOY. Wouldn't it be against our interests to let the Russians expand wherever their ambitions take them?

McGOVERN. Well, we can't ignore big-power expansionism—our own or anyone else's. We've got to press them for greater restraint and, at the same time, we must restrain ourselves. Perhaps the greatest anxiety of the Soviets today is their relationship with the Chinese. I believe it would be a mistake for us to try to exploit it by unduly increasing their tensions with Peking. Nobody would gain from an all-out war between China and Russia. But I think we've been right in seeking to counteract their mischief-making in the Middle East by selling arms to Israel. And we must leave no doubt that we are committing ourselves to Israel's survival.

PLAYBOY. Do you think Soviet world ambitions have been cooled by our military power?

McGOVERN. That's possible. But I think we've exceeded our necessary build-up. The enormous American build-up after World War Two almost guaranteed that the Soviets would attempt to offset it. If we had moved with less ambition in trying to encircle them with nuclear power, they might have been less fearful and, therefore, less belligerent than they've become.

PLAYBOY. If we "let down our guard," to use the term heard in some circles, do you think the Russians would attack us?

McGOVERN. I think the United States ought to maintain its nuclear deterrents—at a reduced level—but we don't need as large a force in western Europe as we have. I don't see any signs that the Soviets want a major war with western Europe or with us, so we could very safely reduce the size of our military without subjecting ourselves to a Soviet danger.

PLAYBOY. How about the danger from China?

McGOVERN. I think the belligerent stance of mainland China, which so far has been largely rhetoric—and which now, of course, shows signs of softening—would greatly lessen if it became a part of the international community, if the government were recognized as the legitimate government of China and if it were made a part of the United Nations.

PLAYBOY. Then what should be done with Taiwan?

McGOVERN. I would leave that up to the people of China and Taiwan. It's not an American problem. Both Chiang Kaishek and Mao Tse-tung agree that it's a Chinese problem.

PLAYBOY. Would it remain so even if Peking attempted to unify the two Chinas by force?

McGOVERN. I don't think Peking would do that. I think the Chinese would work out some kind of peaceful arrangement, and my guess is that, if we recognized Peking and it was admitted to the United Nations, Chiang Kai-shek would make good on his pledge to withdraw from the U.N. Then it would be up to him whether he headed for Paris or Geneva or sought to work out an arrangement for the future of Taiwan. If I were President, I would be prepared to recognize Peking as the sole and legitimate government of China, leaving the future status of Taiwan to be resolved peacefully by the people on both sides of the Taiwan Strait.

PLAYBOY. Would you recognize any obligation on our part to protect Chinese officials on Taiwan from reprisal?

McGOVERN. I think if they wanted to leave, as with those in the Saigon government who might not wish to remain behind when we leave Vietnam, we could make an offer of asylum; but I can't envision a situation in which the mainland Chinese would move in there and start massacring people on Taiwan. The primary responsibility for the people of Taiwan is in the hands of the Chinese government. You have to express the hope that it would deal with its people peacefully. We cannot determine the outcome ourselves.

PLAYBOY. In reassessing our relations with the Communist world, what do you think we ought to do about Castro?

McGOVERN. My maiden speech in the Senate in March of '63 was entitled "Our Castro Obsession Versus the Alliance for Progress," and the thrust of that speech was that we've blown up Castro out of all proportion to his real significance in the hemisphere. I don't know why we ever broke relations with Cuba. It was a mistake for the Eisenhower Administration to do it and to set up the invasion that John Kennedy later attempted to carry out. That's not the way to deal with a government whose ideology we happen to oppose. It was—and is—a mistake for the United States to be in a counterrevolutionary position in Latin America. I wouldn't recommend that this country support violent movements in Latin America, but I do hope that our policy would not be simply to support anti-Castro movements. It must be identified with the efforts of more enlightened groups to change the social structure. We should condition our aid to benefit the ordinary citizen.

PLAYBOY. However well intentioned, doesn't that proposal imply continued interference in the internal affairs of our neighbors?

McGOVERN. It's a different kind of interference. It's an effort to use the influence of the United States on behalf of the ordinary citizen rather than of the governments which have so seldom represented them. We have always intervened in Latin America but, unfortunately, on the side of dictators and of American corporations, which have been content largely with what resources they could withdraw rather than with raising the living standards of the people. It could be argued that we gave Castro the opportunity to seize power by our indifference to the exploitive role played by our own economic interests. Furthermore, we must be careful about the assumption that we can really influence social and political events in other countries. Our influence is extremely limited, particularly because it is suspect, but what we can do with American aid is attach certain conditions to it. We don't have any obligation to give monetary or other aid to an oppres-

sive regime, and we shouldn't. But if there are progressive leaders in Latin-American or other countries who need assistance in carrying out social reforms aimed at better health, better nutrition, better agricultural practices, better population planning, then I think American influence could be both benevolent and constructive.

President Kennedy was very careful to try to give special attention to reform leaders in Latin America. He made a conscious effort to identify with Betancourt in Venezuela, Figueres in Costa Rica and Bosch in the Dominican Republic. He wanted the United States, in a subtle way, to indicate that we weren't going to glorify the Trujillos, the Jimenezes, the Batistas and the other dictators who were exploiting their own people. I think that what Kennedy attempted was to try to say to Latin America that we know the difference between a reformer and a son of a bitch.

PLAYBOY. Do you feel we have no commitment to protect the economic interests of American corporations overseas?

McGOVERN. No, I don't think we do. When American corporations go abroad, they have to take the risks implicit in the local political situation. Dollar diplomacy belongs with gunboat diplomacy in the early 20th Century. It's got to be abandoned.

PLAYBOY. How would you suggest we deal with the new Marxist government of Chile under Allende?

McGOVERN. If that government moves to address itself to fundamental economic and social problems, it will justify American assistance.

PLAYBOY. You don't regard a Marxist Chile as a threat to our national security or to our economic interests?

McGOVERN. Certainly not to our national security; to American economic interests, perhaps so. But I don't think it's our concern that Chile elected—and it appeared to be a legitimate election—a Marxist government. We've always said that we believe in self-determination, and that's just what they're practicing.

PLAYBOY. Why does the drive for social change in most of the underdeveloped world always seem to involve anti-Americanism?

McGOVERN. Part of it is legitimate, but part of it is scapegoating by political and social leaders who find it convenient to make the United States the whipping boy. But whatever the reason, and however justified it may be, throwing a brick through the window is not the answer. There needs to be more compassion and organized social action on the part of the reform leaders in Latin America, Africa and Asia, and that goes beyond berating the United States. As bad as our record is in these countries, the record of many governments in emerging nations, particularly in Latin America, is even worse. And their reformers have done very little to improve the situation.

PLAYBOY. Do you agree with those who place runaway population growth high on the list of unsolved problems in the Third World?

McGOVERN. I certainly do. Unless it's checked, population growth will destroy those countries and any chance they have for peaceful survival or development. We can make a contribution to population control, but only in a limited way, in the form of educational and technical assistance, to alert them—as we must alert our own people—to the terrible dangers of unchecked population. Because there's only so much room on the planet, uninhibited population growth is related to almost all the other problems we face, especially hunger and the protection of the environment. The Government should provide educational and birth-control assistance to all those who want them—both at home and abroad. This isn't a question of trying to limit the nonwhite population, as

some may think, because there are even more poor whites than poor nonwhites in this country.

PLAYBOY. You have proposed a Family Allowance Plan that some say would encourage population growth. Is that true?

McGOVERN. What I proposed is that we cancel the then \$600 income-tax deduction for children and replace it with a \$600 cash payment for each child. The present income-tax allowance for children favors middle- and upper-middle-class families and does nothing for poor people, who aren't at a level of income where that means anything to them. My proposal wouldn't be a stimulus to population growth. All the statistics show that there is no correlation at all between child allowances and population growth. The Canadians have had this program for years and their population growth is the same as the U.S. growth, maybe slightly below. Though there are many reasons why families have children, collecting a baby bonus isn't one. But I saw myself spending the next couple of years trying to explain all that to people, so I dropped my plan.

PLAYBOY. Do you think we could devise some kind of program that would discourage having babies?

McGOVERN. The only way it can be done is by education, by making birth-control devices and information readily available—and not only to the poor. The average welfare family in the United States has somewhat fewer than three children—slightly below the level for more affluent families.

PLAYBOY. Since you're no longer pressing your Family Allowance Plan as a way to fight poverty, what do you think of President Nixon's Family Assistance Program?

McGOVERN. I give him credit for the program, which seems to me to be the most enlightened single initiative taken by his Administration. Poverty, after all, is concentrated in families with children. Yet I think Nixon has failed to see the full dimensions of the poverty problem. For example, his vetoes of modest increases by the Congress to provide better health care, better housing, better education, more public-service jobs, more job training, better programs for the cities, his dismantling of the Legal Assistance Program for the poor—all these things make me question whether or not the Family Assistance Program is anything more than a Pat Moynihan initiative that was sold to the President at a time when the welfare program was generally recognized as a mess. I think the greatest single economic and social problem before the United States today continues to be the simple fact that there are too many people who aren't sharing in the affluence that the rest of us enjoy. As long as that's the case, this society is going to be very unhappy.

PLAYBOY. Recently, the President made a number of rather revealing statements about his dedication to the puritan ethic—self-reliance, hard work, refusal of charity, that sort of thing. Do you think this reflects an insensitivity, an indifference on his part to the problems of the poor?

McGOVERN. I think it does. Even when Nixon was a boy, that view was unrealistic. At the time he was formulating those views, there were millions of people who, no matter what they did, were unable to find work. The only thing that saved us in the Thirties was that Roosevelt came along with programs that enabled people to go back to work. Admittedly, the programs were patchwork; they weren't as well developed as they might have been. But what is needed now is the recognition that there are still millions of people in this country who can't find jobs in the private sector. The jobs just aren't there, and it's going to require a wide range of public-service employment to create jobs for them.

I think if I were President of the United States, it would be one of my first orders of

business to get all the agencies of the Government, in cooperation with the labor unions and private industry, to devise alternative sources of employment. I think the President could relieve a lot of the tension between blacks and whites if he stopped talking about welfare chiselers and said, "Look, everybody who wants to work is going to have a job. We don't know quite yet what you'll be doing, but you're going to have a good job. And the Government is going to guarantee employment at decent wages." There is enough important work to do in this country. Everybody should have a chance to work, and most people want that chance. I'd like to give it to them. That would be more helpful than delivering sermons on the puritan ethic.

PLAYBOY. Both you and Nixon were raised in a comparable Protestant atmosphere. How do you account for your liberalism and his conservatism?

McGOVERN. It's partly the fact that I was exposed to a much better education than Nixon was. Also, I think I came from a more compassionate family: I was taught that we had to respond to the needs of the poor. I can remember that, during the Depression, there was scarcely a day that we didn't have someone eating at our house. Maybe a young guy on the road looking for work would knock at our door and we would feed him. I just grew up with the concept that we have to help those who can't help themselves.

PLAYBOY. Your formative years were spent in rural America. But the majority of America's domestic problems today most seriously afflict its disintegrating cities. Isn't all that foreign to your personal experience?

McGOVERN. I admit that I don't feel as at home in a central city as I do in smaller towns or out in rural areas. But I feel a great sense of compassion for people who have to live in dilapidated neighborhoods, who are forced to live under demeaning circumstances, where the sanitation is bad, health service is inadequate, schools are poor, jobs are few. I think I see very clearly that what we have to do, if we're going to resolve the tensions among people living in the cities, is to broaden the whole spectrum of social and economic opportunities for everyone. In short, I don't find the transition from rural to urban concerns a difficult one to make.

PLAYBOY. Would Populist properly describe your brand of rural liberalism?

McGOVERN. I think so. The Populists had a great sense of indignation against the special interests that exploited the poor, in both urban and rural America. You still have great corporate wealth concentrated in the hands of a few people who are largely ignorant or indifferent to what they're doing to the life of the ordinary citizen. As a Populist, I'm determined to fight for a more just tax system with fewer loopholes for the rich and the powerful.

PLAYBOY. Do you have an urban program, or a program for minorities, that you could talk about at this stage of your campaign?

McGOVERN. Yes, I do, though it needs to be more fully developed. But I can tell you this much: On my trips into the cities, I've met with community leaders, black and white, and I find that what they're interested in are programs that give them a fair piece of the action. They want to be a part of the economic development of the community. They want to run their own businesses, their own apartment buildings, their own shops, their own factories. They recognize that over the years they've been denied access to credit and business opportunity and they want some special consideration to help them get off the ground. If I were President, I'd try to help them do just that.

PLAYBOY. How about an Indian program?

McGOVERN. Well, I'm the author of what I think is the best proposal that's yet been made for Indians. It would provide the same

kind of assistance for Indians that I've just talked about for the urban poor. The Indian people resent the paternalism of the Bureau of Indian Affairs. They feel, for example, that they're perfectly competent to run their own affairs. They need financial assistance, but they don't want a bureaucrat from Washington running their lives, and they shouldn't have one.

PLAYBOY. Could the President's revenue-sharing program make a difference to the rural and urban poor?

McGOVERN. I think the President raises false hopes by talking about distributing substantial amounts of Federal revenues as unmarked grants, when we're faced with an enormous Federal deficit. The only thing we have to share is the deficit. I also object to the revenue-sharing plan because he's deducting the money from vital ongoing programs where the money is earmarked for specific purposes. Eleven billion dollars of the 16 billion dollars he proposes to give to the cities and states would have to be taken from education, health, welfare and conservation programs that the poor desperately need. I think Congress can earmark money for those purposes more responsibly than the local politicians who would control these funds, men who are under heavy and direct pressure from special local interests. God only knows where all that money would end up.

PLAYBOY. Do you agree with recent criticism of the President by the General Accounting Office for allowing money that was to aid in the desegregation of Southern schools to be spent for such purposes as cars for school boards?

McGOVERN. I certainly do. And the same thing has happened to crime-control funds authorized in the 1968 Omnibus Crime Bill. Instead of the money's being used to raise the professional standards of police, to provide more training, more education and more intelligent police methods, it was used in many cases to buy riot guns, machine guns and even fancy uniforms—all traceable to lax Federal supervision. These trappings hardly go to the heart of the crime problem. Such instances illustrate that what we really need is not indiscriminate handouts of Federal funds but more careful and intelligent Federal guidelines for administration of those funds.

PLAYBOY. Are you satisfied with the benefits to the poor of the anti-hunger campaign you've been leading?

McGOVERN. I think our campaign has been the greatest success story on the social front in the past couple of years. We've doubled the number of people who are receiving food assistance. I would say we're still short of a touchdown, but at least we've moved to the center of the field from the end zone.

PLAYBOY. Do you have the feeling that most of the current social-reform proposals that are being talked about, particularly among Democrats, are a little stale, and that you'd better start devising some fresh approaches?

McGOVERN. I think so. We've got to not only come up with a much better welfare-reform program but also—as I suggested earlier—develop a wide range of public-service employment, with the Government paying the entire cost. We've tended to talk about the Government as the employer of last resort, as though this were a kind of desperation measure. I don't see it that way. In some areas, the Government ought to be the employer of first resort. There are certain things that can be done best by public-service employment.

PLAYBOY. Wouldn't this sort of program permit the opposition to accuse you of trying to revive the old New Deal notion of putting the people to work on WPA projects?

McGOVERN. That's exactly what President Nixon said last year when Congress approved Senator Nelson's bill for a public-service job program. He vetoed the bill. But I'm not talking about make-work jobs. There are very use-

ful things that can be done by aerospace and defense employees in civilian fields, on jobs that demand the full talent and ability of workingmen and -women.

PLAYBOY. Were you tempted to vote for the SST on the grounds that it would provide 50,000 jobs?

McGOVERN. No, I wasn't tempted at all, because I don't think we need that airplane. We need those workers and those resources for other things. We need a whole new housing industry in this country; we need new transit systems in our cities; we need to rebuild our schools. We need paramedical, paralegal personnel.

PLAYBOY. Isn't the *sine qua non* of any major domestic-reform program a drastic cut in the military budget?

McGOVERN. Yes, there has to be a cut of 30 to 40 billion dollars in the military sector, not only because we need that money but because we need the scientists, the technicians and the research people currently working in defense. We need to phase them out of military tasks and start using their talent to modernize our machine-tool, shipbuilding and transportation industries, and to develop more efficient housing construction.

PLAYBOY. Can you persuade the American people that a defense cut of that magnitude can be made without a threat to our national security?

McGOVERN. I think so. A good case could be made by an intelligent President that the national-defense structure has to rest on more than simply piling up new and more sophisticated weapons. I think you could convince the American people that their own health and education, and the state of the economy, are as important to national defense as another half-dozen aircraft carriers, most of which would be sunk in the first few minutes of any major war, anyway.

PLAYBOY. Thirty to forty billion dollars is almost half of the current defense budget. Apart from aircraft-carrier construction, what would you cut?

McGOVERN. I think the first cuts would come by withdrawing our forces from Indochina and, secondly, by withdrawing all but one division from western Europe. I would discharge those people from service and put them to work on civilian enterprises or send them back to school on the GI Bill of Rights. I would also immediately freeze the ABM and the MIRV, halt the development of a new bomber and new supersonic fighters and cancel construction of a new tank that the military is proposing.

PLAYBOY. Would you expect the Russians to trim their own defense programs in response?

McGOVERN. I think they're desperate to get out from under the same pressures we're under, that they're looking for some opportunity to divert funds away from the military into their own economic-development plans. If they didn't, we might have to reassess these considerations; I wouldn't want to put the country in danger. But we've got an overwhelming deterrent now. The Russians know that if we didn't build another thing for the next five years, we'd have the capacity to completely annihilate them in a nuclear exchange. That ought to be enough.

PLAYBOY. The failure of the Nixon Administration to reallocate national priorities from war to peace is one of the reasons young radicals threaten what some have called "a new American Revolution." Would Nixon's re-election move us closer to that?

McGOVERN. I don't think a revolution of the kind the young militants are talking about would go very far in this country. The forces of counterrevolution are so much stronger that all you would get is a great era of repression. But even without a revolution, the re-election of Nixon would be a real cause for despair—on the part of not only the young but also a great many working people

and old people living on fixed incomes. I think even a lot of the business class would despair if Nixon were re-elected. His defeat in '72 is imperative to restoring to the country the confidence to implement a more humane set of values. But it depends on who's going to replace him. We don't want a Democratic Nixon or an old Cold Warrior of the previous Democratic era. It would simply give us more of the same.

PLAYBOY. If you were elected, wouldn't you be one of the most liberal Presidents in American history?

McGOVERN. That's what's called for today. The problems are so vast—and the opportunities so great—that we really need liberation, in the broadest sense of the word. We need to emancipate the poor, the young, the non-white, the unemployed—all the excluded classes—and make full use of their talents.

PLAYBOY. How about the silent majority? What have you to offer them?

McGOVERN. The hard-hats are concerned about their jobs and their neighborhoods; white-collar people feel squeezed by growing tax pressures, small merchants by business monopolies. They want leadership in the White House that is dedicated to establishing a just tax structure, job security and fair competition, that addresses itself to the construction of more homes and not more weapons, that's interested in building better neighborhoods, schools and health facilities. That's what I would fight to get for them.

PLAYBOY. Another of the items at the top of your Presidential agenda, you said some time ago, would be the dismissal of J. Edgar Hoover from the FBI. Do you feel he's outlived his usefulness?

McGOVERN. I don't think any man ought to be permitted ever again to hold the top job in the Federal Bureau of Investigation over a long period of time, as Hoover has been. Hasn't he been there 47 years? I would say one Administration is enough for any one man in a job with the capacity to compile dossiers on individual citizens. Hoover should have resigned 25 years ago. He has become paranoid. In that sense, he is not only a menace to personal citizens but a chief obstacle to proper law enforcement. The FBI's own documents, from the files in Media, Pennsylvania, show clearly how widespread is the intrusion of the FBI into the private lives of ordinary Americans.

PLAYBOY. Do you think our whole program of information acquisition-retention-retrieval—which has been the subject of hearings by Senator Sam Ervin—is a threat to liberty?

McGOVERN. Absolutely. The Army surveillance of civilians, the compilation of data banks on the moves that citizens make—all that material worries me, particularly when it's in the hands of men who are a law unto themselves, as Hoover is. The Congress ought to set up a permanent watchdog to keep that kind of surveillance under control and see that it doesn't reach the point where it jeopardizes personal privacy. I've had colleagues come up and say, almost in terror, "Aren't you afraid Hoover is going to spill your file to some newsman?" It's a terrible thing to be faced with that kind of situation. You shouldn't have to live in fear of J. Edgar Hoover. He ought to be accountable to us, not the other way around.

PLAYBOY. High on the list of law-enforcement problems deplored by Hoover are those associated with drug abuse and the erosion of traditional moral values. What's your own views of drugs and sex in our society?

McGOVERN. I'm terribly worried about the drug problem. I think it's an enormous danger—the way it's crept down even to the grade school level. I believe that especially to the average thoughtful black in the ghetto today, drugs are a very serious worry. He's terribly afraid that his children may become hooked on heroin and other addictive drugs. As for the change in sex mores, I'm not particularly concerned about it. People today are simply more honest about and at

ease with sex. I don't see any fundamental change in sexual morality. But the drug thing is different. It's being deliberately pushed to enrich the underworld, and I think a larger segment of law-enforcement agencies ought to be going after those people. We ought to do much more in the way of education and rehabilitation of drug addicts, and medical people ought to be better trained to deal with the problem.

PLAYBOY. What do you think should be done about the widespread use of marijuana?

McGOVERN. Well, it worries me, because I know that in some cases it leads young people into emotional difficulties. Practically with adolescents, marijuana can tend to make the pressures of life more severe. It leads, in some cases, to a dramatic fall-off of interest in academic excellence and to a lessening of interest in self-improvement. I don't know whether or not it has any physical effects; I guess we don't know enough about what damage it does. It's probably no more harmful than alcohol or tobacco, but I know for a fact that, with some youngsters, it's an emotionally destabilizing influence in their lives.

PLAYBOY. Have your own children brought you any insights into drugs?

McGOVERN. Yes. Like other kids, they point to the hypocrisy of adults' using alcohol and tobacco excessively, then crying out in anguish about the use of marijuana. That seems to be a recurring theme with young people. We have one daughter, however, who used marijuana to the point where it really had a disruptive impact on her life. She may be a rare case, but she developed serious emotional difficulties. She's well now, though.

PLAYBOY. Have you drawn any conclusions from her experiences, and from what you've observed elsewhere, about the extent of alienation by young people from society?

McGOVERN. There would be something wrong with them if they weren't alienated from the policies we're pursuing today. I can't imagine idealistic young people not being alienated from our policy in Indochina. It would take a rather dull and cold-blooded youth to endorse what we're doing there. And the same thing goes for racism. I don't have any trouble understanding why young people are alienated, given a set of national values that permits some people to go hungry while others hide behind their tax shelters. Those are the things that alienate the young—and me. I hope they stay alienated, not by dropping out but by remaining indignant to the point where they won't accept our society until we correct these deficiencies in our national life. Some of them feel that our society is too corrupt, too far gone to save, but I really have to combat anger on my part when I confront that kind of attitude, because I know it's not true. You can make a difference, and you don't have to be a Senator or a Congressman. Ralph Nader has more influence on the attitudes of this country than the most powerful corporation executive in America. Yet he is just one young man. He and many like him perform a great service for all of us.

PLAYBOY. At one point, you said you were going to run for President with the young, the poor and the black as your chief constituency. Do you still feel that way?

McGOVERN. What I said was that the young, the black and the poor provide the core with which I'd begin. But no one is going to be elected President with that coalition alone. I want to develop programs that have broad appeal for workingmen and -women, organized and unorganized. As we move along, I also want to speak out on the concerns of women. And I intend to focus on the problems of rural America as well as of the cities. I'm not a one- or two-issue candidate.

PLAYBOY. Isn't it hard to speak out with complete candor on many issues without breaking up your coalition?

McGOVERN. No, don't think so. The programs that will improve the standards of life for the poor and the black will also im-

prove life for the white workingman and the middle class. Those groups are warring with each other because the Government hasn't provided enough opportunities for black, brown, red, yellow or white working-class people. There are too few jobs, too few decent neighborhoods. That exacerbates tensions between them.

PLAYBOY. Did your feeling for the young, the poor and the black have much to do with your decision to work for Robert Kennedy rather than Eugene McCarthy for President in 1968?

McGOVERN. No question about it. I admire very much what Gene McCarthy did in New Hampshire—the way he stood up to Johnson on the war issue; he made a great moral challenge there, for which he deserves much credit. Kennedy was late in seeing the possibilities, but once he came into it, Bob recognized that the problem was broader than the war, that we had enormous social and economic injustice here at home that had to be redressed. Bob Kennedy really bled for the poor, the blacks, the Indians, the down-and-outers, Gene McCarthy, in contrast, somehow addressed himself to the issues that were compatible with the interests of the middle class. He lacked empathy with the guy at the bottom.

PLAYBOY. Why did you make that foredoomed last-minute effort in 1968 to win the nomination at the Democratic Convention?

McGOVERN. I did it largely under pressure from the Kennedy delegates, many of whom told me they just wouldn't go to the convention otherwise. I didn't believe them at first and I asked why they couldn't stick together on the war and move to the McCarthy camp. But they were adamant and the whole Kennedy apparatus threatened to fall apart.

PLAYBOY. Did they dislike McCarthy so?

McGOVERN. I suppose it was a personal bitterness and also it was partly because they didn't feel McCarthy spoke with genuine conviction on domestic problems—on racism, poverty, hunger.

PLAYBOY. Have you heard people say they can't forgive you for ruining McCarthy's chance at the nomination, thus blowing the opportunity to nominate an antiwar candidate and saddling the party with Vice-President Humphrey?

McGOVERN. Of course, but that's a lot of nonsense, because if I had thrown my support to McCarthy, many of the Kennedy delegates simply would have stayed home. Before I announced, 32 of them quit in the California delegation alone. I waited, you know, for a period of time, thinking there might be some movement toward McCarthy, but if I had waited longer than I did, perhaps as many as one third or one half of the Kennedy delegates wouldn't have shown up at the convention at all. Even the combined vote that McCarthy and I got, finally, wasn't enough to nominate Gene. If I hadn't been there to bring the Kennedy votes together it would have been even worse.

PLAYBOY. It's academic, of course, to speculate about history, but do you think there was any chance that Bobby could have swum to the convention and won the nomination in '68?

McGOVERN. It's conceivable. I think the presumption is that he wouldn't have been able to do it, since a third of the delegates were picked before 1968, before Bobby even thought about running, and they were all L.B.J. delegates. They were picked at a time when we all assumed we were going to Chicago simply to ratify Johnson's renomination. Johnson also controlled the favorite-son candidates: Connally of Texas, McNair of South Carolina, McKeithen of Louisiana, Smathers of Florida. Then the big labor bloc—many of whom were Johnson's—switched to Humphrey. I know the Kennedy people think that he would have gone on to sweep the

nomination. My own view has always been that, in addition to the delegates that he won in the primaries, he might have been able to pick up 300 to 400 more during the summer—but not enough to bring it off.

PLAYBOY. There was talk at the convention that Mayor Daley was thinking of withdrawing his support from Humphrey and throwing it to Ted Kennedy. Was there any truth to that?

McGOVERN. I may be wrong, but I think that was a ploy to get Teddy out to run as Vice-President with Humphrey. But Daley would never publicly endorse Kennedy. Kennedy asked him and said, "Before I would consider coming out, I would have to have an endorsement from you." Daley wouldn't give it.

PLAYBOY. Do you think McCarthy will be back in the race in 1972?

McGOVERN. I doubt it. Only Gene would know this, but I can't believe he'd have retired from the Senate if he had plans to run for the Presidency again. I know he's been talking about a third-party candidacy, but I think that might happen only if the Democrats nominate somebody Gene felt was simply a Democratic Nixon. I think if he thought there was a real choice, he would see no point in running on a third-party ticket. The only result would be to throw the election to Nixon by splitting the peace-progressive vote two ways.

PLAYBOY. What would you do if Humphrey were nominated again?

McGOVERN. I'd probably support him.

PLAYBOY. How would you justify that?

McGOVERN. I'd justify it on the grounds that, in the past few years, he has endorsed the McGovern-Hatfield Amendment. He has also publicly said he was wrong about the war and has urged the United States to accept the Soviet offer of a freeze on the ABM, which puts him in a different stance from the Administration on arms reduction. He's been much better than he used to be on economic policy here at home and he's taken issue with Nixon's tight-money policy. I think Humphrey is the kind of guy you could persuade to go for a full-employment approach of the kind I described. And he's always been good on civil rights; he never got proper credit for leading the civil right fight in 1948, when it was a very hazardous thing to do. So Humphrey to me stands in sharp contrast to Nixon now, much more so than he did in 1968. But even in 1968, I quickly endorsed him and campaigned for him once he got the nomination. I have no regrets about that decision.

PLAYBOY. Despite the fact that there was no indication in 1968 that Humphrey would have settled the Vietnam war?

McGOVERN. That's right. That's why I challenged him in Chicago. But I thought that on all other issues he was preferable to Nixon. I made the judgment that he would have been the better of the two candidates and that sitting on the sidelines wasn't the answer. I feel even more certain today that he would be a much more progressive and peace-oriented President than Nixon.

PLAYBOY. Do you think there's any chance that Senator Henry Jackson or someone else from the pro-war wing of the party will receive the Democratic nomination?

McGOVERN. That could happen if we got too many people in the Democratic primaries representing similar views. A Lindsay candidacy—as a Democrat—might deliver the nomination to Jackson if you had Lindsay, Hughes, Muskie and myself all competing in the New Hampshire primary, going on to Wisconsin, Oregon and California. You might fracture that segment of the party to a point where a man like Jackson could walk off with the nomination.

PLAYBOY. Does the Jackson wing of the party have any real strength in the Democratic Party?

McGOVERN. It sure does. Though I don't

think it's a majority, that wing has a very powerful strength. To whatever extent the military-industrial complex has power, Jackson would have the full backing of those who favor present military priorities, as well as the supersonic transport, ambitious space programs and the development of new weapons systems. Programs of that kind still have a solid and well-financed constituency in this country.

PLAYBOY. Yet you think you would be the strongest Democrat to face Nixon in 1972?

McGOVERN. I think I could defeat him. It's hard to say who would be the strongest candidate, but I'm confident I can defeat him if I get the nomination.

PLAYBOY. As of now, Senator Muskie is regarded as a leading contender. How do you expect to overtake him?

McGOVERN. The Democrats who choose our nominee in 1972 will be looking for a candidate with a broad range of concerns, one who has been looking ahead at ways of solving many kinds of urgent problems. The Democrats will want a man who can think and talk clearly about the challenges facing the country without being burdened by the myths of the past. I think that describes me pretty well. And if I have a better political organization than the others, it will make my prospects even better.

PLAYBOY. Do you think 1972 will be a Democratic year no matter who the nominee is?

McGOVERN. I'm not sure of that at all. I think the Democrats could boot it away. If they don't call for a fundamental change in priorities, I think a lot of people may well decide to go along with Nixon again.

PLAYBOY. Which Democrats do you think might lose to Nixon?

McGOVERN. I'd rather not speculate.

PLAYBOY. When you look at the prospects for a year from now, do you sincerely believe you can and will be the nominee?

McGOVERN. I do. I have a strong feeling that the positions I've taken will gradually become majority positions in this country. As I look back at the positions I've taken in the Senate since I first came here in '63, there isn't one I've had to alter fundamentally. By 1972, I think I'll be recognized as the most broadly based candidate and the one who has the best chance of winning not only the nomination but the election.

PLAYBOY. Aren't you a little intimidated at the prospect of being the President of the United States?

McGOVERN. No; as a matter of fact, I'm thrilled at the prospect. The opportunities that lie ahead for the United States in the seventies are so great, and the dangers so vast, that I can't resist an all-out effort to advance the values I think the nation ought to be pursuing.

PLAYBOY. What will you do if you're not nominated?

McGOVERN. If I don't make it myself, I will in all probability be out campaigning for the Democratic nominee. And in 1974, I suppose I'll be working very hard on my South Dakota constituents to convince them they ought to re-elect me to the Senate. Next to the Presidency, I think a United States Senator has the greatest job in the world. I've come to realize the limitations on a Senator in changing national policy, but I've also come to appreciate the fact that you can wield considerable influence in the job. That's where I would want to spend my service for whatever time I have left.

PLAYBOY. As exhausting physically and emotionally as it certainly is going to be, do you dread or look forward to the next 15 months of campaigning?

McGOVERN. I think it will be a very zestful experience, though the major mistake we've made so far is overscheduling me. We had thought we were going to be able to block off some rest periods, but I find that my campaign staff doesn't properly appreciate the demands on me as a Senator who feels

an obligation to remain active in the Senate. They tend to schedule me as though I'm doing nothing but running for the Presidency. But a tough schedule is a minor consideration.

I had a meeting with my staff several weeks ago and I said I thought I had the greatest opportunity that's ever open to any American: to talk thoughtfully, with common sense and passion to the American people about our aspirations and our hopes for the future, as a candidate for the Presidency of the United States. There is no way I can possibly lose, no matter what the vote count is. I will have participated in the most marvelous educational undertaking that's available to a human being. The thought that a man from South Dakota, a small rural state, could now be running for the Presidency of the United States stirs my soul. No matter what else happens, I'll go through this experience with a spirit of joy, anticipation and—I hope—deep satisfaction.

THE NEED FOR PENAL REFORM

Mr. PERCY. Mr. President, I believe the American prison system has failed us. To call it a "correctional" system is to use a misnomer, for criminal behavior is rarely corrected; the vast majority of inmates now in our prisons will return after their release. Our prison system is a system of punishment, and nothing more.

We are expending \$1 billion a year on a system that does not serve its purpose of rehabilitating inmates and preparing them for a return to society. Many prisoners are little more than graduate schools in crime, since the prisoners are taught no skills of value to them on the outside. Mistreatment of inmates, violence, and homosexuality are all too common.

Mr. President, the need for reform of our penal system is apparent to anyone who has devoted any attention to it. We desperately need new ideas and an open airing of our problems if we are to bring our prison system into the 20th century. One of the most thoughtful spokesmen for reform of our prisons has consistently been Ronald L. Goldfarb, a Washington attorney. In the current issue of *Look* magazine, dated July 27, Mr. Goldfarb explores in detail the national disgrace that our prison system represents and suggests ways in which the problems can be remedied. I ask unanimous consent that his article be printed in the RECORD.

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

WHY DON'T WE TEAR DOWN OUR PRISONS?

The American prison system is a 200-year failure. By any positive standards, it just does not work. Rising street crime and recidivism rates prove that prisons do not deter. In fact, offenders who have been in the criminal justice system are more likely to sin again than those who committed offenses but managed to avoid the system. The odds are high that men in prison will return after their release. Any successes are despite the system, not on account of it.

Every view we have had of what Gresham Sykes has called the "society of captives" shows that prisons are inhuman. Prolonged detention (our sentences are the longest in the world: the average actual stay in prison here is longer than the average abroad) in unnatural conditions, with other offenders,

without real work, responsible treatment, can do no one any good. Homosexual rape, riot, violence are the way of prison life.

Taxpayers ought to cringe at the economics of this \$1-billion-a-year waste. A business doing this poorly would not have survived the first shareholders' meeting. Nevertheless, we respond to the failure of the prison system with more of the same: less probation and parole.

Punish, the system surely does: grindingly, fatuously, persistently. Even after convicts have served their sentences, they are forced to wear their criminal records like a scarlet letter: They cannot work, vote or conduct normal civil affairs in most states. Because we have maintained a system that punishes only, our prisons have become a social disaster.

Even prison administrators do not believe in the institution they are administering. A few years ago, while attending the annual meeting of the American Correctional Association, I found myself in a hospitality suite in a San Francisco hotel, chatting with a roomful of very relaxed prison administrators. Each man headed a major prison institution; all were veterans in the business; none were "bleeding hearts," "soft" on crime or naive about criminals. I asked the warden sitting next to me what percentage of the people under his supervision needed to be in prison.

"By what standards" he asked.

"In order to protect society from personal injury," I replied.

"About 10 to 15 percent," he said. We canvassed the other wardens in the room; none disagreed. Since then, on visits to numerous prisons around the country and abroad, I have always asked the same question. I have never received a different answer.

If the system falls from the perspectives of correction, public safety, economy and humanity, and if those who know it best do not believe in it, how did we get into this predicament and what direction do we take to get out?

The general practice or imprisonment as punishment for the commission of crime is a relatively recent and essentially homegrown innovation. Prisons originally were built to hold people temporarily (like our jails) until their trials and punishment. Prison was an intermediate step in the penal process. In our Colonial period, capital punishment was decreed for hundreds of crimes. Criminals who were not killed were flogged, mutilated, branded, put in stocks. But those who survived were released after their physical punishment.

At the end of the eighteenth century, the American Quakers, in Pennsylvania particularly, pressed for more enlightened practices. Out of their good intentions, the first penitentiary system evolved. It was theorized that the best way to reform criminals was to lock them in cells, give them Bibles, and keep them alone day and night. In this solitude, prisoners would have no alternative but to consider their acts, repent, and reform. They were supposed to emerge penitent.

But as Thomas Mott Osborne, one of our foremost prison administrators has said, the solitary-confinement prison became "the ante-chamber to the madhouse." Many men went insane, committed suicide or died. In attempting to reform men by forcing them to think right, he said, the Quakers "showed a touching faith in human nature, although precious little knowledge of it."

Modern versions of these human warehouses now stand all over the world. Of more than 400 expensive, old and overcrowded prison institutions in the United States, 60 date back to the nineteenth century and 25 began operations before the Civil War. Into them we dump, willy-nilly, young, minor offenders, pathological criminals, alcoholics, addicts, first offenders and inveterate criminals. Over 4,000 jails, and innumerable lock-

ups, and work-houses, supposed to be used for pretrial detention, also house some sentenced convicts. For the most part, these detention facilities are neither necessary nor successful.

The first way to improve and replace the prison system is to question the inevitability of using it in the great majority of cases. Most of the men in America's prisons are there because they are poor. The middle and upper classes as a general rule solve their problems and correct their offenders in the community because it works better; for the lower classes, anything short of what may be deemed cruel and unusual will do. With the benevolent contrivance of the law, the rich can tailor-make private solutions for the individual offender: restitution, psychiatric care, special schooling, training and other sensible alternatives to imprisonment. The poor have no alternatives; they are thrown into institutions that cannot treat them as individuals.

Prof. Richard Korn, a criminologist and author who just possibly might be America's prophet of correctional reform, has criticized the hypocrisy of this system. In a report to the Joint Commission on Correctional Manpower and Training, he urged that innovative and sympathetic community treatment of all offenders not be viewed as radical or even new. It is no more, he writes, than what is provided by the well-to-do on behalf of their deviant members. Korn does not believe such treatment indicates "dishonest official connivance with wealth or privilege. If anything, [it reflects] an honest recognition that the private, unofficial treatment of offenders is vastly superior to most available public programs. . . . The scandal lies in the fact that such alternatives are denied to the poor, through nothing more deliberate than the incidental fact of their inferior economic position."

This point of view is pragmatic as well as fair. If 90 percent of all convicts return to the community and eventually must "make it" there, that is where the correction system must operate. In California, under a probation subsidy program, the California Youth Authority and the state correction department turned over to the probation department a subsidy for every person who was placed on probation instead of being sent to a state correctional institution.

During the program's first four years, the state, even after paying \$28 million to the counties for improved probation services, saved \$79 million in institutional operating costs and millions in the costs of capital construction.

In a great number of cases, we would do better to take the money we spend to put men in prison, and do almost anything else. In prison planning, just as in Bauhaus architecture, less is more. The less men in prison, the lower the costs of the correction system, and the more that can be done for those who need treatment.

When the system has to be called into play, it could be used more economically and more effectively. A full-blown victim-compensation program is a major alternative to imprisonment. Over 80 percent of crime relates to property, and punishing the offender does little to protect the victim or make him whole. In most cases, it seems to me that the one thing the victim of say, a theft wants and society in general wants for its collective peace of mind is redress for the victim. If someone steals \$100 from me, it does me very little good if the thief is sent away to prison for a year. I would rather have my \$100 back, possibly a little more to pay for my trouble.

In cases where the criminal is not caught, or if caught and convicted cannot afford to compensate the victim, some pool for compensation could be devised. The criminal without money could serve his sentence on a public-works project to earn money to pay the cost of his crime. The extraordinary

offender might be deprived of the right to work outside of prison on probational control, but even he should be required to work in prison to pay his victim.

Once, the victim and his family avenged crime through vendettas, or blood feuds, against the offender and his family. Gradually, payments of reparation to the victim replaced physical revenge. As the larger social group became responsible for the punishment of criminals, the victim's right to receive compensation became transformed to a state's right to punish offenders. Those fines that remained went to the state. The biggest and most obvious loser in the crime picture—the victim—was left out of the criminal justice system.

Victim-compensation programs have been revived lately in Great Britain, Sweden and other countries with strong social-welfare systems. Six states here have also initiated programs.

A Criminal Injuries Compensation Act, recently proposed in Congress, would provide: 1) for a commission to make awards to victims of Federal crimes, and 2) for technical assistance and block grants to states that started similar programs. But the idea never has been exploited properly in this country.

Prisons should be reserved for necessary but unusual cases. Some people—violent offenders, inveterate repeaters—are so dangerous or raise problems so special that they ought to be segregated indefinitely from the rest of society. Until a new wisdom for their treatment is developed, the most that can be done with such offenders is to keep them safe and secure under decent conditions. We could maintain or remodel some of our existing institutions, tear down the most monstrous and convert the rest to other public uses. We could then concentrate our treatment dollars on this small class of offenders, with a reasonable hope of better results.

The surviving institutions could be drastically changed. They should be smaller, more civil, staffed more professionally and, insofar as possible, resemble the free society more than the present penal pens.

Tyranny inevitably occurs in a closed society when some men completely control the lives of others. Since prisoners have few rights, minimal access to ordinary resources of redress and little public sympathy, they are uniquely helpless. When they are bad, the system leans heavily on them, pointing to their misconduct as the rationale; when they are good, the system points to their behavior as proof that it is working. This kind of repression is anti-rehabilitative if not incendiary.

There ought to be an ombudsman-like official or organization to screen prisoners' complaints. He should be free of the correctional establishment, in order to assure the integrity of his judgments and the independence of his operations. He should also be powerful enough to resolve problems without interfering with an inmate's right to go to court or a correctional official's right to exercise necessary, executive discretion.

In the Netherlands, supervisory committees, local and national, visit all institutions and screen complaints. In the four Scandinavian countries private organizations provide civilian scrutiny of prison conditions. But in the U.S., this function has been largely ignored by the public and the bar, as well as by the correction establishment. An outside arbiter, however, would not only prevent riot-causing abuse of prisoners, he would also assure the credibility of prison officials who are falsely criticized.

Some procedure on the order of a five-year statute of limitations should govern every part of the correction system. We ought to follow a rule that would allow no official to hold office, no program to be devised and no facility to be built to last for more than five years. This standard would provide our cor-

rection system with intellectual and economic flexibility as well as the opportunity for diversity and innovation.

One of the problems with the correctional establishment is that most of the men at the top have been doing what they are doing for decades. If a man were precluded from remaining in any one position for more than five years, this condition might be altered. Even the reformer who has not "done his thing" in five years might do better to pass on and look for some "thing" else.

This same argument applies especially to prison facilities. Our prison system is housed in buildings from another era that preclude progressive programs and in fact predetermine what can be done. Over 90 percent of the money and personnel earmarked for corrections must go to security. What we need is a non-architecture of prisons, a Kleenex kind of institution that within a short period of years could be changed if not disposed of completely without economic sacrifice. Or we could lease space for short terms in existing facilities instead of building more prisons. Then we would not be binding ourselves 100 years from now to either the good or the bad ideas of today.

Prisons have been class institutions, remote from people who might be inclined to reform them. But an unexpected and as yet unnoted incident of our recent social revolution may lead to change. Many children of upper- and middle-class families have been to prison on draft and drug charges and offenses arising out of civil rights and social protest activities. Furthermore, the black man in prison today is a new breed; often politicized, very articulate, unwilling to be silent, docile and to accept anything done to him in the name of "correction."

We are not going to be allowed to forget or bury the problems of our prison system. It is time for us to consider what to do with offenders after they are caught and convicted of crimes, instead of committing what Dr. Karl Menninger has called our most serious crime of punishment.

THE PRINCETON-PENNSYLVANIA ACCELERATOR: A NEEDED WEAPON IN THE CONQUEST OF CANCER

Mr. WILLIAMS. Mr. President, I am particularly proud of the fact that the Senate on July 7, 1971, passed S. 1828, the act to conquer cancer, a bill which expresses the determination of the Senate to strengthen the national effort to eliminate this dread disease. I am heartened by the realization that very soon, hopefully by the beginning of 1972, funding at a level of at least \$332 million will be available to begin this attack.

In the context of this very welcome commitment, it has also come to my attention that another extremely worthwhile program containing an excellent potential for improving cancer arrestation and therapy is in danger of being abandoned altogether due to an unfortunate circumstance in timing.

The Princeton-Pennsylvania accelerator, which is jointly used by Princeton University and the University of Pennsylvania is a \$41 million facility that had its funds for high energy physics cut off on July 1, 1971. This decision was part of an overall shift in national science priorities, and the officials at the facility have accepted this decision by the Office of Management and Budget, although reluctantly, and have attempted to convert this facility from high energy physics to heavy ion research and cancer therapy. The Fannie E. Rippel Founda-

tion of Newark, N.J., has provided a grant of \$230,000 for this purpose, but these funds will run out on August 31. Given the greater effectiveness of heavy ions than X-rays in treating cancer, it would indeed be tragic if this entire facility, which represents an investment of over \$40 million and possesses a powerful potential in the treatment of cancer, were to shut its doors altogether at that time, only a few short months before funds begin to become available from the Conquest of Cancer Agency. The Princeton-Pennsylvania accelerator now has a proposal before the National Cancer Institute and is hopeful of renewed funding for cancer research at that time.

I am proposing an amendment at this time to the AEC authorization bill which would provide interim funding, not to exceed \$300,000 to continue the work of this facility until the end of the calendar year. We have a moral obligation to pursue all alternatives that show promise of being effective in the treatment of cancer. The heavy ion method of treatment can be aimed more precisely at a tumor than an X-ray, and their densely ionizing power is believed to diminish the so-called oxygen effect, which makes it difficult for X-rays to kill tumor cells without heavy damage to healthy cells.

The \$300,000 authorization necessary for keeping the Princeton-Pennsylvania facility operating until the end of 1971 represents less than 1 percent of the money that the Federal Government has already invested in this accelerator up to the present time. It would be a very unfortunate development if this \$41 million laboratory, which is now in the process of conversion to the use of heavy nitrogen ions for cancer therapy—a \$75,000 process which is now virtually complete—is not fully utilized in the cancer research field because of a lack of interim funding.

At a time when the fight against cancer occupies such a high priority in our scientific endeavors, it would be unthinkable if the heavy ion method of treating cancer victims, a method on which there is nearly unanimous agreement among physicists and biomedical scientists as to its utility, is not developed to the maximum. A further expenditure of this magnitude is not too large an investment in view of the potential savings of life and medical expense which might accrue.

Mr. President, an article in the July 2, 1971, issue of Science magazine describes more completely the situation of the Princeton-Pennsylvania accelerator. I ask unanimous consent that it be included in the RECORD, along with the text of my amendment.

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

PRINCETON-PENNSYLVANIA ACCELERATOR: END OF AN ERA IN PARTICLE PHYSICS

While high energy physicists eagerly await the birth of the \$250 million National Accelerator Laboratory (NAL) near Batavia, Illinois, an older machine approaches the end of its federal funds. The lifeblood supplied to the Princeton-Pennsylvania Accelerator (PPA) by the Atomic Energy Commission (AEC) was cut off 1 July, perhaps only a few days before its giant successor comes to life

with tests of its full energy beam. Thanks to a small transfusion of private funds, the PPA lingers on and hopes for an Indian summer of cancer-therapy research. But it has passed from the great world of high energy physics.

Its passing has stirred much less excitement than the arrival of NAL, but it, too, is a signpost that marks the turning point now reached by research into "the fundamental building blocks of matter." About a dozen smaller accelerators have been shut down in the past, but these closings were much less traumatic than the shutting off of the \$40 million machine, which at its peak provided employment to 356 people and which cost \$5 million annually to operate.

The PPA is located on highway 1 about 4 miles from the main campus of Princeton University. The University of Pennsylvania shared administration and use of the accelerator with Princeton, although AEC's contract was with the latter institution. The facility was also used by experimenters from other universities, whose share of the operating time rose to about 50 percent by 1970.

Paul W. McDaniel, director of research for the AEC, told a House appropriations subcommittee that the 1970 decision to close the PPA, only 7 years after it began operations, had caused "consternation" in the high energy physics and educational communities. The event brought home to particle physicists a reality that was already making them uncomfortable. The enthusiasm with which the 500 billion electron volt (GeV) NAL was awaited was tempered by chagrin at the growing realization that its cost would eat into the money available for smaller machines. In the days of rapidly expanding research budgets, the typical physicist had not dwelt on the sacrifices his local accelerator might have to make to the hungry god of higher energy.

The Princeton experience has already had a major impact on the way high energy physics is being planned, according to one Washington official. He calls it a "trigger" to compel long-range perspective and cost consciousness, adding: "It is used as the classical example of what you don't do."

The PPA was still pursuing an ambitious research program when it was caught in the vise between rising particle research costs and budget pressures on science. But there was general consensus among physicists that, if one of the high energy machines had to be sacrificed, PPA, whose 3-GeV energy level was the lowest among them, should be the first to go. Even Milton G. White, director of Princeton accelerator, feels that the choice was not unreasonable, although he is unhappy with the timing.

Given more advance warning on the shut-down, White says, more research could have been accomplished at lower cost. Asked if the timing was the result of poor planning, White replied: "No one had any idea of the abruptness and depth of the cut-off of funds."

In July 1969 the AEC had asked White what the effect would be if PPA's budget were cut from \$5 million to an annual outlay of \$3.5 million or \$2.5 million. The reply indicated that the smaller cut would make operations difficult, and the larger cut would make them almost impossible. In November 1969 PPA was told that, beginning in January 1970, they would be funded at the \$3.5 million rate for the remainder of the fiscal year. The news came as a relief, but when January came, PPA was informed that its operations were to be altogether terminated.¹

¹ At the same time, the 6-GeV Cambridge Electron Accelerator, shared by Harvard and the Massachusetts Institute of Technology, was cut from \$3.5 million to \$2.4 million. Research there is now limited to experimentation with the colliding beam.

"January was very much of a surprise after November," PPA's associate director Walter Wales told *Science*.

Between those dates, AEC's proposed funding for the machine had been rejected by the Bureau of the Budget, which allocated \$2 million for fiscal 1971 to complete important experiments under way and close down the facility. The accelerator's fate was proclaimed in President Nixon's fiscal 1971 budget under "Reductions in Outmoded or Uneconomic Programs." Physicists at other accelerators may not have wept to see a competitor for scarce funds face cutbacks, but some of them, at least, were shaken by the death sentence. Their subsequent pleas to keep PPA alive, reportedly pressed even at the highest level, fell on deaf ears.

PHASE-OUT POLICY

Wales regrets that there was not more time to "run the accelerator into the ground." The most economical way to phase out such a machine, he says, is to stop spending on improvements and treat it like an old car, to "live with the squeaks." Not only is the amount of experimentation per dollar spent greater when the cost of improvements is eliminated; waste of the investment in such improvements may be avoided if the shut-down of a facility is planned far enough in advance. For example, the \$1.2 million spent in fiscal 1969 and 1970 to develop flat-topping projects (which produce a steadier flow of particles) that were then scarcely used might better have been spent to continue experiments with an unimproved machine or at another accelerator. Instead, the sum was just the annual operating cost of a reduced program which PPA later proposed, without success, to both AEC and the National Science Foundation. Gerald F. Tape, president of Associated Universities Inc., which operates the Brookhaven National Laboratory, told *Science*: "If we knew today that some of these machines were going to be shut down in five years, there are some of these improvements we wouldn't be making now." He observed that a long lead time, including the budget process, is involved in such decisions, and added: "The psychological problem is really being able to admit that before the die has been cast. That's an issue that we haven't really learned to handle."

The execution of PPA was perhaps more of a surprise than it should have been. The question of shutting down high energy facilities had been raised in April 1969 during hearings before the Joint Atomic Energy Committee. In July of that year the AEC wrote to committee chairman Chet Holifield (D-Calif.) that the previous manner of responding to budget cuts—distributing the loss among the accelerators—"may have reached its limit." The AEC still opposed a complete closing of any facility, but singled out PPA for a "significantly reduced mode of operation." A decision not to spread the pain more evenly made sense as it became clear that the scarcity of funds was not a temporary aberration. The return on the dollar invested in accelerator operation increases as it approaches its full capacity, and by 1969 most of the large accelerators were working below capacity.

Wales admits that it was not easy to read the writing on the wall. "You're admitting you don't have a long-term future. And that's something difficult to do. That's something we didn't do voluntarily. We were told we didn't have any future."

The high energy physics community as a whole has not found it much easier to face the change in its financial situation. In June 1969, just before the AEC and PPA to consider deep cuts, the High Energy Physics Advisory Panel (HEPAP) reported that some of the older accelerators would have to be shut down "eventually." The panel combined a complaint over decreasing funds with a projection of federal high energy spending of \$375 million for fiscal 1972. This 1969 pro-

jection now appears optimistic to the tune of about \$160 million.

Since the preparation of this report, high energy physicists have been learning to live with a less rosy financial outlook. The sums being poured into the Batavia accelerator may still make other scientists burn with envy, but there is little left among the particle princes of the free-spending spirit that prevailed while the Princeton-Pennsylvania Accelerator was being built. Shortly after the decision to construct the machine was made, American scientists visiting Soviet high energy facilities were, in the words of one physicist, "shaken to their socks." Four months later a panel of physicists convened by the National Science Foundation recommended that annual spending for high energy physics be increased from a current level of \$40 million to between \$60 and \$90 million by 1962. In fact, spending in fiscal 1962 reached about \$100 million, and by 1966 had climbed to \$176 million.

The PPA thrived in this period. Though originally estimated at \$5 million, the original design cost of \$115 million, and major improvements such as the \$8.4 million external beam facility brought total construction expenditures to \$40 million. Today the massive complex of buildings and equipment is eking out a slender existence with a grant of \$230,000 from the Fannie E. Rippl Foundation. This grant is being used to convert the accelerator to production of heavy nitrogen ions in hopes of attracting money for their use in cancer therapy. But the Rippl funds will run out 31 August, and White expects no response to his plea for cancer research money before January. He is desperately pursuing other sources of interim financing to keep the accelerator alive until then, so that there will at least be a machine to decide about. His message to the government is: "While you're making up your mind, we're dying."

THE SCENE AT PRINCETON

The PPA facilities already have the eerie air of a ghost town. When a visitor enters the glass doors of the administration building there is no receptionist to greet him. Instead, a sign propped on a desk explains how to sign the register and where to find the staff telephone book. In the cafeteria, where employees were accustomed to stand in line and then search for a place to sit, a row of machines and one waitress offer Spartan fare to scattered diners. One of the remaining staff remarked, as he crossed the campus at midday toward the accelerator, that there used to be more people around at 3 a.m.

Those who are still around cling both to hopes for a rebirth and nostalgia for a golden age. They recall with pride the spirit of teamwork of their now departed colleagues. One administrator reports that many left with a plea to be rehired if the accelerator should resume operations, and another notes that almost every day someone returns just for a visit.

Since 1 July 1969, a total of 253 have departed, leaving a staff of only 42. Thirty of those who have left administrative posts, 21 were maintenance staff, and the remaining 202 were operations personnel. Of the latter, 9 were physicists, 32 engineers, and the rest technicians. Except for two who recently underwent major surgery, none of the engineers are now unemployed, although a few experienced considerable delays in finding work. Six of the engineers have gone to other universities, 7 now have permanent positions at Princeton, and 17 have gone into private industry. Seven of the physicists have gone to other universities, and the other two are employed in industry. Three of the technicians, dismissed in March, are still unemployed.

R. J. Woodrow, associate treasurer at Princeton University, observed that it is difficult for a university to cut back on such service operations as grounds maintenance, purchasing, the cafeteria, and so forth, but

he said that Princeton was able to absorb most of the administrative and clerical personnel. He stressed that the bigger the operation associated with a university, the more important that it stand apart on its own financial feet. He appeared unperturbed by the impact of the PPA closing on Princeton's finances, but others felt that the loss, at such a time, of a program with \$5 million annual operating costs could only hurt the university.

Some of the equipment useful at other facilities has already been shipped away, but the accelerator itself and its building remain behind, now the property of Princeton University. The storage area will be used by the university's plasma physics research group, but it is difficult to imagine what use could be made of the big machine itself if the current fund-raising campaign proves fruitless.

The impact of the closing on the physics department has been much less tangible. White speaks of a "very sharp downturn in graduate student and young faculty morale." But Marvin L. Goldberger, the department chairman, feels that the principal loss to Princeton will be in its ability to recruit young faculty in high energy physics. Even here, he believes, that the closing of PPA makes less difference to Princeton than the opening of NAL, whose facilities will naturally draw talent to the Chicago area.

GRADUATE EDUCATION

Goldberger expresses grave concern over the impact of the closing of smaller high energy accelerators on the character of graduate education. The high cost of experiments at the big machines and the intense competition for time to use them, he warned, will reduce chances for graduate students to make real contributions to experiments rather than just serving as "an extra pair of hands."

One of Princeton's younger particle physicists, K. Goulianos, shared Goldberger's concern that pressures at places like NAL could dampen the initiative of the next generation of experimenters. He feels that those who have already been trained on smaller machines will still insist on doing things their own way at NAL, but wonders whether students trained at NAL will have acquired that same spirit of independence when their turn comes to run their own experiments. At places like Princeton, he observed, students have had some freedom to "play around," and to fall once in a while. He feared that with "everyone watching everyone" at the Batavia accelerator, pressure will grow to "run physics like a project."

Goulianos insisted that it is still too early to tell whether the atmosphere of NAL will dampen or stimulate the imagination of graduate students, and other physicists express optimism that young talent will find a way to innovate in new conditions. But even 2 years ago the HEPAP report warned against "creeping conservatism."

With the increase in complexity, cost, and time scale of all experiments, and with limited funds, there can be a tendency toward overcaution. There is great competition for the time available at the accelerators, and a group, particularly with graduate students desirous of thesis material, may be tempted to design an experiment that is sure to yield publishable results rather than risk the effort for a bold and exciting but possibly unproductive one. This problem demands vigilance on the part of all workers in the field.

MILTON G. WHITE

While the character of the next generation of high energy physicists * * * White, who designed Princeton's first cyclotron in 1935, takes understandable pride in the huge accelerator he is struggling to keep alive. Asked about the "natural life" of these machines built at the moving frontier of knowledge, he said "that depends on the aggres-

siveness and imagination of the people who run them."

White has certainly harnessed his own energy to the search for new uses of his accelerator. He proposed to NASA that the high energy heavy ions a converted PPA could produce be used to investigate the effect of cosmic-ray bombardment of astronauts and sensitive computers in future prolonged space flights. Funds are not now available for such research and White pins his hopes on use of such ions for radiation therapy. These heavy ions are expected to prove more effective than x-rays in treating cancer because they can be aimed more precisely at a tumor and because their densely ionizing power is believed to diminish the so-called oxygen effect, which makes it difficult for x-rays to kill tumor cells without heavy damage to healthy cells.

But White is not alone in his efforts to gain a new lease on life for his machine. At Berkeley, where the 6-GeV Bevatron may be approaching extinction, a plan has been developed to link it with the Heavy Ion Linear Accelerator so that like PPA it can accelerate heavy ions to high energies. Berkeley has an advantage in the presence there of biomedical researchers with experience in radiation therapy and interest in high energy heavy ions.

The conversion to heavy nitrogen ions for cancer therapy at Princeton is on the verge of completion, at a cost of about \$75,000.

This conversion represents a basic departure from the primary purpose for which the machine was built. When the accelerator began operation in 1963, White wrote enthusiastically of the pursuit of "that 'primordial stuff' out of which all matter, including human beings, is composed." But in the same essay he already noted that the accelerator or its particles "may one day have applications to medicine, space studies, and other areas of science."

Now that he is trying to make that prophecy come true, White finds obstacles he had not anticipated. To be sure, the trend of public opinion and the Nixon Administration now emphasize the application on science to human problems. But White believes his quest for funds to shift the machine from basic science to cancer research is in a no man's land, between the high energy physicists and the biomedical scientists. The former, according to White, are obsessed with their chase after elementary particles (a passion he shares) and fearful of the diversion of any of their funds to applied research. Biomedical scientists, on the other hand, usually have projects already in mind for which they are trying to secure appropriations. As a result, White believes, the latter are not eager to promote unfamiliar programs at the expense of those to which they are already committed. And yet White has assembled an impressive dossier of testimonials from scientists anxious to see high energy heavy ions from his accelerator used for biomedical research.

THE NATURE OF MATTER, OF MAN

If he can find funds to keep his machine alive a little longer, White may then have a chance to secure a share of the growing sums being appropriated for the politically popular fight against cancer. But whatever the fate of his accelerator, he fears for the faith it has symbolized. He may adapt his machine to survive for a while in the changing climate of American culture, but he is troubled and puzzled by growing hostility toward science among the younger generation. White says that he can repeat the phrases used by critics of science and list the causes which have provoked their new attitudes, but that he cannot really understand them. And yet it is only 7 years since White, celebrating the accelerator's readiness for investigating ultimate mysteries, compared it to a cathedral because it "epitomizes the prevailing so-

cial-intellectual forces of the day. . . ." He then concluded that although there may be no end to the pursuit of knowledge of the nature of matter, it was "in the nature of Man to keep trying."

S. 2150

A bill 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.

On page 1, strike out lines 7 through 9, and insert in lieu thereof the following:

(a) For "Operating expenses," \$2,025,871,000, of which not less than \$300,000 shall be available for the Princeton-Pennsylvania Accelerator (PPA) at Princeton University through December 1971, and of which not more than \$118,400,000 shall be available for operating costs for other projects in the High Energy Physics program category.

PRESIDENT NIXON'S FORTHCOMING VISIT TO CHINA

Mr. MILLER. Mr. President, President Nixon's statement to the people last night was as encouraging as it was electrifying.

All of us would like to see a normalization of relations with mainland China. As the President said, the course of peace in the world will be better served thereby.

There have been skeptics who have not taken seriously President Nixon's oft-repeated desire and willingness to work for a durable peace. Such an initiative by the President as his announcement of a forthcoming visit to Peking to discuss mutual problems of concern should lay such skepticism to rest.

I am one of the Members of Congress who recommended to the President that food and food grains be included in his recent proclamation partially lifting the ban on trade between the United States and mainland China. I am pleased that the President did so.

Canada, our neighbor, has had a virtual monopoly of this trade, and it would seem far better for the cause of peace for mainland China to use its foreign exchange for food than for purchases which would aggravate the arms race. Moreover, opening the doors of trade could be helpful in the normalization of relations to which I have referred.

It is well that the President made it clear that our efforts to normalize relations with mainland China will not be at the expense of our friends, such as, particularly, the Republic of China on Taiwan, or to the detriment of our relations with the Soviet Union. I am sure that Premier Chou En-lai understands this as a reasonable position, and a genuine desire on the part of him and his country for normalization of relations will include an understanding and appreciation of this point.

This is a first step—a significant first step—toward what could be a long road to friendly relations with mainland China. Having served in China during World War II, I am convinced that the great mass of the Chinese people want to return to friendly relations with the United States. Now it appears that their leadership is beginning to respond to this public mood.

The Bamboo Curtain is beginning to rise, and I believe that our President merits full credit and support for this development.

REFUND OF SST DEPOSITS SHOULD BE MADE TO AIRLINES

Mr. PROXMIRE. Mr. President, today as the Senate considers appropriations for the Department of Transportation, I rise to support the refund of advance deposits made by the airlines on the SST program. I am sure that all of us are aware of the serious economic problems with which the airlines are presently troubled.

With the assurance that the U.S. Government was going ahead with development of the new transport plane, in 1967 a number of the U.S. airlines advanced a total of \$58.5 million to show their interest in the project, and to lessen the burden of cost on the Government. They should not now be penalized for their acquiescence in the Government's request.

There is no legal or contractual obligation for the Federal Government to refund the deposits. But as one of the Senate opponents of the SST, I believe there is a strong moral obligation for the Government to return these funds.

Let me remind my colleagues that precedent for returned deposits in this case do exist. Last year, the two largest SST contractors were given their money back: The Boeing Corp. received \$58 million, and General Electric received \$32 million.

There is no question that termination of the SST program was the right decision. But let us have the decency to return these deposits given us in good faith.

LINCOLN JOURNAL SUPPORTS REORGANIZATION OF THE AGRICULTURE DEPARTMENT

Mr. PERCY. Mr. President, the Lincoln Journal of Lincoln, Nebr., has printed several editorials in support of the President's executive reorganization proposals. The Journal's editorial position is particularly noteworthy because, serving a wide readership in one of our greatest farm States, it has strongly defended the proposed reorganization of the present functions of the Department of Agriculture, and the organization of an Administration for Farms and Agriculture within a new Department of Economic Affairs.

On June 7 the Journal printed an editorial arguing that by recognizing agriculture as an essential part of the total economy and the total national life, rather than a poor relation in the Federal family, farm policy is much more likely to get the objective consideration to which it is entitled.

In sending me a copy of this editorial on June 18, the Journal's associate editor, Jack Hart, said:

It seems to me that the public response to our position—as expressed throughout the editorial page of the Lincoln Journal and in speaking appearances before agriculture groups, is increasingly favorable. With the proper educational effort, I am confident that farmers, as well as the rest of the

citizenry, will come to appreciate the advantages of the plan.

Mr. President, I suggest that Mr. Hart's comments should be very encouraging and instructive to those who have hesitated to support the reorganization proposals because of the danger of offending farm interests. Mr. Hart indicates that with an understanding of the issues, farmers are willing to consider the reorganization plans more openly and favorably.

I ask unanimous consent that the Lincoln Journal's editorial of June 7 and Mr. Hart's letter to me of June 18 be printed in the RECORD.

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

FEDERAL REORGANIZATION

It's too bad the Nixon administration has tied revenue sharing and federal reorganization so closely together, giving the impression that both issues must swim or sink as one.

There are legitimate doubts about the workability of the revenue-sharing plan put forth by the administration and, in any event, Democratic opposition appears powerful enough to do that proposition in.

Mr. Nixon's plan for reorganizing the federal government, however, is something far different. This is a well-conceived approach, desperately needed for the preservation of any degree of manageability of the federal labyrinth. There has been no preferable Democratic alternative advanced.

The Nixon reorganization plan, in short, deserves to be passed essentially as it is presented.

The proposal is to preserve the four basic departments of federal government—state, defense, justice and treasury—as they are. But the rest of the executive branch would be reoriented according to functions into four new departments: economic development, natural resources, human resources and community development.

Thus, the bulk of the federal executive which now is organized along lines of specific programs and special interests, would be rearranged according to the broadest goals of the national government.

This change would produce the double benefit of enhancing both the workability and the efficiency of the federal structure. Without some far-reaching change of this sort, the mammoth federal government is likely to fall of its own weight, entangled in a hopeless maze of overlapping and duplicating bureaus and agencies which now require maintaining 850 separate interagency coordinating groups.

Objection to the reorganization comes chiefly from those special interests which would lose their distinction as separate cabinet-level departments, such as farm opposition voiced against eliminating the department of agriculture.

Rather than diminish agriculture's voice in the federal government—which really is not all that great now—there is good reason to believe the true needs of farmers and rural America would be better served by the reorganization.

One complaint of the existing setup is that some non-farm expenditures, such as consumer protection and food stamps, are lumped into the agriculture department budget, giving a distorted idea of the cost of farm programs.

The more serious defect of the present arrangement is that agriculture is treated as something wholly apart from the rest of the economy, the ills of agriculture would be attacked more effectively, it seems, by recognizing the industry as an integral part of the American economy, and acknowledging that its weaknesses spread throughout

the economic system. This is precisely what would be possible under the reorganization.

While agriculture now does have its own special spokesman, that fact works against very much profound consideration of farm problems in the broader and more comprehensive administrative councils. As long as the secretary of agriculture is assigned specifically to worry about the farmer, why should others concern themselves?

By recognizing agriculture as an essential part of the total economy and the total national life, rather than a poor relation in the federal family, it is much more likely to get the objective consideration to which it is entitled. It would not be unthinkable that agriculture could be one of the biggest beneficiaries of the reorganization plan.

LINCOLN, NEBR.,
June 18, 1971.

Senator CHARLES PERCY,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PERCY: We were gratified to receive your recent letter of appreciation for our support of the President's reorganization plan.

For your information, it seems to me that the public response to our position, as expressed throughout the editorial page of The Lincoln Journal and in speaking appearances before agriculture groups, is increasingly favorable. With the proper educational effort, I am confident that farmers, as well as the rest of the citizenry, will come to appreciate the advantages of the plan.

I am enclosing a copy of our most recent editorial on the subject which outlines the general approach we are taking, which seems to be well received.

We greatly appreciate your initiative and leadership on this issue and invite any suggestions from you or your staff as to how we might advance the idea more effectively.

Sincerely yours,

JACK HART,
Associate Editor, the Lincoln Journal.

PRESIDENT NIXON'S STATEMENT ON EQUAL HOUSING OPPORTUNITY

Mr. HUMPHREY. Mr. President, President Nixon's statement of June 11, 1971, on Federal policies relative to equal housing opportunity, although significant and worthy of careful consideration, was also long overdue and seriously misleading. Moreover, both this statement and overall Federal departmental activities indicate the continuation of a basic fault in policy by this administration in the area of civil rights; namely, a failure to move forward and vigorously enforce the laws that are already on the books.

We have seen a continuing opposition by the Nixon administration to giving the Equal Employment Opportunity Commission the enforcement powers that are essential to its work in ending discrimination in job hiring, advancement, and basic rights.

We have seen the Justice Department sway back and forth in hesitating to exercise its clear responsibilities under the 1965 Voting Rights Act to assure that new State election laws do not result in a return of racial discrimination practices.

We have waited for clear-cut efforts by the administration to open the higher Civil Service grades to qualified minority employees.

There remains a great and continuing

need for significant Federal assistance to minority businesses.

We have watched in vain for the allocation of a fair share of higher education aid to black colleges.

And we have witnessed the Department of Health, Education, and Welfare only recently coming to grips with local resistance to school desegregation guidelines—a disturbingly late action in light of reports of school resegregation as scores of black principals and teachers have suddenly found themselves out of work under school district consolidation plans.

Some have found the President's statement that "racial discrimination in housing is illegal and will not be tolerated," to be a forthright assertion of Federal policy toward opening the doors of equal access to decent housing. I find it a greatly encouraging statement, but I have been deeply disturbed by the President's distinction between housing segregation based on race and on economics. The distinction was profoundly misleading, even though the President also said:

We will not countenance any use of economic measures as a subterfuge for racial discrimination.

I am concerned because the net effect of this statement can be the reinforcement of the President's earlier and highly insensitive comment that this administration would not "force" integration of neighborhoods. In fact, the statement can rightly be judged a step backward in policy previously enunciated by the Department of Housing and Urban Development—a policy that may have been quietly set aside. In August 1970, the Department advised the Commission on Civil Rights that its goal in administering the 1968 fair housing law was:

The creation of open communities which will provide an opportunity for individuals to live within a reasonable distance of their job and daily activities by increasing housing options for low-income and minority families.

It is true that at the time the President made his equal housing opportunity statement, Secretary Romney issued guidelines limiting community development grants to those communities that agreed to plan for low-income and moderate-income housing. But this is only part of the total picture, as indicated by the Commission's report that by April 1971, HUD had changed its basic policy position, stating that it was opposed to the use of Federal leverage to promote economic integration.

As the Civil Rights Commission rightly pointed out in its report this May:

the harsh facts of housing economics, however, suggest that racial integration cannot be achieved unless economic integration is also achieved.

It is a profound disservice to the intelligence of the American people for the administration to express negative positions on forced integration and Federal leverage. What our people seek are affirmative, positive governmental policies and actions that encourage the integration of good housing for lower and moderate-income families in new developments, and that provide incentives

to communities to plan rationally and in a comprehensive manner for multiple forms of decent housing for all income levels through intelligent and productive land-use policies. And the American people insist that the Federal Government enforce the fair housing laws that it already has at hand, recognizing that no man's rights should be diminished or deferred by the color of his skin, and that he should have the right to be fully informed on all residential opportunities to be able to raise his family in a decent community and social environment.

I urge President Nixon to give serious consideration to this and other responses to his June statement on equal housing opportunity. I ask this administration to accept its responsibility to advise Congress on the further legislative authorities which it may deem necessary to carry out without further delay the positive, constructive policies I have outlined.

THE PRESIDENT'S PROPOSED VISIT TO MAINLAND CHINA

Mr. YOUNG. Mr. President, I was pleased and encouraged with the announcement that President Nixon will meet with Premier Chou En-lai, Mainland China's most powerful voice in foreign matters.

China has a population nearly twice that of both the United States and Russia. It is one of the most powerful nations in the world and must be reckoned with—particularly on Far East problems.

Mainland China not only is a big nation, it has intelligent, industrious people and is now one of the world's nuclear powers. It is no longer possible to ignore them as in the past.

Mainland China could and might well play a very important role in bringing a satisfactory conclusion to the unfortunate Vietnam war.

This new venture by President Nixon is a bold one and fraught with some risks, but it does give great promise and encouragement for a new era of peace in the world.

THE PRESIDENT'S INITIATIVE REGARDING CHINA

Mr. ALLOTT. Mr. President, I join with Americans everywhere in applauding the President's bold and dramatic announcement of his forthcoming visit to China.

President Nixon has done what only a President can do. Acting with prudence and discretion, he has used behind-the-scenes approaches to bring about a moment of great hopefulness.

Diplomatic channels that have been blocked for a generation are now beginning to open. A dangerous and hostile nation is showing some small signs of seeking to end its self-imposed isolation from the community of nations.

The United States can never isolate itself from Asia. It would be unworthy of this Nation to turn its back on over half of the world's population, on great nations and historic cultures.

From Guadalcanal to Iwo Jima, from Pusan to Panmunjom, from the Mekong

Delta to Danang, the United States has borne the difficult burden of a great power. Now the President could well be opening the door to a new era of Asian relations, an era, hopefully, that will be one of sober diplomacy, and without fighting.

Today the President is acting on two fronts to change the nature of the role we play in this crucial region. On the one hand, his steady leadership has brought us into the final moments of our involvement in the fighting in Vietnam. On the other hand, his subtle, patient diplomacy has opened the way to peaceful contact with the most significant—and most potentially dangerous—power in the area.

The President's quiet diplomacy is paying huge dividends. His forthcoming trip will be one of the most significant events in the history of American foreign relations. And it could be the key to lasting peace in Asia.

President Nixon is the most widely traveled President in the history of this Nation. He has had more experience with direct discussions with world leaders than any man who has served in the White House. All this experience will serve him well as he prepares for, and participates in, meetings with Chinese leaders.

In addition, President Nixon's experience and pragmatism will protect him—and us—from having unrealistic expectations about relations with China in the near future.

China is a huge totalitarian nation. For 20 years China prided itself on being the most revolutionary and anti-American of all Communist nations. We cannot expect such attitudes to evaporate overnight.

President Nixon knows that it will take years of patient—and firm—dealings to create any new era of moderation in this area. And, that these dealings will require great maturity and statesmanship on the part of any President in the coming years.

In these dealings I think we can be sure that the President will make it clear that our willingness to meet with foreign governments never implies approval of all the policies of those governments. The President will emphasize that we are anxious to have useful contacts with all nations. But he will also emphasize that such contacts are not our highest goal.

Our highest goal is and always has been a durable peace. Such a peace cannot be built just on the basis of high-level meetings between national leaders. But peace cannot be built without such meetings.

The President's forthcoming trip is the beginning of a long and uncertain journey. Peace for our children, and for their children, may depend on the success of his journey. We should not invest unrealistic hopes in this first development.

His trip will be primarily devoted to exploration and the easing of tensions and mutual suspicions. It will not be primarily a negotiating trip. But it may open the way to negotiations concerning the grave issues which divide the United States and China.

There is an old Chinese proverb that says every journey, no matter how long,

must begin with a single step. We have taken what may be the first step toward a durable peace in a troubled region. For that step we owe heartfelt thanks to President Nixon.

GEOHERMAL ENERGY

Mr. BIBLE. Mr. President, until fairly recently the geothermal energy resources of our Nation were a mystifying phenomenon to most Americans. During the many years we worked on geothermal steam leasing legislation within the Senate Interior Committee it was necessary to refer to this potentially vast reservoir of clean energy as a "little known resource."

I am pleased to note that the Nation's new consciousness of the urgent need to develop new pollution-free sources of energy and the Geothermal Steam Act of 1970, which I had the honor to sponsor and shepherd through the Senate, have led to an increasing number of articles in a wide variety of publications bringing the resource to the attention of the public.

"Geothermal Energy—A New Source of Power" written by Mr. William M. Holden for the June 1971 issue of the *Rosicrucian Digest* is a fine contribution to the literature on the subject.

I ask unanimous consent that Mr. Holden's article be printed in the *RECORD*. There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

GEOHERMAL ENERGY—A NEW SOURCE OF POWER—TILL THE EARTH GROWS COLD

(By William M. Holden)

Beneath the earth's solid crust, a score or so miles deep, according to scientists, seethes molten magma. Where faults or cracks penetrate the crust, incredible pressures from below force magma upward—sometimes through the surface as a volcano, sometimes merely high enough to heat the overhead rock, which in turn heats water from rain or snow that has percolated into the ground. This heated water may rise as a hot spring, or be forced out intermittently as a geyser, or boil out as a fumarole of steam—all are manifestations of geothermal—earth-heat—energy.

In many places, for many uses, man is tapping this energy. In Klamath Falls, Oregon, for instance, though snowdrifts may be high-piled outside, many a family has no hot-water heater, nor any need for one. They have said good-bye to heating bills forever. When they turn on a hot-water faucet or open a radiator valve, the water flows directly from wells of natural hot water. It is free except for initial costs of well drilling and plumbing, and for occasional maintenance.

"That's the beautiful part—no heating bills," exult the beneficiaries in the "hot-water district" part of town.

Klamath Falls' use of natural hot water is the most successful in the United States, according to a report by one of the nation's leading geothermal experts, James B. Koenig, a geologist with California Division of Mines and Geology. He presented the report last fall during a nine-day geothermal symposium in Pisa, Italy.

In Klamath Falls, about five hundred buildings—schools, businesses, and homes—are warmed by natural hot water piped from wells 100 to 1800 feet deep. The largest user is Oregon Technical Institute, whose three wells serve the entire campus, which has eight major buildings. Other users include six more schools, the municipal swimming pool, a score of businesses, and some 450

homes. From one well, Ponderosa Apartments draws all the heat and hot water needed for its sixty units. In fact, the 185° F. water is too hot as is; it has to be diluted in a big tank with cool city water, to lower the temperature to the 135° F. optimum.

Where Esplanade Avenue dips under a railroad overpass, snow and ice used to create traffic hazards as vehicles spun their wheels trying to negotiate the slick grade. Then the State Highway Department drilled a hot-water well nearby and embedded in the pavement coils of pipe carrying hot water. This keeps the pavement clear.

Elsewhere in the United States, on smaller scales, natural hot water supplies some heating needs in Alaska, Idaho, and Montana.

COLD WATER HEATED

But most Klamath Falls users do not "consume" the hot water as elsewhere. Instead, cool municipal-system water circulates down the wells in U-shaped pipes, where it is heated by the thermal waters, then carried up to taps and radiators. Some users, however, especially where the heating job is a big one, install electric pumps.

Koenig says the advantages of this "probably unique" heat-exchange system—the U-shaped pipes—are: There is no lowering of the water table, as occurs in some hot springs areas where huge quantities are extracted for a long time; and there are fewer problems with pipe corrosion, elsewhere a bothersome problem because most thermal waters are laden with dissolved minerals.

At Klamath Falls, Indians first used the boiling springs, huddling close in snowy winters, cooking fish and game in all seasons. In fact, for thousands of years in many areas of the world, man has used hot springs for cooking, laundering, bathing, recreation, and therapy. Warm water has a therapeutic effect on some physical ailments and some mental tensions.

Even space-heating by hot spring is not a new idea. In some places, hot springs chance to be situated in landscape that is perforated by caves—a fortunate combination that offered steam-heated homes to some of our ancestors thousands of years ago.

ICELAND'S HOT WATER SUPPLY

Hard by the Arctic Circle, Iceland has exploited its wealth of hot water on a massive scale since 1925. It is piped into 4000 homes in Reykjavik, the capital, for kitchen, laundry, bathroom, and space-heating purposes—at only half the cost of imported coal or fuel oil. And some flows into swimming pools, or melts snow on sidewalks, or warms huge greenhouses luxuriating with tomatoes, grapes, cucumbers, even palms laden with bananas.

Iceland's success has spurred other countries to essay similar projects. In Hungary, for instance, natural hot water is piped into 1200 apartments in the city of Szeged and into 400,000 square meters of greenhouses. In France, plans are shaping to tap geothermal waters for all the needs of the 20,000 people in Melun, southeast of Paris.

For centuries, health spas where hot springs are the major attraction have been popular in many parts of the world. Three in the United States are at Warm Springs, Georgia; Hot Springs, Arkansas; and Thermopolis ("Hot City"), Wyoming.

But in Japan in recent years, thermal spas have soared into the realm of big business, catering to 150 million visitors annually. Japanese entrepreneurs also use natural hot water to warm greenhouses, poultry and alligator farms, and a fishery that raises eels—a popular entree on Japanese menus.

Many nations are lavishly endowed with thermal waters. Russian scientists estimate that up to 50 to 60 percent of all Soviet territory harbors underground hot reservoirs, and they envision tremendous heating projects to ameliorate life in the vast, frozen lands ringing the Arctic. The same idea, they suggest,

could be applied in northern Canada and Alaska.

In a half dozen nations, natural steam generates electricity. Italy was first when, in 1904, Prince Ginori Conti wired six electric light bulbs to a small turbine-generator driven by natural steam at Larderello—the very site where wealthy Romans bathed in natural hot water 2000 years ago. When the prince threw the switch, the filaments lit up and geothermal history was made. Today, Larderello's production of 400,000 kilowatts from natural steam provides much of the electricity that runs the Italian railroads.

Similar power plants are humming with geothermal kilowatts in Japan, Mexico, New Zealand, Siberia, and the United States—specifically Sonoma County, California. Pacific Gas and Electric Company operates four geothermal powerhouses at this canyon scene in Sonoma, has two more units scheduled for completion by mid-1971, and others on drawing boards. By 1975, this will be a fifty-million-dollar geothermal complex, churning out 600,000 kilowatts—enough to energize a metropolis as big as Greater San Jose or San Francisco.

ELECTRICITY

The newest "wrinkle" is using hot water to generate electricity. It is done in a heat-exchange device containing Freon, a fluid, the boiling point of which is below the freezing point of water. The hot water heats the Freon, turning it into a gas that can spin turbine-generators just as steam does. This process opens up an immense geothermal frontier, because steam resources are not half as abundant as thermal waters. Small Freon plants have operated in Katanga, New Zealand, and Siberia, and are being tested in Great Britain, Hungary, and Poland.

Geothermal scientists recently announced their discovery of mind-boggling "ocean" of hot brine under the sandy flatlands of the Imperial Valley, southern California, and Mexicali Valley, Mexico. Dr. Robert W. Rex and his associates from the University of California at Riverside spent five years drilling shallow exploratory wells and taking the measure of this 500° F. brine resource with a medley of sophisticated instruments.

"Ocean" is hardly an exaggeration. Dr. Rex estimates ten billion acre-feet of hot brine is locked in the underground. That is enough hot water to cover to a depth of one foot four times the area of the United States!

LIKE A GIANT SPONGE

Whence came this vast resource? As Dr. Rex explains it, it derives mostly from "sea-floor spreading"; convection currents in the earth's hot mantle bring up hot rock into the undersea crust. In the Gulf of California, this spreading or rifting is pushing Baja California away from the rest of Mexico, widening the Gulf two to three inches a year. This rift zone slashes under the Mexicali and Imperial Valleys, which Dr. Rex says were once "a piece of the ocean." Today they are filled in nearly four miles deep with Colorado River's delta sediments. This heated sedimentary accumulation, porous like a giant sponge, is fed by surface and subsurface drainage from the Colorado basin.

Drilling 2000 to 5000 wells to develop the American half of this resource, he says, could produce enough steam to generate up to 30,000 megawatts of electricity, equal to that from fifteen Hoover Dams or forty large nuclear plants.

Also, much of the brine could be desalted, to yield six million acre-feet of cheap fresh water per year, using its own heat to distill it. "The fact that the brine is already hot means fuel would not have to be burned to desalt it," Dr. Rex notes. "There is enough heat in the brine to distill off nearly all the water it contains."

Some of the desalted water could dilute the high-salinity irrigation water now taken

out of the Colorado by farmers in California, Arizona, and Mexico, and thus halt increasing soil salinity that is blighting the region with crop failures. And some could be used to stabilize the level and salinity of the Salton Sea, which is prized for recreation and as a wildlife refuge.

Before the damming of the Colorado, Yuma, Arizona was a seaport. Exploiting the brines would make it economical to reopen Yuma by dredging the lower Colorado, Dr. Rex suggests. That would open up markets for mineral by-products in the brine. "The value of such chemicals is low, making it impractical to ship them except by sea," he notes. But calcium chloride, for instance, could be shipped by tanker to northeastern United States coastal cities such as New York, and even as far as Europe, for cheap snow removal.

This immense resource, he predicts, could literally galvanize the southwestern states with geothermal electricity, slake their powerful thirsts perhaps for centuries, and even reduce southern California smog—as existing generating plants fired by air-polluting fossil fuels (coal, gas, oil) are gradually superseded by plants fed by nonpolluting natural steam.

"Large-scale production of geothermal electricity, plus a ship canal," Dr. Rex adds, "might turn northwestern Mexico, southwestern Arizona, and the Imperial Valley into major electrochemical manufacturing centers and one of the most affluent regions in the world."

Dr. Rex is seeking a two-million-dollar Economic Development Act grant to finance drilling two deep demonstration wells and building pilot desalting plants. Meanwhile, Mexico has stolen a march on the United States: at Cerro Prieto, twenty-five miles south of the border, engineers are constructing a 75-megawatt generating plant, first of a series.

What about the possibility of ground collapse from extracting enormous quantities of brine? Dr. Rex proposes averting that by replenishing the supply by underground injection of Gulf of California water. He also notes: "The heat stored in the rocks themselves is about equal to the heat stored in the brine. This rock heat could be recovered by injecting sea water underground in cold areas and letting it flow toward the hot area. All our calculations ignore this enormous secondary reserve of heat, but its presence acts as insurance for the successful development of major quantities of geothermal fluids."

GEOTHERMAL STREAM ACT

The western United States is rich with many other hot spots. Experts predict a boom in geothermal activities in the near future as a result of President Richard M. Nixon's signing of the *Geothermal Steam Act* December 24, 1970. This Act, authored by Senator Alan Bible of Nevada, permits private enterprise to develop geothermal projects on Federal lands—exclusive of national parks, wilderness areas, wildlife refuges, and Indian lands. The significance of this Act is that some 75 percent of our known hot spots are on federal lands.

Geothermal energy, experts say, could help solve America's power crisis. Incredibly, our nation's consumption of electricity doubles every decade. Giancarlo Facca, a United Nations geothermal scientist, says it is "an established fact" that geothermal electricity costs less than that from conventional sources. Also, it is a pollution-free energy, a vastly important asset in these ecology-conscious times.

Geothermal energy could prove a boon to many underdeveloped nations because it needs no boilers or fuel supply as do generating plants fired by oil, gas, or coal; nor huge dams as does hydroelectric power; nor sophisticated technology as does atomic energy. Today, in more than two dozen na-

tions, scientific explorations for hot spots are going forward.

But some day man will be able to tap the earth's boiler anywhere, even in the frozen polar regions, just by drilling deep enough to reach high temperatures so that water poured down-well will turn to steam. In fact, Russian scientists say they are drilling a well six miles deep on Kamchatka Peninsula, eastern Siberia, with that very idea in mind. Even the ocean bottoms offer potential hot spots apparently as prevalent as on dry land, says geothermal scientist Dr. Carl F. Austin, research geologist at United States Naval Weapons Center, China Lake, California. He proposes using them to energize undersea cities and submarine bases, and for desalting sea water, and for electrolysis of water to obtain oxygen for life support.

But the most far-out frontier is, paradoxically, in outer space—paradoxically in the sense that geothermal means earth heat. From time to time for nearly 200 years, astronomers have reported various lunar phenomena suggesting the presence of hot spots.

If they exist, they would prove valuable to lunar explorers and future colonists, Dr. Austin says. If steam is contained in lunar magma as it is in earth's magma (scientists believe our oceans were condensed from the steam that boiled out of volcanoes when the earth was young), drilling a well and hooking up a small turbine-generator could supply electricity for lighting and heating. Exhaust steam could be captured and condensed in plastic bags to yield water for drinking and growing food plants in hydroponic tanks and, by electrolysis, oxygen for breathing and hydrogen to fuel rockets and lunar-surface vehicles.

The only alternative to finding water and energy sources on the moon would be to transport them from earth, at horrendous cost. In other words, lunar man's utility bill would be literally "astronomical."

VIOLENCE AND TELEVISION

Mr. PERCY. Mr. President, on April 29 I described on the floor of the Senate a letter I had received from one of my constituents, Mr. Norman F. McCrimmon of Batavia, Ill., in which he attributed the death by hanging of his only son, aged 13, to violence his son saw on television.

At that time, I wrote the presidents of the three major television networks asking them to comment on the tragedy suffered by the McCrimmon family and requesting their permission to reprint their replies in the RECORD. The network presidents now have responded with detailed statements outlining the policies they have adopted on the question of televised violence. I believe these excellent statements warrant our serious consideration and provide a good basis for future study, and therefore I ask unanimous consent that they be printed in the RECORD.

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

AMERICAN BROADCASTING
COMPANIES, INC.,
New York, N.Y., May 12, 1971.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: As you know, I have been in Europe on a business trip and did not see your letter of April 30 regarding the tragic death of the son of Mr. and Mrs. Norman F. McCrimmon until I returned to my office this week.

I was deeply touched, as you were, to learn

of the anguish suffered by the McCrimmon family. There is nothing that anyone can adequately say to ease their sorrow or ameliorate their great personal loss. Neither can I assure you that any presentation that our television network might carry in the future—either drama or news coverage—would, as you said in your remarks on the Senate floor, "insure that this tragedy is never repeated."

But I believe that I can promise you that the ABC management, for some time now, has made and will continue to make an honest effort to eliminate incidents of unnecessary violence from our programs. The elimination of violence for the sake of violence has been a policy of our company and our Department of Standards and Practices, which is responsible for reviewing all entertainment programs before they are aired, has been carrying out this objective. In addition, all producers of all our programs have personally been informed of this policy.

As a result, where an act of violence is essential to a plot of a dramatic presentation, the actual act is often referred to rather than shown, or presented in a manner that does not play up or feature the occurrence, but, rather places it in the role of a criminal act. Further, the dramatic programs deal more with the prosecution or solution of such acts, with those who commit such violence being brought to justice and punished for their infractions of the laws of our society.

Our policy in this matter is contained in an official statement, first issued three years ago and repeated each year to producers and to our Department of Standards and Practices, which is as follows:

"You are, of course, aware of the company's long standing policy regarding that, in carrying out your duties in reviewing scripts, rough cuts and final prints for air, you should prohibit the use of violence for the sake of violence. In this connection, you should give special attention to encourage the de-emphasis of acts of violence.

"While a story-line or plot of development may call for the use of force—the amount, manner or portrayal and necessity for same should be commensurate with a standard of reasonableness and with due regard for the principle that violence, or the use of force as an appropriate means to an end, is not to be emulated."

At my personal direction, we shall continue to carry out this policy and sincerely trust that it will be successful. But we must acknowledge, however, that violence does exist in our society and will, therefore, be reflected to some degree by script writers in our dramatic presentations concerning the problems of our times. The same will be true in our news programs that report on actual happenings, including unrest and crime here at home and in the fighting zones in Indo-China.

With best wishes and warm regards.

Sincerely,

LEONARD H. GOLDENSON.

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., June 30, 1971.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR CHUCK: I have given much thought to my response to your letter of April 30 concerning the tragic death of the 13-year-old son of your constituents, Mr. and Mrs. Norman McCrimmon. And I have deliberately refrained from writing sooner in order to allow some time to elapse so that the subject could be discussed more dispassionately.

There is, of course, nothing I can say which could possibly assuage the irreparable loss suffered by the family. I can only offer my most sincere condolences. I will express to you, however, in all candor some of the considerations one must reflect upon in try-

ing to come to reasonable judgments about the use of violence in dramatic art forms. This is no simple matter, it admits to no absolute solution, and it is one on which sociologists, psychologists, authors, playwrights and producers who have yet to find common ground.

As we looked into the details of Mr. McCrimmon's letter, we found only one CBS Television Network program, on February 6, which might have been the mid-February broadcast he described. (He did not identify the program or station.) In this program there were three fleeting shots, *below the knee*, of a hanged man's legs. The total elapsed time of the combined three shots was six seconds, the barest possible visual information necessary to the plot. The context made it clear that it was not a suicide, and the reaction in the script from those who discovered the body was one of shock and grief.

I mention this because it illustrates the perplexing and often contradictory implications of communication. There was no dwelling here on the details or technique of violence. There was no glorification. There were, I dare say, any number of viewers from whom this sequence was a warning against evil. The dilemma of the storyteller, as far back as the Book of Genesis, has been to tell the story of right versus wrong without giving lessons in how to succeed in doing wrong.

The experience of mankind has been that fiction cannot withdraw entirely from the recognition that there is cruelty and violence. Witches of fairy tales, three blind mice whose tails were cut off by a carving knife—how many other images like these have been part of the pre-schooling of countless generations?

Neither we in television nor the Surgeon General, whose committee is studying the subject, nor the consensus of practicing psychologists, has yet established a causal relationship between television viewing and specific human behavior.

CBS, in addition to participating in the Surgeon General's study, is financing other important research studies to seek answers which have thus far been unobtainable—and from which, hopefully, for the first time in man's history, he will be able to know how best to depict the presence of evil in its dramatic forms. Dr. Lawrence Zelic Freedman, the psychiatrist, noted a decade ago that "Major technological advances have always significantly altered the manner of living, certain values of life, and even the characteristics of the children and their descendants who grow up in its aegis." As mobility, communications and life-challenges change, it is our constant effort to find the right course between what is appropriate and what is inappropriate for the air.

What we are seeking, in the independent research which we have endowed, is a whole series of answers—and we are seeking these answers not only in our own country, but also in the somewhat different environment of England, so as to have a basis of comparison. We are seeking to find out whether the media stimulate socially violent behavior. (Parenthetically, I should note that the most violent social behavior in modern times has come in countries where mass communications were nowhere nearly as highly developed as in our own—as, for example, East Pakistan and Biafra.)

We are seeking also to have research determine the effects of media experience in terms of the numerous other aspects of life—school, family, church, social environment, for example. We are seeking to ascertain cumulative effects, not just the effect of a single program but rather the effects of prolonged exposure. Finally, we must face and solve the essential question of the established social norms and values of our society—and our satellite societies—and how these relate to the media. Do the media re-

fect the established norms and values, or do they play a role in creating these norms and values, or is this what the distinguished Director of the CBS Office of Social Research, Dr. Joseph T. Klapper, has called "a complicated circular relationship."

It is clear that television must not, and as far as CBS is concerned does not, pander recklessly to the market appeal of violence. It is equally true that a popular medium—which is to say a medium serving the broad general populace—cannot avoid reflecting the fact that there is violence both in the contemporary world and in the history of man. What we are trying to do is to be watchful of the depiction of violence in drama but also to provide constructive, positive values in children's programming and in programming generally.

We cannot, of course, create in television a cordon sanitaire against the realities of life. Should not the aim be rather to introduce the young viewer sensibly to the world in which he is to live? And is there not also the need to recognize that different audiences at different times may view the same subject in different ways?

Mr. McCrimmon's letter is one we take very much to heart—and I am sharing it with the management of the CBS/Broadcast Group so that they can know first-hand the question he asks of television programming. It is not an easy question, and there is no easy answer; but I pledge to you the continued and heartfelt effort of CBS to find the answer and to implement it when it is found. With all good wishes.

Sincerely,

FRANCIS STANTON.

NATIONAL BROADCASTING CO., INC.,
New York, N.Y., May 24, 1971.

HON. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: I am sorry that an unusual press of business has delayed my response to your letter of April 30 and your invitation to comment on your remarks to the Senate about television.

It is clear that you have very strong feelings about the influence of television programs on viewers' behavior, especially the effect of depictions of conflict and violence. I hope you will indulge my perhaps overlong attempt to place the subject in some perspective.

The depiction of conflict on television and the question of whether this contributes to violent behavior have been a matter of concern to us for a long time. There is extensive literature in the social sciences on this subject and about the best one can say on it is that the findings are conflicting. Some authorities claim that violence in television programs induces violence in real life; others hold that violence in literature and the drama, including television drama, has the healthy effect of providing harmless release of the hostilities and aggressions that invade all of us at one time or another.

In our operations, we do not rely on this conclusion or on the conflicting scientific opinion. We have instead recognized the sensitivity of the subject and our unquestionable responsibility to serve the best interests of the public. We are, of course, aware of the criticism that television has drawn, and I believe it is safe to say that we have devoted greater continuing and thoughtful concern to the question than have our critics, because we are engaged with it every day of the year.

It would be unrealistic to prohibit all violent conflict, both because it is a legitimate tool of the dramatist and, more important, it is most often used to make a morally instructive point or to condemn acts of violence. It is not unrealistic, however, for us to establish and enforce standards that must be met when violence is depicted. We do, and basically they require that the de-

scription of violence be essential to the development of theme, plot or character, that it not be used merely for shock effect or to stimulate audience interest and that it not be carried to excess. Although it is useful as a general guide, the policy must still be implemented by people, making individual judgments. For this we rely on the good sense of the creative people who produce, write and direct the shows and the supervision of experienced personnel in our Program and Broadcast Standards departments.

We have rejected programs that promised to provide popular entertainment, because in considering their concepts we concluded they had an inordinate potential for physical conflict. We have rejected others because, although taken alone they promised to be acceptable, they would have tipped the balance of our diversified total schedule toward action-type shows.

The shows we do schedule are supervised by our Program and Broadcast Standards people through every step of production, and editing and revision is ordered anywhere along the way if it appears an episode or incident does not meet our standards. Our people sometimes make mistakes, because they are frequently exercising wholly subjective judgments, but they are always conscious of the sensitivities of the viewing audience and the effect their decisions might have on individual members of a nationwide audience of millions of children and adults.

When necessary our people engage the help of professional social scientists, and, of course, we cooperate with the Code Authority of the National Association of Broadcasters, which functions for the entire industry. As an example of recent action in this area, the Code Authority retained for a two-year period a forensic psychiatry team from Temple University to study and advise on the effects of televised conflict and violence on the audience. During the period there were frequent consultations as specific questions arose, and the team's report, which has also been published in a professional journal, provides guidance to the Authority and the three networks in their judgments regarding violent action in entertainment shows.

Along with the other networks, NBC has financed and cooperated in studies aimed at determining the effect of television programming on human behavior. Most important, from NBC's point of view, we are currently engaged in an ambitious study of our own which we hope will make a major contribution to understanding the influence of the media on the behavior of young people. A major deterrent to satisfactory research in the past has been the lack of a methodology capable of taking into account the great variety of influences on human behavior, which must be considered in assessing the effects of television. NBC's research experts believe the ideal is a real-life study that can measure television's effect within the total context of all other influences.

With the help of a prominent social scientist, Dr. Paul Lazarsfeld of Columbia University, they have devised what we believe to be a workable methodology, and we are in the second year of a five-year study, which our research experts believe will make a genuine contribution to understanding the behavioral effects of television programs. It is the only study of its type in progress, and we undertook it on our own initiative and entirely at our own expense.

We have also undertaken some significant steps in the development of programming directed to young audiences. The program prospectus George Heinemann sent you recently is an example of our intentions and progress in this field, and we are continuing to look for new ways to make television a more rewarding experience for young viewers. I consider this to be one of our most important tasks.

I realize that none of the foregoing can relieve the grief of a bereaved father, but I hope it offers evidence that we are by no means insensitive to our responsibilities, that we recognize the unique place we hold in American life and that we are eager and determined to do all we can to find answers to the questions that plague our troubled society.

With best wishes.

Sincerely,

JULIAN GOODMAN.

THE PRESIDENT'S CHINA STATEMENT

Mr. GAMBRELL. Mr. President, the announcement by the President that he would visit Peking for a conference with the Communist Chinese is a most hopeful development in my opinion.

Of course, we must not permit this discussion to put us off guard for our national security, but it is important that every opportunity to establish peaceful relations be explored.

I congratulate President Nixon for having the courage and wisdom to take a new approach toward our dealings with the Communist Chinese.

INDIANS, ELECTRIC ENERGY AND ECOLOGY

Mr. FANNIN. Mr. President, two great needs in my home State of Arizona are for electrical power and for economic opportunities for reservation Indians.

During this week temperatures in Phoenix have reached more than 110° several days. This is an area of almost 1 million persons. It takes a lot of electricity to cool the homes, offices, and workshops for this population. Without refrigeration, this thriving sunshine capital of our Nation would wilt each and every summer.

Far to the north, up on the Navajo Indian Reservation, it is much cooler. But there are many Indians who do not have jobs which pay them a decent living wage. Employment opportunities are few and far between.

By placing new power generating plants in the Four Corners region, moves were made to meet the energy needs of Phoenix and the Southwest and at the same time supply tribal income and some very good jobs for Indians.

This also has brought a major controversy.

I would like to make a few points concerning the dispute over the powerplants.

First, conservationists who were so avidly opposed to any more hydroelectric dams must bear a large part of the responsibility for the current situation. They stopped the construction of new dams which would provide not only pollution-free sources of electricity but new recreation opportunities through the creation of new lakes.

The Southwest is growing—whether the current residents like it or not. We could not lock the borders if we wanted to. People are coming to Arizona, and southern California, and New Mexico, and west Texas. And these people must have power and the factories they work in must have power.

Just where in the world did the short-sighted conservationists of the 1960's think this power was going to come from?

Second, I will take just a moment to mention the politics of Indian reservations.

We have a sharp division on the Navajo and Hopi Reservations between the Indians who want to live in their traditional way and those who realize that if the Indians are to share in the 20th century they must adjust to change.

Traditionally, by 20th century white standards, Arizona Indians have lived in poverty.

The progressive elements of the tribes have been moving toward economic development of their reservations. These elements know that economic progress is elementary to improved education, health, and general welfare.

It also is evident to many Indian leaders that the best life for the Indian—the life that allows him the most retention of his traditions and culture—can be maintained on the reservation. Indians who move to the cities often are overwhelmed by the alien atmosphere, and the non-Indian society is befuddled by the very characteristics that are basic to Indian life.

That is why it is so important to bring economic development to Indian reservations. An Indian supervisor, or at least someone acquainted with Indian customs, is better equipped to supervise Indian employees. And since Indians traditionally have very close family ties, they generally would prefer to stay with their families on the reservations.

It is for this reason that it distresses me that so many publications are criticizing perhaps the biggest economic development on an Indian reservation in the Southwest.

Let me emphasize that I believe that we must do everything practical to protect the environment. Arizona is a beautiful State with a wonderful climate. Clean air has long been one of our most precious assets. What we must do is to develop the technology for coexistence of power generating facilities with our environment. I believe that the expenditure of \$90 million to install air pollution control devices in the plant now under construction at Page shows that the power companies are trying to protect the environment.

In northern Arizona we have a situation that should help to bind the Indian and non-Indian together—not drive them apart.

The tribes need income and jobs—the powerplants supply this.

The people in the cities need electrical energy—the powerplants supply this.

As the supply of privately owned land in Arizona is exhausted, the future of the State will become closely intertwined with the development of industry on reservations. It already is happening.

Most Arizonans have great respect for the Indians. It is a disservice to all when efforts are made to stir up animosity between the Indians and non-Indians, or between the factions within the tribes.

Mr. President, in connection with this I ask unanimous consent to have printed in the RECORD two editorials from the July 5, 1971 editions of the Phoenix Gazette.

There being no objection, the editorials

were ordered to be printed in the RECORD, as follows:

WHO HATES INDIANS?

As Life magazine tells it, in a cover story marked by shameful racism and abysmal distortions, Indians in Arizona and the rest of America remain the exploited victims of a tradition of white hatred dating back to the battle of Little Big Horn and beyond. By way of describing the relationships between two Arizona tribes and whites, Life makes this statement:

"In the Southwest there is hatred for the Hopi and Navajo traditionalists who want to stop the stripmining of coal on their reservations, a step that would halt the fuel supply for white men's power plants."

While it is true enough that traditionalists have objected to disturbing what they consider the sacred earth with strip mining operations, Life neglects to observe that the traditionalists constitute a shrinking portion of the reservation population, and that the coal mining agreement was negotiated with tribal governments generally recognized as legitimate by Indians themselves.

Contrary to Life's ugly implication, the Hopis and Navajos are not being ground under the white man's boot. The typical reaction of the Arizona white community to the traditionalists' complaints has not been hatred, but rather sympathy mixed with some understandable bewilderment about cultural and political differences on reservations.

The Life article is riddled with the contradictions typical of the eastern seaboard Liberal's tunnel vision on Indian matters. It says Indians are victims of "cultural genocide," then goes on to lament reservation conditions, unemployment and poor housing among them, that could be changed only by further abandonment of native customs for ways of the white man.

Probably one day, American Indians will live more happily in a culture not yet fully developed, combining the best of two cultures tugging somewhat cruelly at them now. That day will come faster, however, if Liberals would only stop encouraging hate as fuel for all social reforms.

A FALSE ALARM ON POLLUTION

By going into federal court to seek a moratorium on six large power plants in the Four Corners area, environmental extremists propose to disrupt the orderly growth and the prosperity of Arizona and the rest of the Southwest because of a pollution threat that is more imagined than real.

Edward Berlin, a Washington lawyer representing the environmentalists, says his clients want the moratorium invoked while a special task force studies the environmental impact of the coal-fired power plants. The study is expected to take six months, anyway.

A six-month moratorium, however, doesn't mean just a six-month delay in developing power sources the Southwest needs to keep up with increases in essential use. If the complex and delicate timetable for designing and erecting the power plants is interrupted, even for a short period of time, it is unlikely that they will be ready in time to avoid serious power shortages in Phoenix, Tucson and other southwestern cities in the next decade. As the nation discovered in the case of the SST, major technological projects cannot be restarted on whim.

If the danger to the environment were anything close to what the plaintiffs contend, a slowdown on the plants might be in order. As a matter of fact, however, dramatic breakthroughs in pollution control already are reducing objectionable emissions from existing plants. By the time plants under construction are completed some years hence, the technology probably will be available to cut pollution to acceptable limits, if not to zero.

If the outcome of this unnecessary litigation damages Arizona to the extent it could,

environmentalism will win no friends here. If the plaintiffs hope to protect nature in the long haul, they'll drop this case and take on more real threats.

REVENUE SHARING

Mr. BENNETT. Mr. President, Will Rogers was reported to have said that "all politics is applesauce." Anyone at all familiar with President Nixon's revenue-sharing proposals who has listened to some of the criticisms of that program would be inclined to agree with Will Rogers that a lot of it is nothing but "applesauce."

A realistic appraisal of the present financial relationship that exists between the Federal, State, and local governments can only produce the obvious conclusion that the present system is simply not getting the job done of meeting the needs of the people of this country at the State and local level. No one can deny that State and local leaders are being confronted by a critical dilemma. The tax base on which they have to draw, dependent primarily on sales and property taxes, cannot provide an adequate level of revenue necessary to finance the services being demanded by their constituencies. The rate of growth in services provided by the local governments is reflected in the twelvefold increase in State and local expenses during the last quarter of a century. In 1946 the expenditures on the State and local level accounted for \$11 billion, while in 1970 that figure had grown to an estimated \$132 billion. This is three times the rate at which the Federal Government's spending has increased in this period.

Our constitutional system of government simply cannot continue to function successfully when State and local governments are continually operating on the verge of bankruptcy and becoming increasingly dependent on funds from specific limited grant programs that the Federal Government has developed over the years.

Even though the present system of Federal grant-in-aid often spells the difference between fiscal solvency and fiscal ruin for many State and local governments, the problems that are created by the narrow piecemeal approach to broad local problems only serves to compound the unhappy situation. The restrictive nature of the categorical grants often makes it impossible for local government officials to use them wisely to fit local requirements. This lack of flexibility means that officials here in Washington are forcing the mayors of Salt Lake City, Provo, Ogden, Logan, and others in my own State of Utah to spend money on projects that are not always of highest priority while other pressing local needs go unmet.

There is no doubt that State and local governments need Federal help, but what they need is more help with less bureaucratic redtape. It is becoming increasingly difficult to justify to my constituents in Utah how men in Washington can dictate binding policies and guidelines to local Utah governments like Tooele, Heber, Juab, Duchesne, and others when they do not pronounce the names cor-

rectly, let alone understand the complexity of local issues and problems. These communities do need more money, but Utah's Governor, its mayors, and county commissioners, and their counterparts all over the country need more than just money. They also need the additional freedom of choice that would come with the President's revenue sharing so that they can spend the money where it can do the most good for their communities.

As I have mentioned, Mr. President, the problems confronting my own State of Utah are not much different than those confronting other states, and Utah's need also serves as an indicator of the benefits that would be shared by all the States with the adoption of President Nixon's revenue-sharing program.

As the need for new funds by State and local governments continues to grow, the fear grows with them that the administration's proposals will produce less, not more, Federal funds. I believe this concern, which has been expressed by many critics of revenue sharing, is groundless, since President Nixon has provided that no State would receive less money under revenue sharing than it does under the present program of multiple categorical grants. It is simply not true that general revenue-sharing funds will be derived from a total phaseout of categorical grants. I believe that this particular point is so important and has been attacked so often that it is worth stating again: No State or Federal program will receive fewer funds under revenue sharing than it does under the present categorical grant system of distributing Federal money.

The importance of this statement to Utah and many of the other large Western States is evident when it is viewed in context of future Government spending. Utah has not maintained a sophisticated "grants man" in the Nation's Capitol to seek out all the potential Federal funds, and as a result of the growing maze of Federal programs, we are finding that our State and cities are receiving a gradually decreasing percentage of the total Federal budget. This is graphically shown during the years of the Johnson administration, when there was such an explosive growth in the number of Federal programs. In 1965, Utah was receiving 0.61 percent of the total Federal grants to the States. During the brief period of 4 years from 1965 to 1969 the percentage dropped to 0.50 percent, a drop of about 20 percent. It is clear from these and other supporting statistics that the Utah percentage of the Federal budget is likely to continue to decrease under the present system.

As a further illustration of this trend and a vivid example of what revenue sharing can mean to Utah, I would like to refer to the total Federal expenditures in the 20 major social programs. These 20 major social programs cover such fields as nutrition, community action, education, health welfare, housing, urban development, law enforcement, manpower training, airports, and mass transit. The funds spent in these areas nationwide totaled \$14.6 billion in fiscal year 1970. Of these, Utah received only \$63.3 million or 0.43 percent.

If Utah had been allocated its general

revenue-sharing percentage of these programs, the State would have received over \$83.3 million. That is an increase of over \$20 million in a single fiscal year. These figures take on even more significance when it is realized that the Federal funds spent for the social welfare of the country are increasing each year, but, because of the fact that Utah has for the most part successfully avoided a majority of the social problems that are confronting other areas of the country, its share of the present categorical social grants would continue to decline. Under the revenue-sharing program, Utah would be able to channel its allotted portion of the Federal revenue into those programs intended to solve those problems that are unique to Utah, rather than having to adapt programs that may have been intended to cope with the problems of New York or San Francisco. It is clear that Utah will benefit from the adoption of revenue sharing.

The general revenue-sharing allocation will be above the State's share of national population, above its share of Federal income tax payments, and above its share of probable addition to categorical grant programs. In addition to the favorable fiscal features of revenue sharing, the returning of the decision-making to the local leaders in Utah will mean that there will not only be an improvement in the form of Federal assistance, but there will also be an improvement in the quality of that assistance.

I, for one, have been happy to see that Utah's local and State government leaders have recognized the value of revenue sharing to our State. I respect the opinions of these men because they are the officials who must daily face the problem of making local government responsive to the needs of their communities. They are the men who know that revenue sharing can and will work for the betterment of all levels of government. Woodrow Wilson said, in viewing the relationship between State and Federal governments in this country, that it was the "cardinal question of our constitutional system." I am pleased to see that we are developing, in revenue sharing, a program that will answer that "cardinal question" with the assurance of making our local government more effective today as well as preserving our federal system for future generations.

MARINE LEAGUE AWARD WON BY MRS. ESTHER CLARK

Mr. FANNIN. Mr. President, one of the outstanding newspaperwomen of this country is Mrs. Esther Clark of the Phoenix Gazette. A list of her achievements in the field of journalism would fill many columns of print. Her reputation for fair and accurate reporting on difficult and complex subjects extends beyond State and National boundaries. She is a first-rate investigative reporter and feature writer. One of Mrs. Clark's major interests, and one in which she particularly excels, is the reporting of military affairs.

Next month Mrs. Clark will join the ranks of other outstanding Americans who have received the Marine Corps League's Dickey Chapelle Award.

I ask unanimous consent to have printed in the RECORD an article from the

July 14 issue of the Phoenix Gazette which gives the details of this award to a very deserving Arizona newspaperwoman.

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

MARINE LEAGUE AWARD WON BY GAZETTE'S ESTHER CLARK

Phoenix Gazette staff writer Esther Clark has been selected for the Marine Corps League's Dickey Chapelle Award, presented annually in memory of newswoman Dickey Chapelle who was killed while on patrol with a company of Marines in Vietnam in 1965.

Mrs. Clark will receive the award in August at the League's national convention in San Antonio, Tex., where actor John Wayne will receive a companion award, the Iron Mike Award.

"Esther was the obvious choice," said Sidney S. McMath of League headquarters, "for the award is conferred on the woman who in the opinion of the league has contributed most to morale, welfare and well-being of our Marines and who has made notable contributions to the Marine Corps and the United States of America."

Past recipients have been actress Martha Raye; Washington, D.C., philanthropist, Mrs. Marjorie Merriweather Post; Mrs. Lucy Caldwell of Princeton, N.J. (USO Vietnam); and Mrs. Verona Devney, Northfield, Minn. (Project HOPE).

Mrs. Clark, who has been a feature writer for The Gazette for 26 years, spent three months as a war correspondent in Vietnam, arriving home on Christmas Day 1966.

Last fall a series of articles written by Mrs. Clark in The Phoenix Gazette led to the setting aside of the conviction and sentence of Green Beret Capt. John J. McCarthy Jr., who had been convicted of murder in the shooting of a Cambodian double agent, court-martialed and imprisoned.

Mrs. Clark's stories, relating previously unpublished information in the case, led to a review by a military tribunal in Washington which handed down the decision to set aside McCarthy's conviction.

Mrs. Clark, whose news and feature coverage of military affairs has been cited in numerous awards and honors, has achieved many "firsts" as a female journalist. They include being the first woman reporter to: ride in a jet fighter plane, break the "sound" barrier, take an underwater trip in a submarine, fly off the deck of an aircraft carrier, hit the beach with an Army team in a Navy practice assault landing and cover an execution at the Arizona State Prison in Florence. She is married to Frank Clark.

TRADE POLICY REVISION NEEDED

Mr. HANSEN. Mr. President, the United States has now recorded two successive monthly deficits in our foreign trade. Contrary to earlier expectations the trade trend is discouraging, the more so if we keep in mind that these two monthly deficits have been incurred even though our exports included Government giveaway products under foreign aid, food-for-peace, and other similar non-commercial shipments—exclusive of military—to other countries.

I believe that Members of this body are aware that our official trade statistics, as differentiated from balance-of-payments statistics, have for years put a deceptive face on our trade balance. If this had not been done we would have shown a trade deficit over the past 5 years.

Mr. President, the weak competitive position of this country in world markets and in the face of imports can no longer

be concealed. The Department of Commerce admits as much today. In the most recent issue of *Commerce Today*—July 12, 1971—Commerce Secretary Maurice Stans says:

The United States is losing its competitiveness in world markets.

In manufactured goods we have slipped from 25% of the world market in 1960 to 21% in 1970.

In 1970 the United States lost to Germany its position as the world's largest exporter of manufactured goods.

In recognition of this unenviable condition, we are urged by the freer trade supporters to shift our capital investment from "labor-intensive" to "high-technology" industries.

This sounds like a retreat from lower to higher ground as a flood rises. The steady retreat raises the question of how much high ground there is and whether it can sustain us.

Mr. President, without pursuing this question further, I offer for the *Record* three papers prepared in recent weeks by O. R. Strackbein, who is known to many of us as a longtime student of the trade problem. As president of the Nationwide Committee on Import-Export Policy, he has made many appearances before the committees of Congress that have to do with trade legislation over the past 20 years.

Mr. Strackbein makes an analysis of the present state of American industry which continues to lead the world, as it faces drastically changed world competitive conditions. He throws much needed light on the validity or lack of validity of the tendency to classify our industries as "labor-intensive," "capital-intensive," or "high-technology." I think I can say that his analysis is an eye opener. He also pays his respects to the constant refrain that our industries become more efficient as a means of becoming or remaining competitive with imports.

He also draws a sharp distinction between the prospects of industrial growth in this country, as we knew it in the first half of this century, on the one hand, and what we face today, on the other. The latter, he sees as a wholly different aggregate.

I offer the three papers in sequence at this point in the *Record*. While there is considerable overlap, the repetition helps in tracing the evolution of our world trading position no less than the developments of the ever bleaker outlook of employing the ever growing labor force in this country—unless we change our trade policy to meet the changed situation.

The three papers are "Distributing New Dimensions of Imports," "Eclipse of U.S. World Productive and Competitive Leadership" and "Our Labor-Intensive Industries: Let's Preserve Them Against Imports."

There being no objection, the papers were ordered to be printed in the *Record*, as follows:

DISTURBING NEW DIMENSIONS OF IMPORTS
(By O. R. Strackbein)

In recent years imports have put on a new face in our economy. They represent a newly developed challenge in a sense that can only be described as spoiliative of certain aspects of the American system of industrial expansion.

In order to grasp the full implications of this pronouncement it is desirable to give attention to the function of wage levels and relative productivity in the course of import competition, and their bearing on domestic employment under general and special circumstances.

Industries that are beset by growing imports will not ordinarily add workers to their employment rolls, unless the economy is very prosperous and upgrade. They will rather do all they can to increase productivity by reducing their employment in order to meet the pressing low-cost import competition. It becomes necessary to reduce costs, and this can be done in any meaningful sense only by cutting down on the work-force. Since wages cannot be reduced, both because of political realities and because doing so would reduce consumer demand, the only way to reduce labor costs is to cut the number of man-hours needed to produce a given volume of goods. When that is done by a number of industries that are faced with import competition, the result will be less employment. This may mean a lower total payroll. In any event that is the objective.

REDUCTION OF PRODUCTION COSTS

It is not generally appreciated what is involved in reducing production costs. It is often said that in some products labor is not more than 15% or 20% of the cost of production, e.g., as in automobiles, in the production of which the payroll in 1967 was only 14.8% of the value of shipments. (See *Census of Manufactures for 1967*.) This judgment is perniciously false because it ignores the permeation of all production by labor, from minerals, agriculture, lumbering and all other raw material preparations to multiple transportation, financing, insuring, storing, etc. These and other operations precede final assemblage of parts and components. What is called the "automobile industry", with its 1967 complement of 743,000 workers, is merely an assembly operation. The great preponderance of labor is expended before the assembly line is reached. The "industry's" labor outlay is only a third of the iceberg. Instead of 743,000 workers, somewhat over 2 million workers are needed to build our automobiles and parts.

The fact is that close to 80% of total costs incurred by all corporations in production goes into employee compensation carried all the way back. Therefore precious little maneuvering is left as a competitive weapon other than reduction of man-hours through worker-displacement. If overall costs are to be reduced as much as 10% in order to become competitive with imports the total work-force from A to Z must be reduced by something more than 10%, even if profits were reduced proportionately. If a 20% reduction in cost is necessary the work-force would have to be cut some 25%.

Reduction of costs has, of course, been the very matrix of American industrial success. Lower prices generally beget greater consumption. While this is not always true it is true with a product that enjoys an elastic demand, such as automobiles. It does not hold for goods with an inelastic demand, such as sugar and salt and other essentials. With an elastic demand consumption rises when prices are reduced. The classic American process with a new product which was found to enjoy an elastic demand has been to move heaven and earth to bring down the price to consumers. That is the tale of the automobile, radio, TV, etc. It is also the very principle on which our anti-monopoly posture rests.

LOW-COST IMPORTS PRODUCE DIFFERENT EFFECT

As a result, today imports are invested willy-nilly by the unwary with the same virtues attributable to the cost-reductions that in our economy were the key to enlarged consumption and resulting expansion of employment. The analogy rests on precarious

ground. For example, the demand for a particular product may be inelastic. Lower costs and lower prices, whether offered by imports or domestic producers, will then not enhance consumption sufficiently to help employment. Those who were laid off because of higher domestic productivity or imports then create new unemployment.

Now we come to the very core of the case. If the demand for a product is elastic and if the initial price to the consumer is appreciable a lowering of the price will indeed beget consumer response. The workers who were displaced by the more productive methods that resulted in the lower price will find employment after some time. The workers in the buggy and carriage factories gave way in a roundabout process to the automotive worker. In time more workers were employed in automobile production than had been displaced, although not very likely in the same place.

However, to substitute lower-cost imports for domestic cost-reducing innovations, such as more productive machinery, is not justified. There is a fertile difference.

When the domestic entrepreneur contemplates drastic cost reduction as a means of reaching a broader market he is lured by visions of bonanza-like returns. The great exemplar, of course, was Henry Ford. He collected handsomely on his vision by taking a risk on the elasticity of demand for his product. He was sure, however, that if his theory was true, he would have a vast and almost virgin market before him.

He had recognized the interdependence of mass-production and mass-consumption. He instituted the unheard-of \$5-a-day wage as a token of his faith.

EXAMPLE OF THE AUTOMOBILE

To appreciate the difference between the Ford approach and the present-day efforts of manufacturers of products that promise great consumer acceptance if the cost is brought to levels low enough to tap the mass market, we must recognize the difference in the attendant circumstances. Mr. Ford could be sure that he would not soon be undersold by competitors who had access to his technology, access to his engineering developments and who were likely as experienced in marketing as he but who paid their workers only \$1 or \$2 per day against his \$5.

Had such entrepreneurs been on the landscape and ready for him, ready to invade his market and tap layers of consumer income below those he could hope to reach unless he could surprise them with yet more highly productive methods, he might have thought twice before venturing so far afield. The others would have shared his market and might possibly have driven him out of business. Their lower wage disbursements would, however, soon have failed to boost consumer income sufficiently to produce the generally high level of consumer demand necessary to sustain general expansion of the economy. Instead of taking their cue from Henry Ford the remainder of American industry would have seen him as a failure and would not have emulated him.

The industrial miracle of the world, the American industrial system, would not have flowered, unless, indeed, some other entrepreneur equal to Ford had come on the scene.

To pursue the difference further, assume that his competitors, who were in a position to take a competitive advantage of him because of their lower wages combined with high productivity, had been foreign companies producing abroad rather than American. They would then have employed foreign rather than American workers. Mr. Ford could never have built his industrial empire. The automotive industry would hardly have become the great employer of domestic labor that it is today.

Today highly resourceful, competent and

energetic entrepreneurs, supported by great capital resources, much of it American, do exist and operate abroad; and these are hungry for business.

This fact alters the whole outlook for greater employment in this country today compared with what it would be if the conditions faced by Henry Ford still prevailed.

EXAMPLE OF RADIO AND TV SETS

We have an example, even if not a perfect one, in that part of the electronic industry that is devoted to consumer electronic goods today. This potential employer of thousands upon thousands of workers has been hamstrung, so to speak, as an expansive employer of American workers. Its employing potential has been dissipated by the very import process pictured above.

It is not that the demand for household electronic goods (radio and TV receiving sets, tape recorders, etc.) is inelastic. No! It is quite elastic, and the American industry benefited from this fact for years in the radio forerunner of TV. Manufacture of receiving sets, the price of which had been brought down within the reach of the mass market, provided expanding employment. With the advent of TV and the development of mass production abroad the scene began to switch.

The high wages which were the characteristic of the American system, together with their function of assuring an adequate market for mass-produced goods, suddenly became a formidable competitive handicap. This handicap was two-fold. The lower foreign costs permitted inundation of our market by the imported product. At the same time it foreclosed to the American manufacturers the hope of enjoying the mass market that formerly was sure to greet the further progressive reduction of costs. The latter function was pre-empted by the foreign producers who, in order to accomplish this fact, needed no particular inventiveness or originality. They had but to build on what became available to them through the process of licensing from American patent-holders.

Thus was destroyed the dream that its pursuit in the past by American entrepreneurs brought us ever expanding employment opportunities. True, American capital, because of its mobility can still participate in the expansion, but the benefits do not accrue to the American workers.

In the past we looked to new industries, which came to be known as growth industries, to take up the slack of industries that lagged in employment. A recent example was the chemical industry with new products. This was a natural development when the new and growing industries were operating in this country and enjoyed exclusive patent rights and tariff protection. Today it is different. We still have growth industries but our own companies license foreign producers or establish producing plants in other countries.

The lower costs of production abroad produce the same effects that successive production-cost-reductions formerly produced in this country.

When the source of the cheaper product, however, is foreign our domestic industry is left in a relatively stagnating position. Our workers see the growth that previously resulted in burgeoning employment at home, taking place in other countries.

Thus the whole outlook for greater employment is changed. A shift to overseas bases has in recent years been going on all about us. We can no longer reason as we did before. When our capital can move overseas so readily the accustomed door to greater employment in this country to which we looked in the past is largely shut off.

EXPORTS AS AN OFFSET

It is said that employment generated by exports offsets the jobs lost to imports. Exports, however, cannot overcome the growth-killing effects of imports that rob our growth industries of their dynamic employment potentials, as described above: e.g., man-made fibers. This is something that was not on the scene until the past decade; and it has already taken a heavy toll. We have before us the bright example of computer exports.

In 1960 we exported only \$48 million of electronic computers, accessories and parts. By 1969 this figure had climbed to \$728 million. This heartening record is equaled, however, by our importation of telecommunication apparatus (radio, TV, etc.) which moved from \$127 million in 1960 to \$1,006 million in 1969. Here we have evidence of the rapidity of import invasion if the competitive cost-advantage of the imported product is right. The evidence is very convincing in persuading us that industries that do not yet feel much pressure from imports may find themselves beleaguered in a few years' time.

Even so well-established an industry as the automobile makers, who were among the very pioneers of the mass-production system, found that there was still a market to be found in the income brackets that lie below the lowest-cost automobiles our industry was able to manufacture.

If we scan the income distribution by family in this country in a recent year (1968) we may better appreciate what the potential market may be today. 39.7% of family income in 1968 resided in the \$10,000 and over brackets. 23.4% fell into the \$7,000-\$9,999 bracket. Below that level only a low-price automobile new or secondhand, could hope to make headway. Yet, 26.6% of the total income fell into the \$3,000-\$6,999 bracket. (Statistical Abstract of the United States, 1970, Table 486, p. 322).

Here was an invitation to any automobile manufacturers who could produce a vehicle at a price low enough to tap this market. Those more likely to have that capacity would, however, be foreign producers who enjoyed the competitive benefit of low wage rates and high productivity. The result was the capture in a few years of 10%-15% of the total American automobile market by imports.

American producers were prevented by labor costs and the productivity level from supplying this potential market. They are making a second attempt, but imports continue to grow. Unless rising productivity can reduce sharply the man-hours needed to produce cheaper automobiles, the imported product will continue to supply the greater part of the low-priced car market. As previously noted, a substantial productivity increase translates into heavy worker-displacement. Already some components are being imported in order to assure a low price. This practice, however, does not help domestic employment.

THE AMERICAN DILEMMA

This is essentially the dilemma in which American industry finds itself today *vis-a-vis* imports. The pressure to remain or to become competitive with imports, as if success in this endeavor would restore the magic of old, works at cross-purpose with the national goal of full employment. The sharper the import competition the more hopeless the effort to increase employment through cost reduction. Movement to overseas bases will be stimulated.

IMPORT CEILINGS OR QUOTAS AS A REMEDY

Any proposed remedy must therefore address itself to this dilemma. To retain a reasonable share of our market for domestically-produced goods calls for import controls that are designed to produce precisely that result.

The tariff has been reduced to ineffective levels in most instances. Import ceilings or quotas represent the most effective as well as the most reasonable instrument available for prevention of the pre-emption and despoliation of our market by imports running wild. Ceiling or quota limitations can be devised to provide for a reasonable level of imports and sharing of our market in proportion to its expansion from year to year. They would at the same time control the shipment to this country of products manufactured abroad from plants established by American capital.

Our industries would once more be assured of a growing market and higher employment if they were guarded against disruption by imports.

There can be little question that our patent system contributed greatly to the vision of successive cost reductions as the key to the mass production and the mass market which together brought greater employment. When imports are poised ready to jump ahead of our producers because of the cost advantage enjoyed by the former, our producers face a disheartening if not impossible prospect; and our economy will lose the propulsive lure that formerly induced it to work production miracles. Labor will be the evicted bystander.

ECLIPSE OF U.S. WORLD PRODUCTIVE AND COMPETITIVE LEADERSHIP

(By O. R. Strackbein)

This will be an attempt in a very abridged form to trace the recent make-over of the American economy in terms of its competitive capacity in relation to the rest of the world.

In order to find an anchor-point it will be necessary to go back a generation or two. No specific date can be fixed but it is desirable to go back far enough to trace the divergence of our economy from its previous state and particularly from that of other countries, or to about 1900.

The old idea governing wage income was based partially on the iron theory of wages of Ricardo and others. The principal thrust was to get as much labor for as little pay as possible. Wage reductions were imposed as a remedy when business went sour in depressions. In other words, wages were an evil burden on production. Labor could be and was sweated on "sound" economic principle. Legislation and judicial decisions underwrote the practice by keeping unionization under wraps.

NEW CONCEPT TAKES SHAPE IN THE UNITED STATES

After the concept of mass-production took hold as a result of mechanical inventiveness in this country, a ray of light of a different wave length broke through. Perhaps the first concrete progeny of this beam of light was the anti-trust laws, in the sense that they reflected the economic meaning of competition versus monopoly power. At the bottom of this distinction lay the interest of the consumer or the people. Competition would bring prices down. Monopoly was bad because it placed pricing in the hands of the monopolists whoever these might be and made of it an instrument of enrichment at the expense of the people.

With this concept the seedbed was ready for another new idea. If mechanical genius was sufficient to speed the wheels of production and swell the stream of goods, the process left to itself was doomed to choke itself on a vast accumulation of products that had nowhere to go.

EXAMPLE OF THE AUTOMOBILE

Folklore had it that Henry Ford was the genius who broke the dilemma. His reasoning seems simple enough; but it was revolutionary if seen as a radical departure from the old wage theory. He saw the need of consumer purchasing power and wages as

the life-saver of mass-production. He instituted the \$5 per day wage, unheard of at the time. His vision, however, had a yet deeper perception.

Consumer income was not then, as it is not now, all of the same level. How many consumers enjoyed incomes of \$25,000 or more?—a tidy sum in Ford's early days. Not very many. If the cost of an automobile was such that only the wealthy could buy it, there was no point in making a great many automobiles. They would only pile up as inventory. The cost per unit would remain high because of low volume of production.

It was obvious, however, that the cost of the automobile could be reduced substantially—how far down no one knew—if overhead were spread over thousands of cars rather than hundreds and as production methods were improved. More yet could be done if hundreds of thousands of cars could be built; but would people buy them?

If the wealthier elements were buying cars because they liked them, would not the next lower layer of income level also buy them if the cost could be brought within their range? Obviously, the question of chicken or egg sequence faced Mr. Ford. He was allergic to bankers but made the plunge on the strength of his faith in his vision. He sensed that the demand for automobiles was elastic. The farther down he could bring the cost the larger the demand he would encounter. The more cars he produced, the lower would be the cost of each. He could now visualize the bonanza that awaited him if he kept the faith. If there were a hundred who could buy a car at a price of \$5,000 and a thousand who could pay \$4,000, and a hundred thousand who would pay \$3,000, there might be a million who could buy a car at \$500.

Mr. Ford operated on this principle and met with phenomenal success. His was the epic of the marriage of mass-production and mass-consumption. He, together with others who saw the same vision, gave to the world the uniquely American system of production and distribution.

The system was not fully understood, as it may not yet be fully understood, but it was viable, albeit there was danger that it might be run into the ground. Instead a historic crash did occur in 1929. It was only in the next decade that the birthpangs of the twin equation of mass-production-mass-consumption, with much travail, achieved a parturition or actual delivery.

The old idea of wages as a monstrous if necessary evil was nevertheless not easily fended off. It was ready to strangle the newborn idea; but yet the offspring lived and before long was a lusty challenger of the old concept; and in time won the day—some would say, in spades.

The American productive system as epitomized by the automobile brought industrial leadership of the world to the United States. After World War II the other industrial countries were convinced of the virtues of the system as a producer of goods and they fell in line in full cry.

With the help of the Marshall Plan, the infusion of copious capital, and the exposure of thousands of foreign productivity teams to our plants and factories, followed by billions of dollars of private investments abroad by our industries, the other industrial countries moved apace in modern technology and managerial skills. Their productivity, formerly far below that of our industries, was soon hard on our heels, in a few instances perhaps forging ahead. In some notable instances foreign industries such as steel and textiles in Japan, installed modern machinery and equipment virtually from the ground up, industry-wide, while our industries were saturated with machinery ranging from the obsolete, the obsolescent to the modern. This represented a competitive handicap for us.

OTHER INDUSTRIES

The example of the automobile did not long remain unique if it ever had that distinction. The principle of cost and price reduction as a means of reaching a mass market succeeded handsomely in other industries that made products for which the demand was elastic. An inelastic demand such as we encounter in many essentials, such as salt and sugar, where consumption is limited by the number of stomachs to be fed, does not lend itself to the type of growth and proliferation that supports great industrial expansion.

Demand for the nonessentials, on the other hand, answers to the old concept of the "indefinite expansibility of human wants." It is in this field that American production has found its widest expansion and intensification. Examples: several cars in a family, multiple radio and TV sets, twenty pairs of shoes in millady's closet.

The "expansibility" of human wants depended for its realization on rising income, such as we have witnessed in this country as it made its way to affluency. Potential consumers could become actual consumers, and the proliferation of nonessential goods became characteristic of our economy of abundance, also one of waste and obsolescence. Such an economy becomes distinctly more sensitive than one that caters only to essentials and little more.

The American economy today is still ahead of other nations in consumer goods. Per capita production and consumption had been phenomenal in comparison with the rest of the world, other than Canada, but the gap is narrowing. The technological development of other countries and adoption of our mass-production system poses a threat to us that is yet to be fully perceived or appreciated.

CHANGED COMPETITIVE WORLD

The other countries have indeed adopted our mass-production system, but while their wages have risen—in many instances more than ours in percentage terms, though not in dollars and cents—they continue to lag far behind us (Canada excepted). Their consumers are unable to buy all their mass-produced goods. Therefore they need foreign markets, far beyond our needs, to dispose of their surplus. This country offers the most attractive market, and in 1970 we took \$40 billion in goods from other countries. An increase in wages abroad would lessen present dependency on exports. Our economic relations with other countries as represented by trade have changed in a basic sense because of the wage discrepancy. There was a time when the wage discrepancy was less crucial. Our higher productivity acted as a considerable offset. Today that offset is shrinking and in some instances has been lost; and there is another challenge, as we shall see.

The transformation of our competitive standing *vis a vis* the industrially advanced nations can best be appreciated if we place Henry Ford and his vision and endeavors in his day in the present world milieu.

This tour of imagination requires that other industrial countries had been abreast of Mr. Ford in point of automotive technology—i.e., they could in a short time have produced as good an automobile as Mr. Ford. We assume further that his competitors had perceived the meaning of cost-reduction as a means of tapping a broader market, as described herein. At the same time their wages were a half or less of those paid by him. The duty on automobiles, let us say, was 5% if they were imported into this country.

Now, as Mr. Ford, struggled to bring his cost down, so that he could offer his automobile to the public at \$1,000, thus hoping to open a wider market; his competitors could have offered this product at, say, \$750

or \$800! They could also have beaten him to the \$500 level.

The envisioned bonanza that became his when he had the market to himself would have evaporated. He could perhaps in those days have reduced his wages sufficiently to contest his foreign competitors' conquest of his market but this step would have violated and subverted his very vision of increasing consumer purchasing power.

Had he been confronted fifty-odd years ago with very low-cost imports he might have opened branch plants abroad to reach into the pools of low-wage labor and exported his product to this country and to other markets from abroad. He might also have licensed foreign producers to produce his car; but whatever recourse he might have had *Detroit would not have become the automobile capital of the world.* The vast employment offered by the automobile industry over the years in this country would have been much smaller. The swelling payrolls of the manufacturers of automobiles, of raw materials and parts and components would not have fertilized the economy, as they did, with gold dust. Our economy would have moved ahead at a distinctly more pedestrian pace.

Add to the automobile industry numerous other rich examples of industries that prospered and proliferated under the American productive system, and the results would have been very different. Had these many other industries also sought to make their way, not under the conditions that actually prevailed at that time but under conditions such as they would have been had the present-day competitive situation, including the advanced state of foreign technology and the lower wages accompanying it, been substituted for the actual one, all would have been different. *The American system would not have become so sharply differentiated during the decades of 1910-1950 from its counterparts in other parts of the world.*

International costs of production would have remained on a much more uniform level. In other words, the differences in cost levels throughout the industrial world would have been comparable to the differences within the confines of this country or as they are within the borders of Europe itself. These differences would have been bridgeable, and free trade would have been a much more feasible undertaking, even as it has recently been found to be within the European Economic Community and in the European Free Trade Association.

UNTENABLE ANALOGIES

However, to seek to equate the discrepancy between American costs and foreign costs with the cost differences within this country and thus to minimize the disruption caused by virtually unimpeded imports into this country today, is to overlook the function of comparative dimensions. We have free trade in this country and shifts have taken place in industrial locations (indeed not without some distress, as with the migration South of the textile industry); and Europe is able to come together in areas of free trade, but that is not the same as exposing the high production-cost levels of this country to those of other countries that are armed with our technology, but not with our high wages. Nothing is gained by confusing the two; much is obscured. *Had we started on the same level with other countries, and had the American system been accepted abroad and thrived there, including the concept of high consumer purchasing power as a function of high wages, or had we not adopted our system at all, we would have been close enough together in competitive levels to embark on free trade along with the EEC and EFTA.*

We are, however, further from the condi-

tion today than formerly. With productivity no longer so far apart, and narrowing, but with chasms dividing our wage levels from those of our foreign competitors it is unrealistic to equate our internal competitive diversity with that existing between us and our foreign competitors.

The competitive discrepancy between this country and the rest of the world in a vast array of products has produced precisely the troublesome problems that confront us today. We do ourselves no good by minimizing the problem. But for this gaping discrepancy we would not for example, have witnessed the virtual loss of the consumer electronic industry to other countries. We would not now be witnessing the rising threat from synthetic textile imports. We would not see the helplessness of our automobile industry in its efforts to compete against German and Japanese "mini cars", produced at costs we cannot match despite our technology. We would not have witnessed the virtual vanishing of the American-flag merchant marine—down to carrying only 5% of our total imports and exports. As for radio we did indeed for some years enjoy the same fruits of cost-reduction as we did earlier with the automobile. The product was one for which the potential demand was very high, as well as elastic. We needed only to bring the cost and the price down sufficiently to tap the mass market. This was done without benefit of import competition, as it was also done earlier with the automobile. Our technology and business acumen in both instances succeeded in tapping the mass market. We did not need imports as a monitor. Again, much employment was added to the economy by the radio industry.

Then came television, first black and white and then the color version. Before our technology had gone all the way, even with the black and white, foreign sets challenged our progress toward saturation of the market. We were headed off at the pass, so to speak. Sets could be made more cheaply abroad. Our companies then invested abroad and, of course, hired foreign workers rather than American. They licensed foreign manufacturers for a fee, and our economy lost the usual value of patents as generators of jobs in this country. Even the manufacture of radio sets rushed overseas. It was possible to produce sets more cheaply abroad and thus to tap yet lower levels of consumer income in this country and to exploit the market for multiple sets. Once more the increasing employment that formerly would have been ours was lost.

DISTINCTION BETWEEN DOMESTIC AND FOREIGN COMPETITION

There exist in superabundance those who insist that domestic and foreign competition exert the same benign influences that bring down costs to consumers. As already noted, we needed no import competition to bring down the cost of automobiles or radios; nor for that matter, to bring down the cost of telephone use. This is not to say that import competition has no effect on prices. If, however, it enjoys too sharp an advantage, the effect on domestic production and employment can be not only erosive but lethal. We have but to reflect on what has happened, not only to consumer radio and television products, but turn our gaze on the sewing machine, watches, typewriters, binoculars, athletic goods, glassware, pottery, tile, footwear, speciality steel, fish and fishery products, some fruits and vegetables, if we wish to behold cripples and wrecks of what were once flourishing industries in this country and healthy employers of labor. There are others; and yet others are waiting in line.

To equate domestic inventions and innovations as disrupters and displacers of labor with the effects of imports is to be hopelessly hobbled by college-implanted mental rigidities over which reality has little hope

of prevailing. Workers displaced by technology within this country have always had the hope that the ensuing lower prices would stimulate consumption (assuming an elastic demand) sufficiently to lead in time to higher employment. Not so when imports produce the displacement. The higher employment occurs in other countries, not here. Indeed, investment in our own industries is discouraged.

Moreover, when promising new industries in this country might be expected, as earlier in this century, to open new fields of plentiful employment, face the present-day situation, including instant licensing of foreign production, they would not prosper, but would make a halting beginning and then wither on the vine. They would see their potential market opened to imports to reap the rich harvest that previously was their own. There is then no hope that "in time" new jobs will proliferate over the American landscape.

NEW DIMENSIONS OF THE IMPORT PROBLEM

The deterioration of our trade balance in the last decade reflects the results of the developments that have been described. From 1958 through 1970 our share of world exports of manufactured goods has shrunk from 27.7% to 21.3%, or by 30%. While we still enjoy an export surplus in a few items (such as machinery and chemicals) this surplus has been narrowing ominously. The high volume of our machinery exports has, however, virtually destroyed our hope of reaping the benefits of new or "sophisticated" product development. The lead we have in computers, and other "high-technology" products, for example, must be regarded as temporary. In nearly all other product lines we are in a deficit position. Employment in these extensive deficit lines exceeds that of the handful of industries in which we still enjoy a surplus, by over 2 million. These deficits did not result from a sudden onset of inefficiency in this country, as is so frequently implied, but from the transformation herein described.

There are those who take great but unjustifiable comfort from the sizeable excess of our returns on foreign investments over current annual capital outflows. This should be no cause for elation since it only measures the competitive advantage available to our capital in the lower wage refuges abroad. The dividends received cannot begin to offset the employment and wage outlays that our economy did not enjoy because of the changed conditions. They merely help to conceal the true competitive disaster we face—through no fault, it may be said, of the industries concerned.

If we can no longer, as it is, count on the growth that follows cost-reduction through higher technology because imports can beat us in efforts to tap mass consumer income, we must seek means of restoring the conditions that will assure us the fruits of technological progress.

CONCLUSION

The cost-chasm that separates us from our competitors is deep-seated and structural in nature and will not yield to diplomatic negotiations. The stubborn persistence of the differences is rooted in national economic policies, imposed on industry in the form of controls that are quite inflexible. As a result international competitive forces that might be expected to narrow the cost-gaps are quite thoroughly frustrated, with no end in sight.

The only effective remedy lies in setting ceilings over imports. By holding imports to a reasonable share of our market while permitting their growth as our market grows, nothing is disrupted. New industries and old could then once more look forward to enjoyment of the fruits of their cost-reduction accomplishments. Otherwise our domestic investment climate will not attract, as it did

in the past, the infusion of capital needed for growth and higher employment.

We cannot hope under present conditions to achieve full employment except possibly under some unforeseen abnormal conditions. Our market is one of the most open in the world. The few import quotas we have on non-farm products are noted chiefly for their liberality. This liberality allows the imports of those few products that are under quota restrictions to loom larger than they would be if the quotas were really restrictive. By being liberal we are made to look illiberal.

The American competitive position in the world has changed basically and radically, but not irreversibly. We must adapt or pay the price in loss of employment and real national income. We must not allow ourselves to become as dependent as was colonial Great Britain, on dividends earned abroad.

OUR "LABOR-INTENSIVE" INDUSTRIES: LET'S PRESERVE THEM AGAINST IMPORTS

(By O. R. Strackbein)

WHAT THE WORDS MEAN

When American industry and agriculture complain over the inroads of imports in the domestic market they are told to divert their capital from "labor-intensive" industries into "capital-intensive" ones or, alternatively, they are admonished to become more efficient where they are. Neither suggestion gives evidence of penetrating thought.

What, we may ask, is a "labor-intensive industry", and what is a "capital-intensive industry"? Simply put, any industry that depends more on hand operations than on machine operations would be relatively labor-intensive. When cigars were hand-filled and hand-rolled the operation could be called labor-intensive. When automatic machines replaced the handwork, or nearly all of it, the industry became relatively capital-intensive.

Labor-intensive industries are usually regarded as "inefficient" because of their low output per man-hour. "Inefficiency" does not, in this usage necessarily mean poor management, wasteful methods or indolence, nepotism or the like. Indeed, hand operations may be performed with great skill, dexterity and speed and still be regarded as inefficient—in the economic sense. A coal miner using pick and shovel might work with great energy, application and speed but he would still be woefully inefficient compared with a modern coal digging behemoth. The latter might do the work of a dozen or score of men or more, depending on its size, power, etc. It is therefore much more efficient than the man with pick and shovel.

A blinding error is committed, however, when we approach the question of relative competitive standing of labor-intensive and capital-intensive industries.

All industries are labor-intensive. Except under monopolistic or semi-monopolistic conditions, employee compensation represents some 80% of the cost of production. In 1968 corporate business (including mutual financial institutions) received an income of \$403 billion. Of this amount \$318 billion represented employee compensation, or 79%. (See Statistical Abstract of the U.S., 1970, Table 479, p. 316).

Obviously, not all corporations are capital-intensive. However, the notion that capital-intensive industries enjoy a lower total labor cost in terms of percentages of the value of the finished product than do the labor-intensive industries is a delusion. The error arises from calculations commonly made from statistical tables that show industrial classifications, such as "Motor Vehicles and Equipment", "Blast Furnace and Basic Steel Products", etc. which set forth the number of employees, payroll, the value added by manufacturing and the value of shipments. The source of the statistics is the

Bureau of the Census, U.S. Census of Manufactures (See Statistical Abstract of the U.S., 1970, Table 1119, p. 700-704).

THE TERM "INDUSTRY" MAL-DEFINED

Unfortunately for a more accurate account of the relation of employee compensation to value of shipments, these Census industrial classifications nearly always reflect only the last stage of production. The automobile industry i.e., "Motor Vehicles and Equipment", as represented by the 4 manufacturers (General Motors, Ford, Chrysler and American Motors) is only a small part of the productive operations that in the aggregate combine to produce an automobile. The value of shipments of the "industry" in 1967 was \$40.3 billion. The number of employees was 743,000; the payroll, \$5.9 billion. In other words, the payroll came to only 14.8% of the total value of shipments!

Therefore the automobile industry is called "capital-intensive" or "labor-sparse"—a veritable caricature.

It must be clear that much, very much, labor had already been expended before the assembly operation performed by the automobile companies had even begun. The iron ore was mined, shipped and smelted. The proportionate outlay for employee compensation in the mines, in the warehouses, for transportation, for financing, for insurance, taxes, etc. must be accumulated as cost of the steel that was incorporated into the automobile. The same applies to copper, glass, paint, aluminum, rubber, industrial chemicals and water consumed, and all else that became a part of the finished product.

If this were done, not only in the case of the motor vehicle industry but in all other industrial classifications made by the Bureau of the Census, a wholly different picture of labor and capital intensiveness would result.

Even in the "steel industry" the payroll (1967) of \$5.0 billion was expended to produce steel shipments valued at \$22 billion, or only 22.7% of the value of the product. Again, the defect in this statistic is that the steel industry is much more than the steel mills. "Value added" by these mills was \$10.1 billion. The payroll was 50% of this added value. The payroll, however, still leaves out overhead in great part.

Altogether all that is not profit, taxes or interest, in the cost of the final product has been expended as employee compensation at some stage in the productive process. Even taxes in considerable part go into employee compensation of federal, state or local governmental workers. Insurance and financial costs (interest) also bear their share of employee compensation.

PREPONDERANCE OF EMPLOYEE COMPENSATION IN COSTS

So it may be said that employee compensation is the vastly dominant part of cost of production and also in moving the goods into the hands of consumers through wholesaling, advertising and retailing. *Labor-intensiveness is therefore characteristic of all production and distribution.* To repeat, there is no such operation as a labor sparse one, in terms of share of total costs measured against final price, outside of monopoly conditions.

It was long bruited over the land and especially in the land and especially in the colleges of economics that our "capital-intensive" industries were our heaviest exporters and also least vulnerable to imports; and so they were for a time, for obvious reasons. During the past decade, however, the facts of our new competitive situation in the world have demolished this claim. The automobile industry, the electronics industry, the typewriter, sewing machine, steel and meat-packing industries have learned in re-

cent years that capital-intensiveness has not shielded them against the impact of import competition, for reasons that by now must be obvious: technological diffusion.

SCAPEGUAT ECONOMICS

There was a vastly receptive intellectual market in this country a generation ago for the economic theories that upheld free trade, especially in the universities. With the onset of the Great Depression in 1929 the economically frustrated public became so eager for a scapegoat that it was possible to saddle the subsequent passage of the Hawley-Smoot Tariff in 1930 with a causative function in the generation of the Depression, which burst upon us seven months earlier in the stock market crash. The scapegoat lived and thrived for thirty years—a phenomenon of longevity for the quadruped.

Now in the rubble and shambles, recognizable as the fruits of our long-term trade policy launched in mid-thirties, we should look for the more probable causes of our present unenviable situation in the world of competition—something other than Messrs. Hawley and Smoot.

HISTORICAL ROOTS AND PERSPECTIVE

Before the advent of the Twentieth Century the economy of this country so far as production is concerned was much the same as that found in Europe. The attitude toward wages was also little different. However, in the post Civil War years in this country the base for a considerable divergence was taking shape. "Big business" was coming on the scene. Trusts were being formed.

To their credit professional economists saw the dangers of monopoly power. Their insight paved the way for the Sherman Anti-Trust law of 1890. Implicit in this action was recognition of the value of free competition as a price regulator. Monopolies were regarded as evil because they made possible the maintenance of high prices and the harboring of inefficient methods of production.

As the native inventive genius led to revolutionary discoveries that in turn paved the way to mass production we came to the threshold of the great departure from the European system of production and distribution.

MASS PRODUCTION AND MASS CONSUMPTION

After mass production became possible and in some instances an actuality the way was open to a reassessment of the accepted attitude toward wages. The European attitude toward wages, as exemplified by the British economists, notably Ricardo, began to loom as an obstacle to mass production. Wages had been regarded as an evil, albeit a necessary one. They were kept down while the hours of work were kept long by anti-union legislation and judicial fiat. The theorists served the business needs of the times.

But where was mass-production to go (1) if monopolistic practices would prevent prices from being reduced in order to reach more consumers, and (2) if consumers lacked sufficient means to buy all the vast volumes of goods that could be produced even if prices were reduced by competition? Who, in any event, were the consumers? Were they principally the property owners, business proprietors and professional people? A little reflection would show the fallacy of such thinking. The most numerous consumers were the workers in factories and mines, on farms, in forests and fisheries; but how much purchasing power did they have?

THE FUNCTION OF WAGES IN CONVERTING WORKERS INTO CUSTOMERS

Henry Ford saw the connection and one day he raised the wages of his workers to \$5 per day, a virtually unheard of level in

his day. There was potential magic in the concept, but the vision grew slowly. Yet it was not discarded. The automobile industry, particularly Ford, also perceived the rich ore that could be mined if the theory of the elasticity of demand were worked for what it was worth. On reflection it could easily be seen that if an automobile could not be sold for less than \$1,500 or \$2,000 dollars (equivalent to perhaps to \$7,500 to \$12,000 today) only the top layer of income of the country would be tapped.

If the cost could be reduced to \$1,000 while at the same time consumer income were increased, a richer market would become available; and much better if the price could be reduced to \$500. This is to say, it became clear that the demand for automobiles was such that if a satisfactory product could be offered at lower prices, sales volume could be increased handsomely. That was "elasticity" of demand. However, which came first, the chicken or the egg? There was only one way to find out and Henry Ford did it. He plunged, without aid of the banks, and, appreciating the economics of big scale operation, he was able to bring down the price by the simple process of building many more cars and, luckily selling them. Soon there was no longer any doubt, that the equation of mass-production backed by mass consumption was equal to a vast fortune in manufacturing.

EFFECT OF THE GREAT DEPRESSION

It was, however, not until the Great Depression struck and efforts were made to reconstitute the purchasing power, that the general attitude toward wages began to change. Legislative approval was given to obligatory collective bargaining; and minimum wages and maximum hours of work were established. The struggle was long and sometimes bitter, but in the end the equation was sustained.

The American productive economy was now different from the European and even more so from the Japanese. Wage reduction was no longer to be regarded as an acceptable means of becoming or remaining competitive.

The vast productive power of the United States proved itself during World War II; and before many years the other noncommunist industrial countries elected to adopt our system of mass production. They did not, however, so readily accept the second half of the formula, and purchasing power lagged behind output of goods, thus producing pressure for exports.

Meantime the American economic system was brought under a multitude of governmental controls, as were also the economies of the other Western countries and Japan. Free enterprise was left little scope for competitive maneuvering, since nearly all the factors of production came under rigid control. While wages in this country were not controlled as such, the collective bargaining power of labor in the United States became such that wage reductions became as rare as the bald eagle and nearing extinction. Social welfare programs also came to rest on industry as rising costs, added to the already high costs of national defense.

FORSAKING LAISSEZ FAIRE

Thus while the old *laissez-faire* economy was being fragmented and in fact all but discarded on the domestic front we embarked in the opposite direction with respect to international trade. With a fanfare suitable to the coronation of divine kings and queens the reduction of trade barriers was launched and carried on in a worshipful procession of tariff-cutting from conference to conference for thirty years. We all but dismantled our tariff on the ground that our higher tech-

nological attainments could meet the worst that the rest of the world could offer us in competition based on low wages. Cordell Hull, the reputed father of the "Reciprocal" Trade Program was all but sainted. Peace would reign over the world and the goodwill that would attend free trade would surely lead us into the promised land.

We reduced our tariff some 80% in its protective effect, bringing it down from an average of a little over 50% to a level of some 10%. Beyond that from 35-40% of our imports are free of duty.

EFFECT ON IMPORTS

Imports began to climb after European and Japanese recovery was completed, accompanied, as it was, by great technological leaps. Our foreign buying veered from raw materials and unmanufactured foodstuffs toward finished goods and semi-manufacturers. The share of our imports or the mix responded to the advantage of importing more goods that incorporated fully the cheaper foreign wages. Where 1956-60 equals 100 the imports of finished manufactures rose to 474 by 1969 while the imports of crude materials rose to only 133 and the imports of crude foodstuffs to only 111. After all the raw materials incorporated only one stage of production and therefore only one dose of cheap labor while the finished goods incorporated the full succession of stages of manufacturing, thus making a better bargain.

With the exception of a narrow band of products we now import more than we export. The narrow band is composed principally of machinery, including industrial machinery, aircraft, computers, office machinery, automobiles, etc.; and chemicals. In these goods, except automobiles, we still enjoy a large surplus, but the deficit incurred in nearly all other products has overcome the surplus enjoyed by the narrow band. The deficit would be appreciably worse if we should strip our exports of goods shipped under Foreign Aid, Food for Peace, etc., and worse yet if we should value our imports on what they cost us rather than their cost at the foreign point of shipment. Instead of a surplus of several billion dollars annually we would have shown a sizeable deficit. In 1970, instead of a surplus of \$2.7 billion (\$42.7 billion in exports against \$40.0 billion in imports) we would have had a deficit of a similar magnitude.

Unfortunately for our overall trade balance (as distinguished from the balance of payments which include numerous nonmerchandise items such as tourist expenditures, foreign investments, dividends from abroad, military outlays abroad, etc.) unfortunately to repeat, the surplus in our machinery exports is declining. This surplus was, indeed, stimulated in no small degree in the first place by our heavy investments abroad in plants that we equipped in great part with our machinery. As these plants have come into production they have in some instances reduced our foreign market for the very products they make and sell in the markets where they are located and in third countries.

WHERE WE STAND TODAY

We are now in effect meeting our unique system coming back to us competitively—our system, that is, with one of the two elements of the equation missing, which is, to repeat, the higher wages that would boost the foreign purchasing power sufficiently to reduce excessive dependence on exports. These countries look to us to provide the market they themselves do not create at home.

In this confrontation lie the seeds of our economic undoing. Because of the rigidities created by planned economies throughout

the world, including rates of exchange, competition has not succeeded in equalizing unit costs of production across national boundaries. The great trade liberalization program, with all its slashing of tariff rates has been all but irrelevant. Other measures replaced free competitive forces. While the latter would have produced an equilibrium of costs, if left to work their effects, they have been put in a bottle there to smoke in frustration.

The result has been the creation of countries standing on different competitive levels, the United States the most disadvantaged of all, with merely segmental exceptions that may be regarded as temporary.

How different this world today from the accustomed one of the past generation or two!

The automobile was not alone in demonstrating the richness of the mass market for nonessential but useful and pleasureable goods, if only that market could be tapped successfully. The telephone, household appliances (refrigerators, washing machines, dishwashers, vacuum cleaners), radio and television, typewriters, cameras, notions and novelties, phonographs and records,—everything that might enjoy a potential mass demand, was eligible for production on a large scale if the cost could be brought down to the progressively lower levels of income where the millions of prospective consumers resided.

The welter of new products, not really essential but catering to comfort, pride, pleasure and convenience, produced under our patent system, had the fullness of time in which improvements could be made and the tempo of manufacture speeded by new devices and ingenious labor-saving installations such as could be thought up and perfected. From relatively high initial costs the price could in a matter of years be brought within reach of the mass market. No import competition was needed to accomplish this objective. In most instances, indeed, import competition was nil. The incentive was the high sales volume assured if the mass market could be tapped. Therefore all the drive was centered on that accomplishment.

In the train of this multifaceted development economic growth went apace. Employment, which would have lagged had it depended on the production of only staples and essential goods, expanded hand-in-hand with the expansion of industries built around the new products.

CHANGED COMPETITIVE WORLD

The world has changed in many fields, as we read daily, but in few more so than in our industrial outlook and expansion of employment.

No longer is it possible today to repeat what was the classic way in this country during the heyday of our technological superiority. Today our industries, holders of patents, soon license foreign producers or build plants in foreign countries to manufacture the kind of new products on which we formerly depended to absorb the oncoming army of new workers who reached the labor market annually.

New products or established products that might be made still cheaper by technological innovations, do not today offer us the hope of hiring tens and hundreds of thousand new workers. We are headed off at the pass by the foreign products made under the same patent or process but saturated with low-wage labor. In any contest to reach the lower layers of consumer income as a yet broader market for even well established products, such as the automobile, the imports can get there first with lower prices and spoil the market before our very eyes.

CALL FOR GREATER EFFICIENCY

Bewildered economists call for greater efficiency. The steel industry is stagnant! The textile industry is "labor-intensive" as if that were a sin. Let the imports in! They will drive us to greater efficiency! Editorialists, saturated with wisdom, and speaking with the force of Revelation, take up the cry. Do not harbor inefficiency! There is magic in free trade, they imply, never bothering to point to an example of it anywhere in the real world. Let foreign bottoms carry all our trade import and export. Even now we carry only 5% of our trade in American-flag ships! We get things cheaper that way! Concentrate our resources in "high-technology" (read capital-intensive) industry. Let imports drive our labor-intensive industries to the wall!

It seems evident that these cries can arise only because the premises have not been examined with proper care. In the first place, there are few manufacturing industries in which the domestic producers are not more efficient than their foreign competitors, if we measure efficiency by output per man-hour. Moreover, we have not historically relied on imports for our efficiency-motivation. It was self-generated as described above. It would continue to be so motivated in the future if, contrary to fact, the same conditions as in the past should prevail.

It goes without further emphasis that the greater productive efficiency so insistently called for, can, in any meaningful sense, be achieved only by reducing the man-hours needed to produce particular goods. If a 20% cost reduction is needed to meet import competition some 25% of the workers must be displaced—not only in the final stage of production, as in automobile assembly plants, but all the way back, not only to ore mines and the attendant transportation and other auxiliary services, but to all other raw materials and attendant services.

The coal industry serves as a classical example of the price of enhanced efficiency as a means of avoiding extinction. Its very life was threatened twenty years ago, by diesel oil, residual fuel oil and natural gas. Under the death sentence the industry worked to overcome its handicap of excessive man-hours per ton of coal. From 1950 to 1965 the industry's efforts were crowned with success. Productivity was increased threefold. It became competitive with the rival fuels and in world markets.

The price, however, is one that could not be paid by many industries without producing national economic disaster. Over two-thirds of the mine workers were displaced by machinery. Over 300,000 miners lost their jobs. The problem of rehabilitation of Appalachia is still with us. It has already cost hundreds of millions of dollars, and has left with us a landscape of strip-mining that is giving grave concern to ecologists and environmentalists.

Should the steel industry reduce its costs in a like manner a disaster of a much greater magnitude would be visited upon us and a yet greater one if the textile industry followed suit. Scores of other industries, though smaller, are also pressed, some of them more grievously than textiles and steel.

THE SHIFT FROM LABOR-INTENSIVE TO CAPITAL INTENSIVE INDUSTRIES

Despite the economic misnomer of this manner of classification of industries so far as competitive differentiation is concerned, it may be enlightening to pursue the proposal of a shift away from the "labor-intensive" industries to its logical conclusion.

We have a number of industries that are not highly mechanized. If we relinquish them to imports we face higher unemployment

unless we find places for the displaced workers in the high-technology of "capital-intensive" industries, such as computer manufacturing, television and radio, aircraft and automobile plants, synthetic rubber factories, machinery manufacturing, steel mills, man-made fiber plants (which now supply more of our fiber needs than does cotton), glass bottles, office machinery, camera manufacturing plants, etc.

Which one of these, we may ask, is open for expanded employment? Several of them already face severe import troubles of their own. We find few advertisements for greater manpower in the classified advertising sections of newspapers. In any event, the avant garde industries in point of automation and technology are striving with might and main to increase productivity, which is to say, reduce the number on their payroll. They are not eager to accept coal-miners or pottery workers who have themselves been evicted by machines or by imports. The harder these industries are pressed by imports the greater the need to reduce employment as a means of remaining competitive. They will not be in the market for more workers.

It must be true then, after all, that imports do indeed create pressure for greater efficiency! Therefore they are an antidote to inflation!

This is a jumped-to conclusion often reached but suffers from the defects of many such conclusions.

Import competition is of a different species from the domestic variety, particularly under the present posture of American industry before the world. We needed no import competition to bring down the cost of radio sets. The demand was elastic, and as we increased the output per man-hour and reduced the price a lively consumer response led to more production, more cost reduction and more employment in this country. Had imports had the drop on us so far as costs go, because of much lower wages, they, and not the domestic industry, would have tapped the mass market, and the increased employment would have taken place abroad rather than in this country. This is now happening not only with respect to radio sets but TV sets and other electronic goods. So, even our front-runners are being gunned down by imports!

Moreover, under the earlier conditions our new industries made cost reductions when they were ready and the time was propitious. Their hands were not forced on the instant, as they are by imports, regardless of their financial readiness or the unreadiness of improved models.

Therefore while import competition may indeed create pressure for greater efficiency, the character of the pressure is disruptive and not conducive to the benefits to which our industries were accustomed in the characteristic race for the mass market. When imports create unemployment no collateral growth is stimulated in this country as it was when, for example, the automobile ousted the buggy, leading to broader employment. If greater unemployment is to be avoided other industries are called on to absorb more than their share of total employment.

From 1960 to 1970 our labor force grew from 72.1 million to 85.9 million, or 19%. (Stat. Abs., 1970, Table 317, p. 214 and Current Survey of Business April 1971). During the same period total manufacturing employment rose from 16.79 millions to 19.39 million or 15.4%, or 19% less than the increase in the labor force.

Between them the manufacture of Textile Mill Products, Blast Furnace and Basic Steel Products, Footwear, Except Rubber, Stone, Clay and Glass Products, Meat Products, and Petroleum Refining, fell short by 407,000 workers of keeping abreast of the increase in

the labor force from 1960-'69 or '70. These industries were all beneficiaries of import restrictions. Yet their displacement of workers was not sufficient to achieve competitiveness. Had they displaced 2½ to 3 million workers they might have recaptured their competitive position. By contrast employment in government, Federal, State and Local, increased 46% from 1960-'69, or by 3,874,000 workers! Their wages and salaries fell on industry in the form of additional costs of production.

The notion that we can relinquish our so-called "labor-intensive" industries to imports, among which the textile industry is usually listed, without suffering economic collapse, is false. We need employment-breeders, not displacers. We should preserve these industries as sources of much-needed employment. They are as efficient as any in the world but pay wages that buttress our consumer purchasing power. They should not be forced too rapidly toward automation, lest we breed more Appalachias. Moreover, other countries can automate too, and outpace us once more.

If we neutralize imports by placing a ceiling over them which could be raised annually in proportion to the expansion of the domestic market, we would bring back the classic conditions of economic growth in this country. If we continue an open-market policy without ceilings, we will reverse the process that brought this country to world industrial leadership. This will not be good for us nor for the remainder of the world, short-run or long-run.

CONCLUSION

By imposition of ceilings, backstopped, if necessary, by import quotas, the erosion of our production base would be halted, whether or not the imports into this country were generated abroad by American patents. The latter practice will, in any case, soon be outgrown by foreign producers, thanks to their catch-up with our technology. They will have worthy patents of their own.

The final notion that the reduction or removal of foreign nontariff barriers against imports would greatly stimulate our exports must also be dispelled. Until foreign wages in relation to productivity reach our level we will not find many outlets abroad for our goods, except temporarily.

So long as we continue our course of a planned economy in a world of controlled economies and therefore of disparate competitive levels, while maintaining an open market for imports our economy will be outflanked by imports. Any notion of full employment in peacetime under such circumstances may also be dismissed.

THE SINO-SOVIET SPLIT AND CAPTIVE NATIONS

Mr. PROXMIRE. Mr. President, this week marks the commemoration of Captive Nations Week.

It is appropriate, I believe, to re-examine at this time the whole matter of the International Conventions on Human Rights and the relationship to the plight of those nations and the future they face. Mr. President, the rights of these nations, the ones we claim in the Declaration of Independence to be inalienable, have been cruelly violated. There are several courses of action we may take to show our solidarity with the fate of these nations behind the Iron Curtain. As I have stated on many occasions on the Senate floor, one of the most im-

portant steps is to ratify their Conventions on Human Rights. In order to point up the need for such ratification, I would like to address myself to the state of the captive nations.

Mr. President, we all must recall how, a scant 3 years ago, we woke up to the news of the Russian invasion of Czechoslovakia. The sense of shock at this event was soon followed by a careful study of the power conflicts within the Soviet bloc which led to this invasion. One such study, the 22d annual report on "World Strength of the Communist Party Organizations," published by the State Department in June 1970, details this conflict. The Director of Intelligence and Research Ray S. Cline, concludes from his data:

We do not claim that these materials necessarily present a definitive picture of party strengths and capabilities in each case. There is enough, however, to highlight the foremost problem of the communist movement today—the readiness of traditionalists, led by Moscow, to impose their view of Leninism, Stalinism and the supposedly universally applicable "Soviet model" upon all other communist parties. This approach is inevitably exacerbating the existing rift between traditionalists and innovations in the communist movement regarding the continued relevance and suitability of these hoary norms.

The most important issue within this clash is, of course, the Sino-Soviet split. The Department of State report stresses that this split cast a shadow over all other relations between Russia and her satellites. Even where Communist parties are officially proscribed, this clash still determines in large part the trends in relations of that party and nation with the major Communist countries. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the Department of State's analysis of foreign Communist Party positions in the Sino-Soviet split.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. The fate of these captive nations must therefore be viewed in the context of the Sino-Soviet split. There are today two possible courses of action for these subject nations and peoples if they continue to remain within the Communist bloc: Either they can attempt to remain neutral in the face of the clash of the two giants and face retaliation from both, or they can opt for total commitment to one side or the other and submit to that side for protection at the price of independence. In either case, these unfortunate nations, inhabited by some of the most heroic and persecuted peoples in the history of the world, must face a dismal future in bondage.

It is my belief, Mr. President, that we as a nation of free people, must make a commitment to these captive nations, to do all in our power to assure a brighter future for them. We must make this commitment in the name of the principles upon which our own Nation was founded, the principles of freedom, equality, and peace.

EXHIBIT 1
CHECKLIST

Country or area	Communist Party membership	Legal status	Sino-Soviet dispute	Page number	Country or area	Communist Party membership	Legal status	Sino-Soviet dispute	Page number
Afghanistan.....	400 (E) (see text)		Pro-Soviet	112	Kenya.....	Nil			151
Albania.....	50,000 (E)	In power	Pro-Chinese	57	Korea, North.....	1,600,000 (C)	In power	Neutral	80
Algeria.....	750 (E)	Proscribed 1963	Pro-Soviet	141	Korea, South.....	Nil	Proscribed December 1948		98
Angola (See Portuguese Africa.)	Nil			142	Kuwait.....	Negligible			128
Antilles (Netherlands).....	Nil			178	Laos.....	Unknown		Neutral	100
Argentina.....	55,000	All parties dissolved 1966	Pro-Soviet	203	Lebanon.....	1,500 (E) 3 (see text)	Proscribed 1939	Open split	128
Australia.....	4,700 (E) 2		(See text)	85	Lesotho (see Botswana).....	Negligible		Unknown	152
Austria.....	25,000 (E) 2		Open split	8	Liberia.....	Nil			152
Bahrain.....	Negligible			182	Libya.....	Negligible		Unknown	152
Barbados.....	None			11	Luxembourg.....	500 (E)		Pro-Soviet	37
Belgium.....	12,500 (E) 2		Open split	27	Malagasy Republic.....	Negligible		do	153
Berlin, West.....	6,000		Pro-Soviet	204	Malawi.....	2,000			153
Bolivia.....	5,000 (E) 3 (see text)	Proscribed, 1967	Open split	142	Malaysia.....	2,000 (E)	Proscribed July 1948	Pro-Chinese	101
Botswana.....	Nil			205	Maldives Islands.....	Nil			130
Brazil.....	16,000 (E) 4 (see text)	Proscribed, 1947	Open split	59	Mali.....	Nil			154
Bulgaria.....	637,300 (C)	In power	Pro-Soviet	86	Martinique.....	1,300 (E)		Pro-Soviet	39
Burma.....	(See text)	Proscribed, October 1963	(See text)	142	Mauritania.....	Nil			176
Burundi.....	Nil			88	Mauritius.....	Negligible		Unknown	155
Cambodia.....	100 (E) (see text)		Unknown	143	Mexico.....	5,000 (E)			196
Cameroon.....	Nil			170	Mongolia, Outer.....	48,600 (C)	In power	Pro-Soviet	81
Canada.....	2,500 (E)		Pro-Soviet	143	Morocco.....	400 (E)	Proscribed	Neutral	155
Central African Republic.....	Nil			113	Mozambique (see Portuguese Africa).....	Nil			156
Ceylon.....	2,300 (E) 2		Open split	144	Namibia (South West Africa).....	Nil			164
Chad.....	Nil			208	Nepal.....	9,000 (E)	All parties proscribed 1960	Internal factions	130
Chile.....	45,000		Pre-Soviet	77	The Netherlands.....	11,000 (E)		Independent	40
China, Communist.....	17,000,000 (C)	In power		89	Netherlands Realm Members (Western Hemisphere) listed separately.....				
China, Republic of.....	Negligible	Proscribed July 1947		13	New Zealand.....	400 (E) 2			104
Colombia.....	9,000 (E) 2		Open split	187	Nicaragua.....	200 (E)	Proscribed 1945	Pro-Soviet	198
Comoro Islands.....	Nil			210	Niger.....	Nil			156
Congo (Brazzaville).....	Negligible			61	Nigeria.....	Less than 1000 (E) (see text)	All parties proscribed 1967	Pro-Soviet	157
Congo (Kinshasa).....	600 (E)	Proscribed	Pro-Soviet	185	Norway.....	2,500 (E)		do	42
Costa Rica.....	120,000 (C)	In power	Independent	115	Pakistan.....	1,450 (E)	Proscribed July 1954	Internal factions	132
Cuba.....	13,000 (E)		Pro-Soviet	61	Panama.....	250 (E)	Proscribed December 1953	Pro-Soviet	200
Cyprus.....	1,650,000	In power	do	146	Paraguay.....	4,500 (E) 2	Proscribed October 1936	Open split	216
Czechoslovakia.....	Nil			13	Peoples Republic of South Yemen.....	Negligible		Unknown	133
Dahomey.....	6,000 (E)		Pro-Soviet	187	Persian Gulf States.....	do		do	133
Denmark.....	1,100 (E) 6	Proscribed	(See text)	213	Peru.....	5,000 (E) 2	Proscribed	Open split	217
Dominican Republic.....	1,650 (E) 2	do	Open split	139	Philippines.....	2,000 (E)	Proscribed June 1957	Neutral	105
Ecuador.....	200 (E)	Proscribed	Pro-Soviet	190	Poland.....	2,030,000 (C)	In power	Pro-Soviet	68
Egypt (see UAR).....	Nil			147	Portugal.....	2,000 (E)	Proscribed	Open split	44
El Salvador.....	Nil	All parties		15	Portuguese Africa.....	Nil			158
Ethiopia.....	46,700 (C)		Pro-Soviet	20	Reunion.....	500 (E)		Independent	159
Finland.....	275,000 (E) 2	Open split		148	Romania.....	1,924 (C)	In power	do	69
France.....				149	Rwanda.....	Nil			160
French overseas departments listed separately.				149	San Marino—Part of Italian Party.....	Negligible			134
French Territory of the Afars and Issas.....	Nil			173	Saudi Arabia.....	Negligible		Unknown	160
Gabon.....	Nil			150	Senegal.....	do	Proscribed (see text)		161
The Gambia.....	Nil			147	Sierra Leone.....	Nil			106
Germany, East ¹	1,769,900 (C)	In power	Pro-Soviet	66	Singapore.....	200 (E)	Proscribed 1948	Pro-Chinese	162
Germany, West ¹	8,000 (E) 2 (see text)	(See text)	Open split	24	Somali.....	Nil			162
Ghana.....	Nil			117	South Africa.....	100 (see text)	Proscribed June 1950	Pro-Soviet	162
Greece.....	28,000 (E) 2 (see text)	Proscribed December 1947	Pro-Soviet	174	Southern Rhodesia.....	Nil			163
Guadeloupe.....	1,500 (E)		Probably Pro-Soviet	191	South-West Africa (see Namibia).....	Nil			164
Guatemala.....	750 (E)	Proscribed	Pro-Soviet	173	Spain.....	5,000 (E) 2	Proscribed February 1939	Open split	46
Guiana, French.....	Negligible		Unknown	150	Spanish Sahara.....	Nil			164
Guinea.....	Nil			147	Sudan.....	7,500 (E) (see text)	Proscribed December 1965	Pro-Soviet	164
Guinea, Equatorial.....	Nil			158	Surinam.....	Nil			180
Guinea, Portuguese (see Portuguese Africa).....	Nil			214	Swaziland (see Botswana).....	Nil			165
Guyana.....	100 (see text)		Pro-Soviet	193	Sweden.....	24,000 (E)		Independent	48
Haiti.....	Unknown	Proscribed February 1948	do	122	Switzerland.....	4,500 (E) 2		Open split	50
Honduras.....	300 (E) 2	Proscribed	do	124	Syria.....	3,000 (E) 2	Proscribed 1939	do	134
Hong Kong.....	Part of Chinese Party	Proscribed 1949	do	90	Tanzania.....	Nil			165
Hungary.....	600,000 (C)	In power	Pro-Soviet	67	Thailand.....	1,000	Proscribed November 1952	Pro-Chinese	108
Iceland.....	1,000 (E)		do	29	Togo.....	Nil			166
India.....	124,000 (E) 3 (see text)		(See text)	118	Trinidad and Tobago.....	Negligible			201
Indonesia.....	(See text)	Proscribed March 1966	Unknown	91	Tunisia.....	100 (E)	Proscribed January 1963	Pro-Soviet	166
Iran.....	500 (E)	Proscribed 1949	Pro-Soviet	122	Turkey.....	1,250 (E)	Proscribed 1925	do	135
Iraq.....	2,000 (E)	Proscribed January 1960	Internal factions (see text)	124	Uganda.....	Nil			167
Ireland.....	125 (E)		Pro-Soviet	31					
Israel.....	2,000 (E) 2 (see text)		(See text)	125					
Italy.....	1,500,000 (E) 2		Open split	32					
Ivory Coast.....	Nil			150					
Jamaica.....	Negligible			195					
Japan.....	250,000 (E)		Independent	93					
Jordan.....	700 (E)	All parties proscribed 1957	Pro-Soviet	127					

¹ East Berlin is included with East Germany; West Berlin is given separate treatment from West Germany.

EXHIBIT 1—Continued

WESTERN EUROPE: AUSTRIA—NATIONAL POLITICAL STATUS

CHECKLIST

[Date of last election: Mar. 6, 1966]

Country or area	Communist Party membership	Legal status	Sino-Soviet dispute	Page number	Name of party	Votes cast	Percent of total vote	Number of seats	Percent of total seats
Union of Soviet Socialist Republics	14,000,000(C).....	In power.....		71	Communist: Communist Party and Left Socialists.....	18,638	0.4		
United Arab Republic	Nil (see text).....	Proscribed.....		139	Non-Communist Left: Socialist Party.....	1,928,922	42.5	74	44.9
United Kingdom	30,600(E).....		Pro-Soviet.....	53	Democratic Progressive Party (dissident Socialist).....	148,521	3.3		
Upper Volta	Nil			168	Center: Austrian People's Party.....	2,191,128	48.4	85	51.5
Uruguay	20,000 (E) (see text).....		Pro-Soviet.....	219	Conservative: Liberal Party of Austria.....	242,599	5.4	6	3.6
Venezuela	8,000 (E).....	Legalized December 1968.....	do.....	220	Other.....	2,056			
Vietnam, North	766,000 (C).....	In power.....	Neutral.....	82	Total.....	4,531,864	100.0	165	100.0
Vietnam, South	No estimate available (see text).....	Proscribed October 1956.....	do.....	109					
Yemen	Negligible			140					
Yugoslavia	1,146,100	In power.....	Independent.....	74					
Zambia	Nil			168					

Note: Communist Party Membership: 25,000 (estimate). Leading party figures and position: Franz Mühri—party chairman, Erwin Scharf—Veteran party member. Principal publications: Volksstimme—party press organ.

SEPARATE VIEWS ON S. 986

Mr. COOK. Mr. President, today the report of the Committee on Commerce on S. 986, the Consumer Product Warranties and Federal Trade Commission Acts of 1971, was filed. With that report are my separate views on the bill. As ranking minority member of the Consumer Subcommittee, which considered the legislation, I felt obligated to explain the nature of the debate on S. 986, and the various amendments to the original version, which were proposed and adopted by the members of the committee.

Because of the controversy surrounding S. 986, in much of which I have been personally involved, I would like to have these views become a part of the RECORD, so that there will be no doubt as to anyone's position in regard to this legislation.

Therefore, Mr. President, I ask unanimous consent that a copy of my separate views on S. 986 be printed in the RECORD.

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

SEPARATE VIEWS OF MARLOW W. COOK
REGARDING S. 986

After numerous revisions, S. 986, the Consumer Product Warranties and FTC Improvements Act of 1971, was favorably reported by the Commerce Committee. Although the two titles are substantially different in scope, the sponsors of S. 986 desired simultaneous consideration by the Commerce Committee of both Titles.

Similar legislation was considered last year by the Commerce Committee in the form of two bills—S. 3074 and S. 3201.

Title I of S. 986 which corresponds to S. 3074 of last year, deals with consumer product warranties and service contracts, and gives the Federal Trade Commission authority to prescribe disclosure standards for written consumer product warranties against defect or malfunction and service contracts in writing, and to define Federal content standards for a class of so-called "full warranties", which is created under the legislation. I have no reservations concerning Title I in its present form. I was initially concerned that several provisions of Title I, as introduced, would have anti-competitive effects. I felt some of the more strict provisions would force many small manufacturers to forego the warranting of their products, and thereby weaken their competitive ability. Moreover a number of the provisions were so ill-defined as to raise serious doubts in the minds of manufacturers of all sizes as to

their ability to comply with those provisions, and therefore to the advisability of exposing themselves to potential liability thereunder.

For example, section 102 (a) (11) of Title I as introduced would have allowed the FTC to require inclusion in a written warranty of, "The time at which the warrantor will perform his obligations." This subsection has been revised to read, "On what days and during what hours the warrantor will perform his obligations."

Similarly under section 102(a)(13) the FTC could have required an enumeration of "the characteristics of properties of the products, or parts thereof, that are not covered by the warranty." Upon my recommendation, this was eliminated on the grounds that it placed an added burden on the manufacturer, while providing no commensurate benefit to the consumer. Indeed, this was my primary objection to several of the provisions of Title I.

As I previously mentioned, I originally felt Title I could have anti-competitive effects, because certain provisions could have forced the smaller manufacturers to cease offering warranties on their products. Thus the larger manufacturers, possessing superior resources and nationwide distributional controls, could have received significant competitive advantage in the marketplace.

One example of such a provision was section 101 (6). In its original form the provision would have given to the purchaser the option of accepting replacement or refund if satisfactory repairs were not practicable. Due to the fact that the purchase price includes various mark-ups for the distributor and/or dealer, the manufacturer could have been forced to remit amounts in excess of the amount he had received. Thus, I felt, this option to refund rather than replace should be the supplier's rather than purchaser's, and a clarification was added. If this were not done, suppliers with no control over the distribution of their products would have been at a severe competitive disadvantage.

Section 101 (2) of Title I as introduced defined an "express warranty" as—

"Any affirmation of fact or promise made by a supplier to the purchaser which relates to a consumer product or service and becomes part of the basis of the bargain creates an express warranty that the consumer product or service shall conform to the affirmation or promise."

It also provided that—

"It is not necessary to the creation of an express warranty that the supplier use formal words such as 'warranty' or 'guaranty' or that he have a specific intention to make a warranty, but an affirmation merely of the value of the consumer product or service or a statement purporting to be merely the supplier's opinion or commendation of the consumer product or service does not create a warranty."

I felt that such a broad definition of a warranty would place an enormous burden on all manufacturers. Oral representations of salesmen on the floor of stores could, under this definition, have placed additional obligations on manufacturers which they had no intention or capability of assuming. Again, only the largest national manufacturers could reasonably be capable of operating under such restrictions.

Upon my recommendation this provision was eliminated, and all further provisions of Title I were restricted to "warranties in writing," except that in section 110(d) a similar definition of an "express warranty" was inserted, and a breach of such an "express warranty" may be the basis of a civil action, but "only the supplier actually making an affirmation of fact or promise, a description, or providing a sample or model shall be deemed to have created an express warranty under this section and any rights arising thereunder may only be enforced against such supplier and no other supplier (section 110(d)(2))." With the inclusion of this limitation, there is an adequate safeguard to insure that manufacturers cannot be made liable for the unauthorized representations of a salesman or agent of a retailer or wholesaler.

These revisions of Title I have substantially improved the legislation, made it fair and equitable, and provided needed consumer protection.

Although I have no reservations concerning the provisions of Title I of S. 986, I am somewhat concerned that the Committee report has been too expansive in seeking to indicate how certain provisions of that Title should be interpreted. While a Committee report can prove a valuable guide to interpretation by the courts and by affected parties, it is my view that it is only appropriate for the report to attempt to do so where the interpretive issue has been considered by the Committee itself. Without specifically taking issue with the interpretations set forth in the Committee report, I would like to note that I do not recall any discussion within the Committee with respect to the following propositions advanced in the section-by-section analysis contained in the Committee report:

1. that "Reasonable and necessary maintenance" as used in paragraph (4) of section 101 should be construed to require taking into account the skills and tools which an average consumer may be expected to possess;

2. that the definition of "repair", found in paragraph (5) of section 101 which by the terms of this bill is limited to so-called "full" warranties, may serve as a guide to the meaning of that word "in other warranty contexts;"

3. that the term "replacement" (see paragraph (6) of section 101) although similarly

limited may serve as a guide to the meaning of that word "in other warranty situations."

4. that the phrase "new, identical or equivalent consumer product or component", as used in paragraph (6) of section 101, is to be interpreted to mean "a new consumer product or component either identical or equivalent to the consumer product being replaced."

5. that where both a written statement not subject to any specific limitations covered under section 103(b) of the bill and a warranty in writing under section 103(a) is given by the same supplier the written statement or representation not subject to specific limitations should control; and

6. that in interpreting the rule-making requirements contained in section 109 of the bill the Commission or a reviewing court should be guided by the legislative rule-making provisions in Title II of S. 986.

Finally, I, personally, would not have included the hypotheticals with respect to "a statement that a particular washer would 'effectively wash clothes'" and with respect to the operation of the preemption clause of section 113(b) on a State's determination with respect to warranties on "widgets". Both of these, in my opinion, raise more questions than they answer. The first because it selects an example which lies at the periphery of the coverage of this bill, and which may not fall within the scope of the bill at all. The latter because it suggests that the States should undertake to require "full warranties" on consumer products—a course which this Committee has carefully avoided throughout the fashioning of this legislation.

Title II of S. 986 as introduced was similar to S. 3201, reported last year by the Commerce Committee. In that form it included many of the provisions of S. 3201 which I strongly opposed last year, and criticized in my individual views in the report on that bill.

Title II of S. 986, the FTC Improvements Act, has aroused considerable controversy and debate. It would "amend the FTC Act in order to improve its consumer protection activities." Several provisions of Title II were unanimously supported throughout discussion of the legislation. The civil penalty for a violation of an FTC order was increased from \$5,000 to \$10,000. The FTC was given the authority to bring suit in a district court of the United States to enjoin an act or practice which is unfair or deceptive to a consumer by receiving a temporary restraining order or a preliminary injunction against such act or practice. Finally the Commission's authority would be expanded to encompass those activities "affecting commerce". These are sound and necessary improvements in the FTC's authority.

The major controversy over Title II involved sections 203 and 208 of Title II as introduced. Section 203 would have amended the Federal Trade Commission Act as follows:

Sec. 203. Section 5(b) of the Federal Trade Commission Act (15 U.S.C. 45(b) is amended by inserting after the word "practice" at the end of the fifth unnumbered sentence thereof the following:

"Whenever the Commission orders any person, partnership or corporation found by the Commission to have engaged in acts or practices which are unfair or deceptive to consumers and proscribed by section 5(a)(1) of this Act to cease and desist from such acts or practices, the Commission may in addition to such order to cease and desist enter an ancillary remedial order requiring such further action as it may find to be reasonable and appropriate to remedy the injury to consumers caused by such acts or practices including, but not limited to, rescission or reformation of contracts, the refund of

money or return of property, and the public notification of the violation. Any ancillary remedial order issued under this paragraph shall be judicially reviewable and become final in the same manner as the underlying order of the Commission to cease and desist and may be confirmed, modified, or set aside in whole or in part by the Court, except that on review the Court of Appeals shall determine de novo on the basis of the record made before the Commission the question of the reasonableness and appropriateness of any such ancillary remedial order taking into account all of the circumstances of the case."

I had several strong objections to this provision. First, I felt it was inadvisable to give to the Commission the authority to decide what redress of injury was reasonable to remedy a violation of the Act. Such authority was never intended for the Commission and should properly reside in the courts. The fact that these orders would be judicially reviewable, and that the courts could confirm, modify, or set aside the orders, made this authority nebulous and confusing. Finally, the Court of Appeals would be granted appellate jurisdiction over these orders on a de novo basis. This is unprecedented and undesirable. I considered section 203 to be ill-conceived and poorly drafted, and recommended its elimination.

Senator Spong introduced an alternative to section 203 which was a great improvement, and was finally adopted in the reported version of Title II. This new section 203 amends the FTC Act as follows:

Sec. 203. Section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a) is amended by inserting after paragraph (7) as added by section 202 of this Act the following new paragraph:

"(8) After an order of the Commission to cease and desist from engaging in acts or practices which are unfair or deceptive to consumers and proscribed by section 5(a)(1) of this Act has become final as provided in subsection (g) of this section, the Commission, by any of its attorneys designated by it for such purpose, may institute civil actions in the district courts of the United States to obtain such relief as the court shall find necessary to redress injury to consumers caused by the acts or practices which were the subject of the cease and desist order, including but not limited to, rescission or reformation of contracts, the refund of money or return of property, public notification of the violation, and the payment of damages."

Section 203 thus gives the Commission the authority to bring suit in federal courts on behalf of persons damaged by unfair or deceptive practices. This, in effect, provides a trigger for federal class actions, with the FTC as advocate for the plaintiffs.

I have serious reservations as to the advisability of granting such authority to the Commission. As a fundamental issue, I do not feel that federal class actions should be mandated and legalized in this manner.

In my individual views in the Committee Report on S. 3201, I wrote:

"The courts are just now beginning to determine how to define an appropriate class, how to spin off pieces of litigation that cannot be maintained as a class action, how to provide notification for the members of a class, and how to control the conduct of the litigation itself and to assure that a class is adequately represented by the named plaintiffs and their attorney.

"The successful resolution of these difficulties may mean only that private class actions are suitable for some purposes and not for others and will still leave unanswered their desirability as a vehicle for the type of consumer relief contemplated under this bill. There is some urgency now to strengthen the remedies available to protect consumers. There is, however, no urgency to select this

particular device with all of its uncertainties, potential abuses, and capability for clogging an already over-burdened court system. The public should be aware of this misplaced enthusiasm for an unrestrained federal class action. It will not be a panacea for consumer wrongs, especially the hard-core ghetto frauds, such as bait and switch tactics. These consumer abuses are engaged in by fly-by-night or judgment proof defendants rather than legitimate business enterprises."

These questions remain unanswered. Until they are resolved, we should not be willing to vest the power to initiate class actions with any advocate, regardless of his competence or motivation.

Section 203, as reported, still offers no additional remedy to the individual consumer who has been damaged by an unfair or deceptive act or practice. A damaged consumer must still meet the "diversity of citizenship" or \$10,000 minimum damage requirements in order to gain access to the federal courts. Thus the consumer is not gaining a guaranteed procedure for redress of damages.

In light of the aforementioned reasons I intend to offer a Title III on the floor as an amendment to S. 986, a draft of which is attached hereto, which would authorize a study as to the feasibility of the development of a system of federal small claims courts. This system of courts could provide the most efficient and effective means of protecting the American consumer against fraud or deception. They would make available to consumers an immediate and inexpensive means of obtaining redress of damages resulting from unfair or deceptive acts or practices. This, I believe, would be far more desirable, from the standpoint of the American consumer, than any advocate role for the FTC.

With the adoption of such a proposal and a concurrent elimination of section 203, I would consider S. 986 a major triumph for the American consumer, and a new perspective in the federal government's role in regard to American business.

The other major area of controversy in Title II concerned what is now section 206. This section grants to the Commission the authority to issue legislative rules defining acts or practices which are unfair or deceptive to consumers. These rules would have the force of law, and the performance of any such act or practice would be a per se violation of the rule.

As introduced, this provision was similar to Title I, section 105 of S. 3201. I strongly objected to this provision on two grounds. First, I had, and continue to have, serious doubts as to the constitutionality of granting legislative power to the FTC. It is questionable as to whether the Commission possesses the competence and resources necessary to make rational and equitable judgments in this area.

Congress, in effect, would be delegating to the Commission its own authority to expand the jurisdiction of the federal courts. The issue thus becomes not one of consumer relief, but whether the Congress or an appointed Commission will define in which areas those remedies are to be invoked. The issues include delicate policy decisions which will determine, in fact, business practices throughout the country. This is, and should remain, the prerogative and responsibility of the Congress. Unfortunately, I have been unable to convince my colleagues of my views.

Second, my opposition to the rule-making provision contained in the bill as introduced was aggravated by the informal and ambiguous procedures by which the Commission was to issue and promulgate the legislative rules.

The procedure for rule-making was outlined in section 208 of Title II as introduced as follows:

"Whenever it appears to the Commission to be in the public interest, the Commission

shall promulgate rules and regulations defining unfair or deceptive acts or practices in a manner sufficiently specific to reasonably inform affected persons of the acts or practices prohibited. Such rules and regulations shall be promulgated in accordance with Section 553 of title 5, United States Code, after reasonable notice, an opportunity for interested persons to participate in the rule-making through submission of written data, views, or arguments, and, if requested, the Commission shall hold a hearing in which interested persons shall have reasonable opportunity to present the same orally in an appropriate manner. The testimony in any such hearing shall be reduced to writing, shall be filed in the office of the Commission, and together with written submissions, shall constitute the records. Such record shall be open to public inspection. After consideration of all relevant matter presented upon such record, the Commission shall incorporate in any rule adopted a concise general statement of its basis and purpose. When any such trade regulation rule is promulgated and becomes final, a subsequent violation thereof shall constitute an unfair or deceptive act or practice in violation of section 5(a)(1) of this Act. Such rules and regulations shall be reviewable in the Court of Appeals for the District of Columbia in accordance with chapter 7 of title 5, United States Code. In addition the reviewing court shall hold unlawful and set aside agency action, findings and conclusions found to be unsupported by substantial evidence upon the record as herein defined."

It was obvious to me that legislative rules should not be issued on the basis of a procedure which was not predetermined and which would be established at the discretion of the Commission. The basic right of cross-examination was not guaranteed. The procedures did not even grant the same rights available to a defendant in a suit for violation of one of the Commission's rules. I felt that under these conditions we would be faced by an autocratic legislating body.

Accordingly I made several recommendations as to a more formalized procedure for rule-making. In section 206(2)(1) I proposed that agency hearings be held in accordance with sections 556 and 557 of Title 5 of the United States Code. This amendment was adopted, and is incorporated in S. 986 as reported.

Finally, in order that policy considerations in regard to legislative rules would not be left solely to the Commission, Senator Stevens proposed an amendment, section 206(ii), which provides for Congressional review of all legislative rules promulgated by the Commission. This Congressional review, joined with the judicial review provided for in sections 206(iii) and (iv), appears to provide adequate safeguards to insure that the legislative rule-making authority will not be abused. However, as a policy determination, I continue to object to the legislative authority granted to the Commission under this Act.

Although I support and embrace the principal objectives of S. 986, and many of its provisions, I respectfully urge the Senate to carefully review this legislation in light of questions I have raised. The American consumer must be protected, collectively and individually, and we cannot allow specious proposals or arguments to cause us to embrace a solution we think to be a panacea, but which may turn out to be a Pandora's box.

TITLE III—CONSUMER REMEDIES STUDY

SEC. 301 (a) The Director of the Office of Consumer Affairs, in consultation with and with the assistance of the Attorney General of the United States, is authorized to contract with the National Institute for Con-

sumer Justice (hereafter referred to as the "Institute"), a nonprofit corporation of the District of Columbia, to conduct a study or studies of means for improving the grievance-solving mechanisms and legal remedies of consumers, including, but not limited to the following:

(1) methods of preventing consumer grievances from arising and of improving seller-buyer and debtor-creditor relationships;

(2) existing and potential voluntary settlement procedures, including arbitration; and

(3) the desirability of establishment of a nationwide system of small claims tribunals.

(b) The Director of the Office of Consumer Affairs shall, within eighteen months of the enactment of this Act, submit a final report on such study or studies to the President and to Congress along with its recommendations, if any, for legislation.

SEC. 302 (a) The Institute and each recipient of a contract from the Institute under this title shall keep such records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Comptroller General of the United States, or any of his duly authorized representative, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of any funds provided under this title as are pertinent to the disposition and use of such funds.

SEC. 303 There is authorized to be appropriated \$500,000 to carry out the provisions of this title.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for the transaction of routine morning business under the previous order has expired.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1972

The PRESIDING OFFICER. Pursuant to the previous order, the Chair lays before the Senate H.R. 9417, which the clerk will report.

The legislative clerk read as follows:

Calendar No. 256, H.R. 9417, a bill making appropriations for the Department of the Interior and Related Agencies 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.

QUORUM CALL

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

The PRESIDING OFFICER. The bill is under a time limitation. Whose time will the quorum be charged to?

Mr. BIBLE. I ask unanimous consent that the time be charged equally.

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

Mr. BYRD of West Virginia. Mr. President, I ask that the well of the Senate be cleared and that the Senate be in order.

The PRESIDING OFFICER. The Senate will be in order.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. 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. BIBLE. Mr. President, the pending business is the appropriation bill for the Department of the Interior, H.R. 9417. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BIBLE. Mr. President, I understand that under the unanimous consent agreement two hours are allotted equally to the Senator from Illinois (Mr. PERCY) and to me on the bill, with 30 minutes on each amendment thereto, to be divided equally. Is that correct?

The PRESIDING OFFICER. The Senator is correct. The agreement states that there will be two hours on the bill and 30 minutes on any amendment thereto. The yeas and nays have been ordered on final passage.

Mr. BIBLE. The agreement provides there will be 30 minutes on each amendment, to be divided equally between the proponent of the amendment and the manager of the bill. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BIBLE. I thank the Presiding Officer.

I allot myself such time as may be required for my opening statement.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. BIBLE. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order against legislation in an appropriation bill be waived.

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

The amendments agreed to en bloc are as follows:

On page 2, line 10, strike out "\$76,080,000" and insert "\$69,930,000".

On page 5, line 19, after the word "shops", strike out "\$273,487,000" and insert "\$274,662,000".

On page 6, line 3, after the word "law", strike out "\$71,866,000" and insert "\$71,667,000".

On page 6, line 10, after the word "contract", strike out "\$37,206,000" and insert "\$43,055,500"; and, in line 25, after the word "Reclamation", insert a colon and "Provided further, That not to exceed \$2,728,500 shall be for assistance to the East Charles Mix School District 102, Wagner, South Dakota, for construction of school facilities: Provided further, That not to exceed \$1,048,000 shall be for construction of additional high school facilities on the Rocky Boy Indian Reservation, Montana."

On page 7, line 10, after "section 203", strike out "\$25,000,000" and insert "\$25,600,000".

On page 10, line 7, after the word "for", strike out "\$3,999,000" and insert "\$3,949,000".

On page 10, line 18, after the word "exceed", strike out "\$350,000,000" and insert "\$366,000,000"; in line 23, after the word "exceed", strike out "\$19,652,000" and insert "\$32,652,000"; and, in line 24, after the word "exceed", strike out "\$1,988,000" and insert "\$4,988,000".

On page 11, line 8, after the word "exceed", strike out "\$233,000" and insert "\$395,000"; and, in line 22, after the word "Samoa", strike out "\$21,537,000" and insert "\$21,699,000".

On page 14, line 8, after the word "activities", strike out "\$130,000,000" and insert "\$131,175,000".

On page 15, line 4, after the word "facilities", insert a comma and "including the use of the Government-owned site donated for the Earth Resources Observation Systems Data Center for lease construction".

On page 15, line 20, after the word "substitutes", strike out "\$49,000,000" and insert "\$47,700,000".

On page 15, line 24, after the word "law", strike out "\$73,630,000" and insert "\$74,630,000".

On page 17, line 1, after "(74 Stat. 337)", strike out "\$21,880,000" and insert "\$20,080,000".

On page 17, line 21, after the word "Refuge", strike out "\$64,794,000" and insert "\$65,180,000".

On page 18, at the beginning of line 2, strike out "\$6,225,000" and insert "\$7,890,000".

On page 20, line 4, strike out "\$71,077,000" and insert "\$70,961,000".

On page 20, line 12, after the word "Service", strike out "\$56,230,000" and insert "\$6,507,000"; and, after the amendment just above stated, insert a comma and "including not to exceed \$50,000 for reconstruction of certain streets in Harpers Ferry, West Virginia".

On page 20, line 23, after the word "rights", strike out "\$37,849,000" and insert "\$39,307,000".

On page 21, at the beginning of line 5, strike out "\$18,500,000" and insert "\$19,204,000".

On page 21, line 18, after the word "values", strike out "\$8,325,000" and insert "\$8,205,000".

On page 22, line 8, after the word "exceeding", strike out "\$50,000" and insert "\$100,000".

On page 23, after line 15, insert

OFFICE OF SALINE WATER
SALINE WATER CONVERSION

For expenses necessary to carry out the provisions of the Act of July 3, 1952, as amended (42 U.S.C. 1951 et seq.), authorizing studies for the conversion of saline water for beneficial consumptive uses, including not to exceed \$2,540,000 for administration and coordination expenses during the current fiscal year, \$27,025,000, to remain available until expended: Provided, That this appropriation shall be available only upon enactment into law of S. 991, Ninety-second Congress, or similar legislation.

On page 23, after line 19, strike out:

SALARIES AND EXPENSES (SPECIAL FOREIGN
CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the Office of the Secretary, as authorized by law, \$500,000, to remain available until expended: Provided, That this appropriation shall be available, in addition to other appropriations, to such office for payments in the foregoing currencies (7 U.S.C. 1704).

On page 26, line 21, after the word "lands", strike out "\$238,718,000" and insert "\$236,178,300".

On page 27, line 7, after the word "law", strike out "\$54,208,000" and insert "\$51,685,000".

On page 27, line 21, after the word "objectives", strike out "\$31,858,000" and insert "\$31,721,200".

On page 32, line 1, after the word "Act", strike out "\$147,404,000" and insert "\$158,293,000".

On page 32, line 11, after "(42 U.S.C. 2004a)", strike out "\$20,289,000" and insert "\$36,400,000".

On page 34, line 6, after the word "amended", strike out "\$54,460,000" and insert "\$53,460,000"; and, in the same line, after the word "which", strike out "\$21,000,000" and insert "\$20,000,000".

On page 36, line 2, strike out "\$45,259,000" and insert "\$44,681,000".

On page 36, line 19, after the word "change", strike out "\$1,300,000" and insert "\$1,400,000".

On page 38, line 23, after "5 U.S.C. 3109", strike out "\$565,000" and insert "\$695,000".

Mr. BIBLE. Mr. President, for the benefit of Senators who are now in the Chamber and Senators who may join us during the deliberations on the bill, a report on the bill is on the desk of each Senator, and under the desk of each Senator there will be found 3 green volumes of hearings that I believe contain about 4,000 pages. These are records that were developed during the course of these hearings.

At this time I particularly commend the distinguished Senator from Illinois (Mr. PERCY), who is in the Chamber, and who is the ranking member on the Republican side on the Interior appropriation bill. He has been a very faithful attender. This has been his first year on the Committee on Appropriations and I consider myself fortunate to have him as a member of the committee. He has made many contributions during the course of the hearings and during the markup, and now as we submit the bill to the Senate for action.

Likewise I wish to particularly salute Paul Eaton, who is here at my left, the majority staff member on the Interior appropriation bill. He has been handling Interior appropriations for many years and he was the strong right arm of Senator Carl Hayden who for many years handled this bill and who was chairman of the Committee on Appropriations. I also wish to salute Ed King who does yeoman work on the other side of the aisle.

We had wonderful support on the bill and we are rather proud of the fact that we completed our hearings before any of the other subcommittees in the handling of appropriation bills.

A great deal of our success in moving forward has been due to the splendid cooperation of the Congresswoman from Washington, Mrs. HANSEN, and her handling of the bill and sending it to us at as an early a date as possible.

I hope that next year we can make a little better and faster disposal of this bill because it would be extremely helpful for all agencies to know by July 1 exactly what they will be able to spend in the next fiscal year. We will be close to that. I anticipate that after the Senate has acted finally on this bill in one

form or another, and sent it to the House, that we can be in conference with them in the next week or 10 days and complete our legislative action on the bill and have it ready to send to the President by the end of this month or early in August, and certainly before our August 6 recess. Next year we will try to do even a little better than that.

Mr. President, the committee, as indicated on page 1 of its report, considered budget estimates in the amount of \$2,385,231,035, including indefinite appropriations of receipts and amounts necessary to liquidate contract authority, for the agencies and bureaus of the Department of the Interior and for related agencies listed on page 2 of the report. Excluded from this bill are the power agencies of the Department of the Interior, the Bureau of Reclamation, and research on underground electric transmission. All of these items will be included in the public works for water and power development and Atomic Energy Commission appropriations bill.

The subcommittee and the full committee recommend total appropriations of \$2,417,839,035, which is \$67,694,000 more than the House allowance, and is \$32,608,000 more than the budget estimates.

Included in the amount are \$30,025,000 in budget estimates not considered by the House. Of the total recommendation, \$1,610,525,500 are for the Department of the Interior, a sum \$47,241,500 more than the House allowance, and \$5,509,500 less than the budget estimates.

The committee's recommendations provide major increases over allowances in the House bill in the following instances:

Bureau of Indian Affairs, \$6,825,500, of which \$1,175,000 is for education and welfare and \$5,849,500 is for the construction of necessary facilities, primarily schools.

Land and water conservation fund, \$16,000,000.

Bureau of Sport Fisheries and Wildlife, \$2,051,000.

National Park Service construction, \$1,458,000.

Office of Saline Water, \$27,025,000, the full amount of the authorization. The House did not consider this estimate because authorizing legislation had not been acted on. This authorization has now passed both the Senate and the House. I believe it was approved in conference and was sent to the President yesterday. So, with his final approval, it will not be an uncertain item in the bill.

For the Indian Health Service, \$27 million, which provides a total of more than \$31 million over the budget requested. Of the increase over the budget, \$10,889,000 is for additional staffing, contract medical care, equipment, and supplies and \$16,111,000 is for hospital and sanitation facilities.

The committee recommends decreases, more or less minor in total, in the amounts allowed by the House of Representatives for the Bureau of Land Management, the Bureau of Mines, the Office of Coal Research, Geological Sur-

vey, the Office of the Secretary, the Forest Service, the National Endowment for the Arts, and the Smithsonian Institution.

The committee believes that the bill as recommended provides well for the various activities, especially for the education and health of the Indian population of the country.

During the course of our deliberations, more than 385 amendments to the House bill were considered. Every effort has been made to provide adequately for the activities included in this bill. I believe that the bill as reported provides for the continued and increased development of the natural and human resources of the United States.

I hope the bill will be approved as it was reported to the committee.

I might say the main thrust of this bill was directed toward helping the deplorable conditions in which we find the Indian population of our country today. A great deal of the money in this bill is designed to upgrade not only educational facilities but sanitation facilities in the home. This is something that has been long neglected. It is considerably over the budget item, some \$35 million to \$40 million over the budget, in this particular area. I would hope we could sustain the greater part of that amount in conference, because there is a great need, a need that cries out for immediate help, and it cannot longer be delayed.

That is all I have to say at this time. We submitted this bill to careful scrutiny. We had the full attendance of our subcommittee and a majority of the full committee at the time we went over the bill. As can be noted from the hearing record, it embraces some 4,000 pages of testimony from witnesses, private, public, government, all up and down the line. So I think it is a well-balanced bill. I think we can sustain much of it in conference. There will be some give-and-take in conference, as there always is, but I think the bill will continue to move America ahead.

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

Mr. BIBLE. I yield.

Mr. JAVITS. I think the committee has done a great job, and we are all deeply indebted to the chairman, and to the Senator from Illinois (Mr. PERCY), ranking minority member, who, in a sense, took my own place in the Appropriations Committee in considering this bill and doing this very fine work. I know the labor which is involved. When I use the word "gratitude," I understand what it means in terms of the hours and days spent.

My own interest is very real and very great, as I offered the first authorization bill in the House of Representatives in 1949, and worked from then until 1965 to get it enacted.

Mr. President, I call attention to that portion of this appropriations measure which sets aside funds for the National Foundation on the Arts and the Humanities. In so doing, I want to emphasize my great respect for the chairman of the Appropriations Subcommittee on

Interior and Related Agencies and for my colleague, the ranking member on the minority side. Both Senator BIBLE and Senator PERCY have given long hours of exacting and sympathetic study to the complex needs of the arts and humanistic studies in our country.

So, I note with regret that the committee has recommended a cut of \$1 million from the budget of the National Endowment for the Arts; and of \$2 million for the Humanities.

The President asked for—and the House of Representatives approved—a budget of \$30 million for the National Endowment for the Arts and the same amount for the National Endowment for the Humanities. These amounts would be just about double the budgets for fiscal 1971. The President, in effect, called for full funding of the two endowments at the level authorized by the Congress last year.

I regret especially the cut in funds for the arts which has been recommended by the committee, for it seems to me that the Arts Endowment gives the Federal Government, the Congress, and the American people far more for each tax dollar than almost any agency in the federal system.

The Arts Endowment, through cautious and consistently sound fiscal planning, has created a record which ought to be the envy of every Government agency, for it has used limited funds to create new and greatly expanded resources in its field. By law, each dollar provided by the Endowment for institutional support is granted on at least a 1-to-1 matching basis. In actual practice, nearly every dollar obligated by the Arts Endowment has generated between \$3½ to \$4 in additional funds for the arts from private sources, philanthropic foundations, and State and local governments. Even purely as an investment, the Arts Endowment deserves every penny the Congress can provide for it.

I recognize the need for economy. I know the enormous pressures now existing within our economic structure. And I am in complete sympathy with the burdens placed upon the members of the Subcommittee and the Committee on Appropriations to find reasonable ways to minimize the costs of government.

Yet I know, too, that this is one area in which the Congress can ill afford to ignore the rational pleas for assistance which are coming from almost every arts organization, individual American artists and from thousands of citizens in every State and region in our country. The truth is that the \$1 million decrease, if it were to be restored in the appropriation as the House of Representatives provided, could create an additional \$3 million for the arts in all parts of the United States. And, in so doing, it could have a more profound and beneficial effect on the lives of American citizens than many of the appropriations approved by the Congress at far higher levels.

The needs of the arts organizations in our country are rapidly accelerating—and for excellent reasons. According to the Association of American Museums,

the total number of visits to museums during 1970 was 650 million—more than 3½ times the total number of individuals in the Nation.

Throughout the country, our arts institutions and our individual artists are responding readily to increasing demands for their talents and their services. Poets and painters, sculptors and dancers, actors and musicians are becoming actively involved with the public education system and they are producing astonishing results among our children and their teachers.

Today's symphony orchestras have become a vital part of the everyday life in their communities, playing concerts in the parks during the summer, visiting schools for performances and conducting seminars for student musicians throughout the year.

So, too, are our regional professional theaters, our museums, and our dance companies.

Through endowment programs such as assistance to the symphony orchestras, the whole field of music education is being vastly augmented in some communities. It is interesting to note that 47 percent of the grants made by the endowment to orchestras this past year were for programs oriented directly toward young people, either in the schools or in special concerts.

Through endowment-aided touring programs, such as those funded through the Federation of Rocky Mountain States, hundreds of thousands of American citizens will have an opportunity never enjoyed before to see the major, professional arts companies of the United States. This past year, for example, the Denver Symphony played concerts not only in Lander and Rock Springs, Wyo., but was also heard in a special concert by the men in the Wyoming State Penitentiary at Rawlins. Similar touring programs took the St. Paul Chamber Orchestra to Highland Park, Ill., and Marion, Ohio, and enabled the orchestra to conduct in-depth residency visits to Mankato and Winona, Minn., and in Cedar Falls, Iowa.

Without exception, it appears, the managers and members of our symphony orchestras agree that support from the National Endowment for the Arts has made the difference between severe financial difficulty and the kind of tentative stability which has enabled them to continue extremely worthwhile community programs. In Detroit, for instance, the orchestra, with the aid of an endowment grant, was able to perform a series of 30 inner-city school programs. Had additional funds been available, the orchestra could have raised that total to 50 appearances. Similar grants made it possible for the Chicago Symphony to expand its public service program, touring to five additional Illinois communities, for the Cleveland Symphony to inaugurate its outstanding satellite performance and service program in neighboring towns and cities and for the Baltimore Symphony to expand its regional program throughout the State of Maryland.

To fully understand the significance of the budget the Arts Endowment submitted for this fiscal year, it is necessary to look at some of the programs the Endowment hopes to carry out. This year, for instance, increased funds will make it possible for the agency to initiate a significant museum assistance program for special exhibitions, curatorial training, conservation, and the purchase of work by American artists for the first time. On a modest, trial basis during this past year, the Endowment reached 79 museums in 33 States.

Although it has recognized the vitality of community-based arts organizations from its beginning, the Endowment has been unable to establish a program in this area at a meaningful level until this year. These are projects which go to the heart of the demands people are now putting on the arts, projects which directly involve thousands of young children and adults in communities across the Nation.

Additional funding will make it possible for the Endowment, working with the U.S. Office of Education and the arts councils which now exist in each of the 50 States—to expand a highly successful program placing professional creative artists in classrooms throughout the country. Surely, if there is one investment worth making this year, it is in this significant effort to increase creativity in our schools and restore some flexibility to our education systems.

Most of our major arts institutions are in serious financial difficulty. For example, last year the brilliant Alvin Ailey Dance Co. was nearly forced to disband and only through last-minute efforts was this prevented. Later, the company went on a triumphal tour of Morocco, Algeria, Tunisia, the Soviet Union, France, and England where its performers were widely hailed as our finest ambassadors.

Confronted by increasing demands on their services and facilities, sharply rising attendance accompanied by mushrooming costs, many of our major museums are being forced to cut back their staffs, reduce the number of rooms available for public visits and overextend their security systems. As a result, the Detroit Institute of the Arts, one of the Nation's finest museums, has been forced to close a third of its galleries to the public because it lacks funds for proper security. And right here in the District of Columbia, the Corcoran Gallery is unable to insure its valuable collection and facilities because of inadequate security.

No matter where we turn, public demand for the arts is increasing—but so are the costs of providing those services the people want and need.

Despite the fact that the National Endowment for the Arts has discouraged arts organizations from making applications for funds unless there was a real prospect for assistance, the number of applications received by the Endowment in legitimate fields, in which programs were operative, has increased enormously during the past 2 years.

In fiscal 1970, for instance, the Arts Endowment received a total of 1,383 applications totaling \$26 million in requests. This past year, in fiscal year 1971,

the total number of applications rose to 2,070 and the amount of those requests was \$54.5 million.

Of that total, Endowment officials estimate that no less than 90 percent represented legitimate pleas for assistance from organizations and individuals who were simply responding to the increasing demands being placed upon them by the people they were serving.

Quite clearly, the needs of the arts—and the demand of our people for the arts—are demonstrably growing.

For that reason, I am convinced that even the modest reduction of the appropriation for the National Endowment for the Arts is undesirable; in the light of the Endowment's productive use of its funds, and on its record of encouraging far greater distribution of the arts to every American citizen who wants to enjoy them.

Mr. BIBLE. Mr. President, I share the sentiments expressed by the senior Senator from New York. I have been in this body long enough to know of his initiative in this field and his persistence. As he well knows, in the early years obtaining appropriations for either the arts or the humanities was almost impossible. At one time it looked like the task was almost hopeless. But we did salvage a small sum at the beginning, and the sum began to increase. This year it was at its all-time high. As the Senator knows, the program has its detractors. I suppose any program has. But it seems to me, on balance, it has made a great contribution to our American way of life.

I was privileged, as was the Senator from New York, to have worked with the predecessors in office of the present two. Roger Stevens made great contributions in the field of the arts, and Barnaby Keeney, from Brown University in Rhode Island, made great contributions to the humanities. Today we have Mr. Edgerton as head of the humanities, and the dynamic—and I underscore the word—Nancy Hanks in direction of the activities on the arts. I do not know of any more interested person in this field than Nancy Hanks. I hear from her regularly by telephone and by letter. She is enthusiastic about the nationwide aspects of this program.

I suppose it should be noted that with respect to every project covered in these 4,000 pages of hearings we received more mail in support of the arts and humanities than for any other area. I think it means something. Some of it undoubtedly was inspired by those who had received the fruits of the money, but, more particularly, I think it is evidence of the interest in the arts and humanities in the United States. I think it is a good sign, and I think it speaks well for this program.

The reduction made by the committee in this respect was very minimal. There are new programs involved in the categories under the arts heading. I think an adjustment can be made in the new programs. Sometimes I think it is better to let them start a little slower than at the full level.

I do not know where the ultimate level of this appropriation goes. I think it will go higher, because it does have substan-

tial State participation and increasing State participation, but, more particularly, as the Senator so well knows, the private money that goes into the arts and humanities is a tremendous sum, without which we could not do very much.

I appreciate the statement of the Senator from New York. We will do the best we can in the conference.

Mr. JAVITS. I thank my colleague.

Mr. BIBLE. I yield now to the Senator from Illinois, my counterpart on the other side.

Mr. PERCY. Mr. President, while the Senator from New York is still on the floor, I would like to compliment him for his comments about the arts and humanities. As I have said many times in this Chamber, we go through phases in this country. For a period of years, so long as money was for science and technology, that had the highest priority. In fact, many of us who felt there was a true role for the Federal Government to play in the field of education fought in the vineyards to try to get assistance from the main preemptor of the sources of the money which came in the form of internal revenues, and to divert some of it to what we thought was the highest priority in the country, namely, assistance to improve education.

We were looked upon as radicals back in those days. I was advised time and again, "Don't ever mention this when you run for office; you will be booed off the stage downstate Illinois for being too radical about wanting Federal assistance for education."

But then along came sputnik, and suddenly if you could wrap up aid to education with fighting communism and having an American sputnik—for which we created the Defense Education Act—then Federal aid to education was all right, as long as somehow we could beat out the Russians.

Those of us who believed in it did not care under what cloak we did it; we were willing to wrap it in anything so long as the principle was established that it was right and proper for a part, at least, of this tremendous Federal budget to go into education and improving the quality of American education.

We went through that phase, where anything needed for physics, chemistry, mathematics, or the teaching of foreign languages was all right for Federal aid to education. Now we are going through a phase where the biological sciences have a high priority, the health needs of the country are paramount, and the magnificent work done by the distinguished Senator from New York in this field, where he has been laboring for years, he is now suddenly finding is a popular issue, and that the need he has been talking about for many years is recognized as very great.

So, too, there are Members of this distinguished body who have been working to try to get the social sciences a higher priority, feeling that man, having used all his resources to try to destroy himself through developments in the physical sciences, ought to begin to try to understand himself better, in the hope that thus we may keep from destroying ourselves.

I believe it is right and proper, at this time, that the humanities and the arts should receive the kind of attention. The distinguished floor manager of the bill is not a newcomer to this field. He has long supported the arts and humanities; he has long supported the concept that there is catalytic role that the Federal Government can and should play. We are not in any way saying we should preempt the voluntarism that has made the arts and humanities in this country great. What we are putting in is seed money, incentive money, and more importantly, we are putting the moral force of the U.S. Congress and the Government behind this effort, in saying we want to raise in priority the humanities and the arts.

And what a magnificent time to do it. The distinguished members of our subcommittee, including the ranking Republican member (Mr. Young), saw the need for restoring Ford's Theater, right here in the Nation's Capital. As we see it, the Capital must itself have broad attention in the area of the arts. Now we are building the Kennedy Center for the Performing Arts, that was started by President Eisenhower, as a national institution devoted to the arts and sciences, where we have had continuing leadership with Roger Stevens, who has seen the great need in the Nation's Capital for such an institution. We are giving increasing attention to the arts and humanities.

So it is perfectly proper, then, that we should increase the budget of the National Foundation on the Arts and Humanities this year. I commend the administration for the leadership taken by President Nixon, not just in asking his daughter to serve as a trustee for the Kennedy Center—we are delighted to have her serve with us there—but also in requesting a substantial increase, at a time when our budget is under a strain, in the amount provided for the arts and humanities. The administration request to virtually double last year's budget for this purpose was not met with dismay by Congress, but was, for the most part, supported in the House of Representatives, and has been enthusiastically supported in the Senate. The increase in appropriations from \$26,310,000 last year to a budget request of \$56,561,000 this year for the National Foundation on the Arts and Humanities was greeted not with dismay but with pleasure by our committee.

It is true that the House pared out \$2 million, and cut it back to \$54,460,000, and our own committee cut it back another \$1 million. There probably was no area where we spent more time in the subcommittee discussing a budget reduction, because I was disappointed to see any cut made in the budget. I felt we should fully support the overall effort. But in this area, when it was suggested that a \$2 million cut be made, I was most appreciative to our distinguished chairman, who then said, "Well, let us just cut a million dollars out, and let us give Nancy Hanks the lead in saying where it should be done. She will, of course, defer to her Council, but let us try to do it in such a way that it will not hurt any programs."

I was particularly pleased that we left the full \$4 million in for museums. Here is an illustration of where the arts are being put under tremendous pressure—with all the pressure of inflationary cost increases they are bearing right now, they have a problem of crime, with thefts and defacing of works of art; they must maintain better surveillance over those priceless treasures in museums all over the country; and at the same time they must cope with a vast increase in attendance.

At this time, to have \$4 million set aside for museums is not just important from the money standpoint—because it is a very small amount, against the overall budget for museums of hundreds of millions of dollars; I think the total ranges in the area of some \$600 million—but it is important from the incentive standpoint and the moral standpoint that the moral force of the Federal Government is going to be put behind this effort, that they are not forgotten, that we recognize they have been the foundations and bastions of the arts in this country. We recognize that the problems they are trying to cope with are great indeed, and we wish to give them every possible encouragement.

So I trust that Congress is going to show its support for the arts and humanities, and that this is not the end but the beginning of our underwriting of the arts and humanities. I believe this is very important indeed.

Mr. President, I should like to make just a few personal comments to the chairman of the committee, if my distinguished colleague from Iowa will permit.

I came on this committee without a great deal of knowledge in this area. Interior appropriations deal largely with our national parks. We do not have a single national park in the State of Illinois; we are one of five States, and certainly the largest State, which does not have. But I felt it was important, in an era when we are devoting ourselves to the preservation of the heritage that has been given to us in these wonderful physical resources available to us all, that someone from the densely populated areas that also benefit from the use of these wonderful facilities should take an interest in them.

I would first like to state how pleased I am with the chairman's understanding of my own lack of understanding of the area, and his willingness to be patient and thoughtful in working with me to see that I improved my knowledge and understanding. Also, I should like to commend Paul Eaton, a member of our staff, for the thought and effort he has put into my own education.

I have been deeply impressed—and I have expressed this privately to many of my colleagues in the Senate—with how well service on an appropriations subcommittee gives us an opportunity to see firsthand the strength of knowledge, the dedication, the interest, and the work that goes on down in the boilerrooms, one almost says, of the U.S. Senate. The television reporters and cameras are not present at these hearings. They drone on day after day, and yet those of our colleagues who have the time and interest to go through the volumes here

on our desks can see that, in project after project, Senator Bible has demonstrated his profound and deep knowledge and his concern that every single one of these great national treasures that we possess is preserved, enhanced, improved, and made and kept available for future generations.

I was also very much impressed with the interest that our colleagues have in putting in projects affecting their States. They are not reticent, hesitant, nor shy about asking for Federal funds to improve the quality of some of our Federal projects that exist in their States. In fact, 385 amendments were proposed by our colleagues in the U.S. Senate: 55 Senators proposed 258 of those amendments.

I wondered how our chairman would cope with this problem and maintain the wonderful relationships he has with his colleagues in the Senate and still have to say "No" so many times. I have never known a man to say "No" in a more pleasant way and yet with greater firmness. He enabled and asked the Senators to rate their own requests by priority. He gave great cognizance to their own sense of priority, as to what they felt important, but he added to it and matched it with his own knowledge of the value of those national parks, forests, national monuments, whatever they may be, to the general public and the general interest.

I think we have arrived at a balance that, for the most part, Senators are 99 percent assured that what has been done is absolutely right. In fact, it may go a little higher than that.

I also should like to state publicly that it is impossible to understand and to know as much as our chairman knows about the projects without visiting them. I was pleased by his indication of willingness to visit some of the projects that are coming up in the future.

I will comment a little later on the projects in which I was particularly interested, but at this time I simply wish to state that I fully concur with the statement and the proposals that we are making to the Senate. There may be some slight differences of opinion. I understand one pending amendment will need some clarification.

The only other area I should like to mention in some detail is the attention that has been given to Indian Affairs. I was deeply interested in the problems of Indians, not only as they relate to the moral obligation this country has to Indians who live on reservations and the disgraceful conditions to which we, as a nation, have committed them to live, but also with respect to the problems of Indians in the urban areas.

There are approximately 700,000 Indians in the United States, with approximately 250,000 of them—some would guess almost as high as 50 percent—living in urban areas. It is estimated that by 1980, 75 percent of all American Indians may be living in urban areas. Between 16,000 and 20,000 Indians live in the city of Chicago alone, and they live between fashionable Lake Shore Drive on one side and an area populated by Appalachian migrants on the other. Approximately 60,000 Indians live in Los

Angeles, in the confines of that one urban area.

In his July 8, 1970, message on Indian problems, President Nixon said that the Indian is the most deprived and isolated minority in America. On virtually every scale of measurement—employment, income, education, health—the condition of the Indian ranks on the bottom. Unemployment among Indians is 10 times that of the rest of the Nation. The average age of death of the American Indian is 44, one-third lower than that of the country as a whole. The only area I have recently visited where it is lower is India, where it is substantially lower. To think that our own American Indians could live in such conditions of poor health, such poor living conditions, that the age level they are able to achieve is one-third lower than that of the rest of the country. The school dropout rate is twice that of the rest of the country. Three-fourths of our urban Indians live in extreme poverty.

This is one statement of fact that I think is the most shocking of all: At present, one-half of the Indians who migrate to the city, who come to the city to leave the destitute conditions in which they find themselves, hoping to find a better life someplace else, that has opened up many areas of promise for many Americans, return to the reservation, usually sadder, poorer, and much more frustrated than before.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of five special problems that the American Indian faces.

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

SPECIAL PROBLEMS

(1) One of the most difficult problems is that of locating and identifying urban Indians.

(2) A frequent complaint at the field hearings is that urban Indians cannot avail themselves of existing Federal, State and local services and programs because of a widespread belief on the part of social welfare workers themselves that these Indians are already taken care of by BIA and thus are ineligible for further help.

(3) The background of these Indians poorly equips them for city life and particularly school life. Language and cultural differences often prove insuperable barriers to a successful adjustment in school unless the school is specially equipped to provide special guidance, tutoring, counselling, etc.;

(4) But school funds are short and Johnson O'Malley money is not available to city schools removed from the reservation area. Some form of P.L. 874 "impacted areas" money should perhaps be available to help those schools with high concentrations of Indians.

(5) The Indians themselves have undertaken some very commendable self-help efforts and have established urban centers in cities like Los Angeles, Oklahoma City and Minneapolis. Unfortunately, these centers often lack money and have not been entirely successful in getting Federal help. They also are hampered by the same fragmentation of Federal programs which makes it difficult for anyone to cut through the red tape.

Mr. PERCY. These are the kinds of challenges and these are the kinds of problems we faced in our hearings, and a great deal of time was devoted to those

hearings. We heard expert witnesses. I should like to commend particularly the wife of our distinguished colleague, the Senator from Oklahoma (Mr. HARRIS). Mrs. Harris gave some very moving testimony, backed by firsthand knowledge; and it was this kind of testimony that led us to the conclusion that we should increase substantially the appropriations being made for Indian health and housing and for the care of Indians. We do so feeling that we have just made a major step forward in an area that should have high priority.

I commend the subcommittee, I commend the full committee, and particularly I commend Senator BIBLE for his leadership in this area. We offer excuses to no one for increasing a budget, even in tight fiscal circumstances, when the need is so urgent and great, and when the hearings—which are available for all Senators to read—indicate this great need.

I yield the floor at this time.

Mr. BIBLE. Mr. President, I yield myself 5 minutes.

I certainly appreciate the overly generous remarks of the Senator from Illinois. It has been a great pleasure to have worked with him and to have his vast knowledge and experience in many fields not particularly related to the Indian problem. He has some first-hand knowledge of that problem from his Chicago experiences.

We have tried to be responsive to those needs. The Indians of our country have problems everywhere, whether it is in the rural areas or in the urban areas. We have not faced up to those needs. We have gone partly along the way and have been somewhat helpful, and I hope that, as we continue, we can be much more helpful.

I commend the Senator from Illinois for his great interest in the preservation and conservation and development of our natural resources, particularly in the parks areas.

It is true that there is no national park in the State of Illinois, but the Indiana Dunes National Seashore is used about 95 percent of the time by the people of the Chicago area, because of its closeness to that area. It is a beautiful area on the Indiana Dunes. It is on Lake Michigan, just out of Gary, Ind. I think we have done very well in acquiring that land. I hope we can complete it as a result of the money that is in this bill this year for that purpose. We have started development, and we have the planning money in there, as mentioned to us by both Senators from Illinois.

In addition, I commend the Senator from Illinois for his interest in preserving the boyhood home of Abraham Lincoln in Springfield, Ill. This matter is before the legislative subcommittee, of which I happen to be chairman, and the bill will move forward very quickly, primarily because of the great interest and the urging of the Senator from Illinois. So next year we will have a full-fledged national facility in Illinois, at Springfield. We are going to move that forward sometime before the August 6 recess. That is our deadline.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. I yield myself 3 minutes to respond to the very encouraging comments of the Senator from Nevada.

With respect to the Indiana Sand Dunes, this area serves approximately 6 million people who are within driving distance of the dunes. They are an invaluable natural resource in a highly populated area. The Federal Government has spent \$27,900,000 acquiring the land so far. The present appropriation asked for in this bill is for planning funds, \$415,000 for facilities and \$157,000 for roads, for a total of \$572,000.

We have had tremendous support for this project in the Midwest.

At this time, I would also like to pay tribute to my predecessor in the Senate, the Honorable Paul H. Douglas, who has really been, we might say, the father of the Indiana Sand Dunes. When I was a young boy, I went there many times and I always applauded the former Senator from Illinois, who did everything he could to keep the commercial interests out and to preserve this great heritage for all the American people.

Former Senator Douglas said, in 1965:

The dunelands, beaches, and inland trails of the lakeshore provide great beauty, recreational utility, and scientific value. Even if this were a mediocre plot of open space, its mere location would make mandatory its rescue for all the park starved people of this region. But it is also an unequalled natural resource, a wonder of the world possessing one of the finest swimming beaches anywhere and natural "laboratories" which the scientific community regard as irreplaceable. The need is so great, and the opportunity so wondrous, that further delay cannot be permitted.

Mr. President, this, therefore, will enable the project to move forward and I express appreciation to the administration for moving this forward from the planned 1975 schedule to 1972.

I hope that the Senate will act favorably on the bill which my colleague from Illinois (Mr. STEVENSON) has introduced and which I cosponsor, to call the Indiana Sand Dunes the "Paul H. Douglas Sand Dunes."

I believe that would be a fitting tribute to a man who has served his Nation, his State, and his city so well for 18 years as a distinguished Member of the United States Senate.

At this time, I am happy to yield to the Senator from Alaska (Mr. STEVENS).

Mr. STEVENS. Mr. President, I call up my amendment at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, line 10, strike out "\$69,930,000" and insert in lieu thereof "\$70,930,000" of which \$2,045,000 shall be available only for Alaska pipeline inspection work.

On page 17, line 21, strike out "\$65,180,000" and insert in lieu thereof "\$65,380,000" of which \$465,000 shall be available only for Alaska pipeline investigations.

Mr. STEVENS. Mr. President, I yield myself 6 minutes.

The PRESIDING OFFICER (Mr. SPONG). The Senator from Alaska is recognized for 6 minutes.

Mr. STEVENS. Mr. President, first, I should like to express the deep appreciation of all Alaskans for the actions of the Subcommittee on Interior Appropriations of the committee. The amounts that have been added to the House bill, particularly in the area of Indian health, are farsighted and realistic and very much needed. We are all deeply grateful in Alaska for the recognition of the fact that we have probably the greatest demand in the United States for sanitation facilities, not only for new Indian homes planned for our State for this year, but also for the existing homes which have no sanitation facilities and which are in the villages in which the new homes will be placed.

I am deeply grateful to the committee chairman and my colleague from Illinois for their understanding of our problems. In addition, for their understanding of the total medical problems of the Alaskan native people. The increases are substantial in the bill.

Mr. President, the pending amendment would restore \$1,465,000 to the bill which has been recommended be deleted by the committee pertaining to the Alaskan pipeline inspection work and the Alaskan pipeline investigations.

When the Secretary of the Interior appeared before the Committee on Interior and Insular Affairs, which was some time ago, the chairman rightfully pressed him for a time for completion of the Alaskan pipeline work that is being done by the Department of the Interior. The Secretary of the Interior linked the issue of the permit for the Alaskan pipeline to the settlement of the Alaskan native land claims and pointed out that we are not much further along on the settlement of those claims.

Unfortunately, the committee has interpreted the present budget request to be money that would be used by the Department of the Interior, assuming the permit would be issued during this fiscal year. The committee specifically makes reference to the fact that they have deleted this money, because determination may not yet be made with respect to the line during the coming fiscal year.

I respectfully invite the attention of the chairman and the ranking minority member of the subcommittee to the fact that the allowance of \$1,465,000 will require a reduction in the present working force of 41 people. It will require a 33-percent reduction, that is, 15 people, presently working on the environmental aspects of the Alaskan pipeline. I am informed that with the 41 people using the \$1.8 million this year, the Bureau of Land Management and other agencies of the Department of the Interior were to continue to monitor the field activities of the Alaska Pipeline Service Company and would continue research study in fisheries, wildlife, archeology, recreation, revegetation and rehabilitation of the land, hydrology, soil stability aspects, and total geographical aspects of the Alaskan pipeline.

In addition, a general review of the pipeline design as it pertains to the protection of the environment, was to be conducted with this money. I am not sure

that the committee knows that only 2 weeks ago the Alaska Pipeline Service Co. filed its project description. That project description weighs about 150 pounds and is to be reviewed between now and September 15. The Secretary of the Interior has set the deadline of September 15 for the report to him by the agencies in the Department of the Interior, as I understand it.

Included in the money, the \$1.8 million which Interior wished to have, was the money to prepare an impact statement \$200,000, and the review of other agencies' impact statements.

I think it is important to keep in mind, and I would urge the chairman to keep in mind, that this is money needed without regard to whether the permit is issued, because it is money needed by the Department of the Interior to comply with the National Environmental Protection Act. It is money to allow them to look into all aspects of environmental protection, such as archeology and the geological aspects of the pipeline route.

The PRESIDING OFFICER (Mr. SPONG). The time of the Senator from Alaska has expired.

Mr. STEVENS. I yield myself one more minute and then wish to yield to my colleague from Alaska (Mr. GRAVEL).

Mr. President, the point I am trying to make to the chairman and the ranking minority Member is that I feel the assumption under which they have deleted this money for the Alaskan pipeline and the work being done by the Department of the Interior related to it, is erroneous. That assumption is that this money would be used only if the permit were issued this year, that it would be necessary only if the permit were issued this year.

It is my firm understanding, confirmed by the memorandum from the Bureau of Land Management, that the money is absolutely necessary to continue the environmental aspects of research and review concerning the pipeline before the permit is issued, and it is necessary to complete the work so that the permit will be issued.

I urge the chairman to reconsider this matter. We have had some discussion. He is a very fair man. I do not intend to have a vote on this matter because we rely on his good judgment and know that when he goes into the conference committee he will do the right thing with regard to this environmental money which is so absolutely necessary for the Department of the Interior to have to do the job that must be done.

I yield now to my colleague from Alaska (Mr. GRAVEL) the remainder of the time we have available.

Mr. GRAVEL. Mr. President, how much time remains?

The PRESIDING OFFICER. Seven minutes remain.

Mr. GRAVEL. Mr. President, I am sure that if we need more time, the Senator from Arizona will permit us more time in which to state our case.

Mr. President, let me say, along with my colleague from Alaska, that we are in a very unusual situation and, in fact, in somewhat of an embarrassing situation because of the outstanding generosity exhibited already by the actions

of the Senator from Nevada in this legislation.

It seems unusual for us to be standing on the floor and asking for more for Alaska because we have received probably, on a per capita basis, more than our measure. It was because he recognized the Indian problem that exists in Alaska, the problem of poverty that is unequaled anywhere else in the country, that the Senator from Nevada stepped forward, not with a moderate increase, but with a sizable increase that addressed itself to this problem.

My colleague from Alaska has been active for some months and years in that specific effort. So we come here to thank the Senator from Nevada for the generosity he has shown and for his leadership, and also to underscore the problem that faces us in the need for more money.

The only justification we have to offer in this case is that it is not money for us. The pipeline just happens to be in Alaska. The oil just happens to be in Alaska. The chief beneficiaries of this oil will be the American people. So the funds we seek to restore at this point are not funds for Alaska. They are funds for the American people.

The pipeline has been stymied because the environmental community of this Nation has demanded a quid pro quo. I think that quid pro quo is proper, because it is permissible under the laws that the Senate has agreed to and passed. However, it seems a mistake for the Government, after giving the ability to segments of our society to demand that the discipline come forward, not to come forward with the necessary economic wherewithal to effect this discipline. That is exactly what happened in this case.

We want a pipeline built and built safely. Otherwise, it should not be built. I think that we in Alaska, and any intelligent person in the United States, have no quarrel with those who insist that the pipeline be built safely. But then to turn around and not provide the money so that the Government can provide the necessary expertise to address itself to myriad problems in an industrial, economic, and scientific sense, is only to deceive our whole society.

I hope the chairman realizes that the permit will be approved this fall and that it could progress favorably. However, this takes money. We are talking about a project involving \$1.5 billion or more in expenditures. Some say it will approach \$2 billion. That is not one penny of Government money, not one penny of Government money.

So, it would seem incomprehensible to me that the Government, with a few million dollars, could not make some effort to stay abreast of what the private sector is willing to do to satisfy the energy needs and ecological needs of this country.

I think the issue cries out for a solution in a way that is not only related to the Alaskan situation, but also to the energy crisis and the ecological crisis that exist in this country.

We, the Government, can act as the intelligent arbiters if we are willing to put up the money now to press forward on the demands and definitions of the

problem, and on achieving the expertise that will be needed in the ongoing inspection. To wait as vassals of the industry in this country is certainly not an intelligent or a judicious governmental view, not to speak of the leadership that should be demanded of the Government in directing itself to this very horrendous problem.

We will not press for a vote, because in the past the distinguished Senator from Nevada has shown outstanding leadership in these areas. I would hope that our words this morning would carry weight in his deliberations, and that he would state to the conference committee that the views we have tried to express are certainly in good faith.

Mr. BIBLE. Mr. President, I yield myself 5 minutes.

Mr. President, first I want to thank the two Senators from Alaska for their presentation of the additional information to the Senator from Illinois and me.

It is not as if we had taken all of the money out of this particular item. We left in \$1,045,000 under our final action. It is a deduction of \$1 million for Alaskan pipeline inspection.

At no time to the best of my knowledge were we ever furnished with a breakdown as to the various places in which these moneys would be expended—how much would be expended on the environmental impact, how much on a survey and so forth.

At the time of our examination of the Secretary of the Interior, he first indicated that there would be no firm decision on the Alaskan pipeline until next year. Later on that timetable was advanced. If my memory is good, he said that we would have something by the end of this year. Now I am given to understand that he may very well have something by the next few months. But there has been nothing more definite than that.

It was our thinking that this was sufficient to carry on the pipeline inspection problems, the environmental problems, and the environmental studies connected with the pipeline until such time as we have something definite from the Secretary of the Interior as to exactly what he would rule and whatever order he might make, whether or not it was to be subject to court litigation.

I have heard both versions, that there is going to be an injunction and that there is not going to be an injunction. I would hope not.

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

Mr. BIBLE. I am glad to yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, at the present time there are two injunctions that prohibit the issuing of it. However, this must be done before the Secretary of the Interior can notify the court that he is ready to have a final hearing on the impact statement of the Environmental Policy Act.

Mr. President, I do not want to press the chairman too far. However, what we are really seeking now is assurance that the work being done now can continue with the amount of money available. If additional money is needed, it can be supported in conference. We will be re-

ceptive to a supplemental. This work is absolutely necessary.

Mr. BIBLE. Mr. President, I understand the point the Senator is making. I appreciate the statements of both Senators from Alaska. I think we will get some definition some time within the next 10 days, tentatively the week of July 26. We hope to resolve the matter that week. And we will go into this further and talk with the proper personnel within the Bureau of Land Management so that these studies, preliminary to the time set for the order, would be effective and there would be enough money to carry that forward.

I agree that that could be done. I was of the impression that there was enough in here to carry this forward. That may be in error. If it is in error, we will certainly adjust it in conference.

Mr. STEVENS. Mr. President, will the Senator yield further?

Mr. BIBLE. I yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, I requested the chairman of the committee last evening to have an analysis prepared of what happens from the impact of this reduction. I ask unanimous consent that it be printed in the RECORD and furnish copies to the chairman for reference to the staff.

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

ALASKA PIPELINE	
Request	\$2,045,000
Reduction	1,000,000
Allowance	1,045,000

IMPACT OF REDUCTION

Under no permit status we planned to operate with 41 positions and \$1.8 million to accomplish the following:

- (1) Monitor field activities of Alyeska Pipeline Service Company.
- (2) Research and studies:
 - (a) Fisheries.
 - (b) Wildlife.
 - (c) Archeology.
 - (d) Recreation.
 - (e) Revegetation and Rehabilitation.
 - (f) Hydrology.
 - (g) Soils Stability.
 - (h) Geological Aspects.
- (3) General design review as it pertains to protection of environment.
- (4) Lands and Minerals Use Administration.
 - (5) Impact Statements:
 - (a) Prepare Impact Statements (20MM).
 - (b) Review other agencies' Impact Statements (2 MM).
 - (6) Stipulation Revision.
 - (7) Training.
 - (8) Interrogatories.
 - (9) General Division Administration.

The reduction will require us to lay off 15 of the 41 people with a 33% reduction in prepermit work accomplishments. This could put us in a position of not having all the data necessary to protect the environment once a permit is issued.

Mr. BIBLE. I appreciate that. It will be helpful to the committee and to me, and we will examine it in light of the presentation made by the Senators from Alaska.

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

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from Alaska.

Mr. GRAVEL. Mr. President, I wish to

make one point with respect to court action. The ability of the Federal Government to go into court and make a case with respect to the propriety and technical ability to build a safe pipeline would depend on how much circumspection and effort is applied to the data received, and that depends on how much money the department has to apply to all of the facets of this matter.

If we are parsimonious in this matter in the planning stages, in the determination of the ecological impact, we will have further delays, and that is why we are pushing so hard—so the Government can carry its share of the water in this matter. Not only has industry been derelict in getting to this aspect, but the Government has been derelict in applying itself to the data received.

If we do not do our job, we will see the court turning us down. One reason will be the lack of information, and the other will be that the Government has not done its job, and that is our fault. Industry has put forth a gigantic effort. I hope the Government carries its share of the water and applies itself.

Mr. BIBLE. We are considering the Senator's plea carefully. The U.S. Government has carried more than its share, as far as I am concerned. The bill reflects that. But we have plenty of time to adjust. We have allowed \$1 million which will not stop the operation under the no-permit status.

In the next week we will look at it more closely. If more money is needed we will agree with the House conferees.

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

Mr. BIBLE. I yield 1 minute to the Senator from Alaska.

Mr. STEVENS. This is a separate issue. We have not presented an amendment relating to the \$4.6 million reduction in firefighting. This year there are 10 times the number of acres in Alaska under fire or being burned by natural causes than ever before.

We have not presented this because last evening when we checked it was our understanding that the Bureau of Land Management goes ahead and fights these fires, and will be backed with a supplemental for this item.

I just wanted to raise this issue with this chairman, because I know they are spending a great deal of money there to fight fires.

Mr. BIBLE. Not only there, but all over the United States. No estimate can be made of the damage due to fire in 1 year. We increased this over the amount allowed last year. By the same token it is less than the budget request. This always is handled in the supplementals. It is never denied. They will be made whole that is true throughout the length and breadth of the United States.

Mr. STEVENS. I understand some of the money is repaid by the States.

Mr. BIBLE. They have cooperative agreements with the State. Sometimes it is paid, and sometimes it is delayed in order to check the accuracy, but they are always paid in the long run.

Mr. GRAVEL. Mr. President, will the Senator yield for 1 minute?

Mr. BIBLE. I yield.

Mr. GRAVEL. As I read page 7 of the

report, the appropriation is for \$800,000, compared to the prior appropriation of \$1,340,000.

Mr. BIBLE. The Senator is correct.

Mr. GRAVEL. This is a sizable difference.

Mr. BIBLE. The Senator is correct. Even though it is not a realistic increase, and we recognize that and we take care of it when the supplemental comes up.

Mr. GRAVEL. Is there a possibility of adding a rural development aspect to firefighting, since we are all trying to protect a resource?

In 1 day of burning on Kenai Peninsula, they lost more natural resources than ever before.

Would it not be reasonable, from an economic development point of view, to protect the resources, to pump in money to have an effective impact on the native community?

Mr. BIBLE. I would respond by saying I do not know of any specific program directed to the problem the Senator suggests. I think our firefighting funds are not constricted that much. I think they are used where fires occur. I do not think we should put it in this bill.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. BIBLE. I yield 5 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I wish to state to both of my distinguished colleagues from Alaska that of the multi-billion dollar bill before us, the only items that Secretary Rogers telephoned me about yesterday related to the Alaska pipeline and firefighting. He was deeply concerned and pointed out the great need.

First, I would like to state that the pipeline is a very difficult problem, as the Senators know better than anyone else in the United States. But I have great confidence in Secretary Morton. I have been a great supporter of his for many years. I think he has demonstrated his deep concern about the environment and that he intends to do everything in his power to preserve the environment, but he recognizes the necessity of striking a balance and the necessity of working out problems with a proper balance.

After speaking with him I then discussed the matter with the Senator from Nevada (Mr. BIBLE) and received every assurance that an equitable working out of this matter could be made, that there would be no deficiency in firefighting funds, and that he would see that that was taken care of.

This is a matter of the highest priority in the mind of the Secretary of the Interior, and I pledge my support to my colleagues in what I consider to be a reasonable request in this regard. I support the action of our chairman.

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from Alaska.

Mr. STEVENS. Mr. President, I ask unanimous consent that we may withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. STEVENS. I thank the chairman and the ranking minority member of the committee for their courtesy.

I know that the Senator understands that we have raised the issue at this time in order to assure that we will have a record on which to go to conference, so as to enable us to get funding.

Mr. BIBLE. I feel certain that we have a good record here.

Mr. President, I now yield 5 minutes to the Senator from Colorado, on the bill.

Mr. ALLOTT. Mr. President, I shall not use 5 minutes. I will yield back the unused time, so that it may be accounted for.

I wish to compliment the chairman of the Subcommittee on Department of the Interior Appropriations, Mr. BIBLE, and also the ranking minority member of the subcommittee, the Senator from Illinois (Mr. PERCY), for the excellent job they have done in regard to the bill.

This is Senator PERCY's first year as the ranking minority member of this subcommittee. He has done an excellent job in what is an extremely complicated and all-encompassing area. I know of the time and effort which went into the hearings comprising almost 4,000 pages of testimony.

I would like to take just a moment to ask the chairman of the subcommittee one question concerning the bill.

I note that the committee bill recommends \$158,293,000 for Indian Health Services. This is about \$16 million over the budget request and \$11 million over what the House approved. I believe that the well-documented need regarding Indian health problems more than justifies this increase.

As the Senator from Nevada knows, Mr. Albert Wing, chairman of the Ute Mountain Ute Tribal Council, testified to the subcommittee concerning the health problems confronting the Ute Mountain Tribe.

In the past, the Mountain Utes have completely paid for their health needs from their own tribal funds. Now with their financial resources declining the tribe can no longer continue this service. This has forced the tribe to seek assistance from the Federal Government.

I want to ask the Senator from Nevada if it was the committee's understanding that the Department of Health, Education, and Welfare would give equal consideration, with other tribes, to the medical needs of the Ute Mountain Ute Tribe in Colorado?

Mr. BIBLE. Mr. President, I do not know of any better spokesman for this group of Indian people in Colorado than the distinguished senior Senator from Colorado (Mr. ALLOTT), who has told me many times of their plight.

I know personally the chairman of the Ute Tribal Council. I was tremendously impressed with the testimony he gave before the subcommittee. It was clear from his statement that the tribe had been paying for their medical needs out of their own tribal funds. They have a great spirit of independence. But it is true that their funds are declining, are being depleted, and now they are looking to the U.S. Government for help in this very important area.

The House report commented on this, and from it I think it is very clear that, within available funds, the Department

should give consideration to equal priority with other tribes to meet the medical needs of the Ute Mountain Tribe of Colorado. We have substantially increased the amount provided for the Indian Service, so I am sure there will be no difficulty in providing medical funds for the Ute Mountain Tribe. If the Senator from Colorado should encounter any problems—and the Department does agree to this—and will notify me or any of the staff members, we will follow through.

Mr. ALLOTT. I thank the Senator. I appreciate his remarks. I see that on page 29 of the House report specific comment was made on this matter. I just wanted to be sure that it was the understanding in this body that, since the change in circumstances, we would call attention to that.

With that assurance, I am happy with the answer and am assured that the health needs of the Mountain Utes will be taken care of. I appreciate the answer.

Mr. BIBLE. Mr. President, I yield 1 minute on the bill to the Senator from Arizona (Mr. FANNIN).

Mr. FANNIN. I thank the Senator.

Mr. President, I join my colleagues in commending the distinguished chairman and the ranking Republican member for the manner in which they have handled this legislation. I am very proud of what they had to say about the needs of the American Indians, our first Americans. Since I am from a State which has more Indians than any other State, I am well aware of what the Senators have commented on. I am sure their work will be greatly appreciated.

Mr. President, I send an amendment to the desk and ask that it be read. It will take just a moment.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 39, line 10, strike "\$275,000" and insert in lieu thereof "\$300,000".

Mr. FANNIN. Mr. President, I have just a brief remark to make. Then I will ask the distinguished chairman if he will accept this amendment, which I am sure he will.

The National Council on Indian Opportunity has requested a budget of \$300,000, which the House decreased to the sum of \$275,000. The same thing happened last year and, on appeal, the House reinstated \$12,500, thus making a budget for fiscal 1971 \$287,500.

NCIO reviews and evaluates all Indian programs from eight departments and agencies, including BIO. Their purpose is to utilize and develop Indian talents within the community, by coordinating the activities of the departments involved.

It is felt the NCIO will lose important consulting and expertise sources that have been developed within the Indian community itself if this amount is deleted.

The amount utilized in fiscal 1971 was within \$100 of the appropriation.

I believe this service can be well utilized to coordinate the efforts of the different agencies.

I will ask the distinguished chairman if he will not accept this amendment.

Mr. BIBLE. Mr. President, the Senator from Arizona has spoken to me about this amendment. We will probably come out of conference with the same figure as for 1971—\$287,500.

I yield back the remainder of my time.

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

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

The amendment was agreed to.

Mr. GRAVEL. Mr. President, will the Chairman yield some time to permit me to engage in a colloquy with him on two points?

Mr. BIBLE. Certainly. I do not want to run out of time, but I will yield 5 minutes, if that is enough.

Mr. GRAVEL. That will be enough.

Mr. BIBLE. Very well.

Mr. GRAVEL. One item that was left out was the appropriation for land planning for the North Country, in the amount of \$55,000.

Of course, in an effort to adequately deal with the impact of the oil discovery on the North Slope, I would hope we would see the wisdom of not reacting, but of doing some advance planning to grapple with the problem.

I was instrumental in prodding the State legislature in introducing and passing a companion measure to the Federal legislation which provided for land planning. This was to provide substantial land planning, and it should be provided both by Federal and State participation.

I know this money was provided on the House side, and I would hope my colleagues in the Senate would approve funds for advance planning, particularly in view of the gargantuan tasks we face with discovery of oil on the North Slope. This would be money well spent. It would permit us to plan and face our detractors.

Our problem is that we face criticism, and we do not have the knowledge or expertise to go to the heart of the problems in discussing it with our detractors. This is a problem that is true not only for Alaska but for the entire country.

Mr. BIBLE. I will say to my colleague from Alaska that we declined to allow the amount on the ground that the State of Alaska had made no type of agreement to participate. We have always found participating agreements much better. There may be good reason for this, of which I am not aware; but this item will be in conference and I will take into that conference the Senator's views as well as those of any other Senator.

Mr. GRAVEL. I can assure the Senator that we in Alaska will be putting up the necessary money to match our portion. I think we can count on that. They are willing to put up the manpower in Alaska. I thought that this type of movement on the part of the Federal Government would result in a great deal of movement on the part of Alaska. I thank my colleague.

In another area, I want to compliment my colleague for the amount provided for geothermal activities, which I know will be of benefit to his own State, and

the whole West. I cannot accentuate too greatly that the amount of money provided is minimal, but it is a beginning, and I think we should be satisfied that at least a beginning has been made.

Also, I want to compliment the committee for the money to be appropriated for researching mineral aspects, and all other aspects, of the Outer Continental Shelf by reclassification of the Shelf.

If I may note—and perhaps my colleague might have some comment to make—the importance for the future of truly getting some money into geologic survey activities for Alaska is revealed by the fact that under the present method we will not have any mapping completed for Alaska until the year 2015.

Of course, the North Slope activity is only part testimony to what the great riches are that our State can provide, not only for our people but for the total Nation.

Is there any intention to do this in the future, or could we tie such an effort to some type of revenue program to accelerate drastically such an effort? I know that an increase has been provided, and I compliment him for that, but I can only say that under the present trajectory, it will be the year 2015 before we can really know the riches we can make available to this great Nation.

Mr. BIBLE. Well, this is a troublesome problem not only for Alaska, but for the entire United States of America. We are lagging way behind in our geological and mineral resources surveys and mapping. I do not know how many years it is behind, in total, in the United States.

It is just simply a problem of priorities of funding. We have held the level, I think, very well insofar as Alaska is concerned, for this next year.

I would respectfully suggest to the Senator from Alaska that this is a matter he could very well discuss at length with Dr. Pecora, who is now the Under Secretary of the Interior, and the former Director of the U.S. Geological Survey. I do not know of anyone who has any greater familiarity with the total mapping problem, where it is going, or how we can make more headway.

We have cities and urban areas that want additional mapping, and we just simply do not have the financial resources to meet everyone's needs. We are doing the best we can, as we see it, on a tremendously expensive overall program, though very helpful. Much of my State still is not mapped, and we have been in the Union since 1864. But we are making headway, and sooner or later we will have a complete map.

All I can tell the Senator from Alaska is that we are doing the best we can on it.

Mr. GRAVEL. I thank my colleague. I think his point as to his own State is well made. I think that perhaps if additional funds were expended for more mapping, additional resources could be discovered and made available to our people.

Here again, it might be worth while—and I am not usually an advocate of dedicated funds—if we were to withhold step 4, and dedicate those funds to the geologic mapping of the U.S. I think we might achieve a real step forward in

assuring the continued prosperity of our people.

Mr. BIBLE. There might be merit in the suggestion. I would say generally that if you start earmarking funds, you are in trouble. It has to be handled very carefully.

We will take another look at it, if the Senator will call the matter to my attention.

Mr. GRAVEL. I thank the Senator. I have two other points, but I shall discuss them privately with the Senator. I thank him for his courtesy.

Mr. BIBLE. Very well. Mr. President, I yield the floor.

Mr. STEVENS. Mr. President, will the Senator from Illinois yield me 4 minutes?

Mr. PERCY. I yield 4 minutes to the Senator from Alaska.

Mr. STEVENS. Mr. President, in the House committee report there is a statement concerning the policy of the Forest Service with respect to the payment and scaling practices in national forest timber sales.

The committee directs, in the House report, that there be no change in current Forest Service payment guarantees and deferred scaling practices until September 1, 1971; that this moratorium will provide an opportunity for responsible legislative committees in Congress to hold hearings on this subject. In the meantime, the committee urges the Forest Service to conduct meaningful negotiations for those of opposing views to resolve the controversy.

I understand that the distinguished Senator from New Mexico (Mr. MONROYA) had intended to make a statement, and still may be able to come back in order to make his statement concerning this matter. I should like to indicate my complete agreement with the position of the Senator from New Mexico. Our Alaska National Forest lands are the only forest lands in Alaska that have commercial production on them, and we feel that any change in the policy whereby a small operator can place a bond or negotiable securities instead of paying cash for the logs would be very detrimental to the small businessmen and loggers who are dealing in this area.

Mr. President, the distinguished Senator from New Mexico has clearly stated the case for delay in altering the established and tested practice of payment bonds for Federal timber with the introduction of S. 2046.

In my native State of Alaska, timber industries rank only behind fisheries and petroleum as a source of revenues to the people and employment. All of the timber harvested in Alaska is Federal timber. There is no private timber of any consequence. This means that loggers and other timber purchasers in Alaska will be the most severely affected by any change in Forest Service timber sale practices.

Many of these citizens of Alaska are literally struggling to wrest a living from the forest. They are small operators; they are frequently underfinanced; they are striving to achieve stability and to establish the local economy. A demand for cash on the barrelhead for logs which they may not be able to process for many months means that they will be denied

the use of their small capital without reason. Since the present practice requires that negotiable securities or a surety bond be posted as payment guarantee it is obvious that the Government faces no risk. But it is a risk for any small businessman to be deprived of working capital for the sake of protecting the Government against a risk which can never harm it.

I commend the Senator from New Mexico for his proposed legislation, S. 2046, and join him in requesting the Committee on Agriculture and Forestry to hold hearings on this legislation, so that we can comply with the deadline that has been established by the House committee report.

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

Mr. STEVENS. I am glad to yield to the chairman of the Agriculture Committee.

Mr. EASTLAND. The Senator means the subcommittee.

Mr. STEVENS. The subcommittee, the Senator is correct.

Mr. EASTLAND. Mr. President, I fully concur with the views of the distinguished Senator from New Mexico and recognize the significance of payment bond guarantees as elaborated by the Senator from Alaska.

I assure both of them that the Subcommittee on Environment, Soil Conservation and Forestry of the Agriculture Committee will explore the best ways to protect the interests of the Government in selling its timber while, at the same time, not imposing any hardship on the companies and small operators who must buy Federal timber to survive. If hearings are necessary after the summer recess, my subcommittee will schedule them. In the meantime, I would hope that the Forest Service continue its present system until it has either worked out an agreement with its timber purchasers or the subcommittee has had time to consider the legislation sponsored by my good friend from New Mexico.

Mr. MONTOYA. Mr. President, in its report for fiscal 1970 appropriations, the Senate Appropriations Committee concerned itself with the issue of payment bonds for Federal timber. For more than a decade the Forest Service has accepted negotiable securities or surety bonds as guarantees of payment for logs stored prior to their measurement to determine the volume subject to payment. During this entire time there have been no instances of Government loss due to failure to pay for the stored logs. In brief, the system now in force has been successful. And yet, the Forest Service has wanted to change its method to require cash payment for logs within 30 days of harvest. This will impose a severe hardship on loggers throughout the United States since it will substantially alter their cash flow position and will, as a consequence, deny many small firms the opportunity to continue in business.

The Forest Service has justified its change to cash payment on the basis that some timber purchaser, somewhere, some day, might default on his payment. In

effect, it wants to impose a financial hardship on all Federal timber purchasers to protect against a single instance of loss which may never occur. The history of deferred payment scaling demonstrates that it is unlikely for any such loss to ever occur.

This issue has been under study for more than 4 years. In its fiscal 1970 report the Senate Appropriations Committee directed the Forest Service to make a final decision after study and negotiation with the affected timber purchasers throughout the country.

Early this year the Forest Service announced that it would terminate its present payment guarantee system as of July 1. The industry has maintained that the Forest Service has failed to comply with the instructions of the Senate Appropriations Committee on two counts:

First. There has been no joint study or attempt to resolve the issue; and

Second. Attempts to discuss the issue with the Forest Service were postponed pending release of a report by the Office of the Inspector General of the Department of Agriculture and further postponed pending Forest Service analysis of that report.

It is true, as well, that the Forest Service has failed to prepare legislation to resolve the issue as directed by the Appropriations Committee report.

In the absence of constructive action by the Forest Service, on June 10, I introduced S. 2046 which is legislation proposed by the industry as a means to safeguard Government interests without undue hardship on timber purchasers.

The House Appropriations Committee in its report on fiscal 1972 appropriations has directed the Forest Service to extend the deadline for cancellation of the present payment guarantee system from July 1 to September 1, 1971. I consider this to be insufficient time for responsible action by either the Forest Service or the Congress.

A proper course would be for the Congress to conduct hearings on the legislation I have introduced which will rectify this situation once and for all. The distinguished Chairman of the Senate Agriculture Subcommittee on Environment, Soil Conservation and Forestry has assured me that hearings will be scheduled but has also advised that it will not be possible to convene them until after the Senate returns in September.

I have learned that the Forest Service and the industry have scheduled discussions on this issue during the last week of this month. Their joint findings will be of substantial significance to the hearings conducted by the Senate Agriculture Committee. I consider it essential that the Forest Service not alter its payment bond system for guarantee of timber value until after the appropriate committees of the Congress have considered my bill.

The PRESIDING OFFICER. The bill is open to further amendment. Who yields time?

Mr. BIBLE. Mr. President, I yield 4 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, I may

take less time than that. I have no amendment to offer.

During the hearings held by the distinguished Senator from Nevada, I brought to his attention a problem which affects two reservoirs in Kentucky, the Cave Run Reservoir on the Licking River and the Laurel River Reservoir on the Laurel River.

Both of these reservoirs lie in the Daniel Boone National Forest. There are certain facilities which must be constructed before the reservoirs are filled; otherwise, they must be constructed at a much larger cost, or not at all. There is a joint effort by the Corps of Engineers and the Department of Agriculture to provide these recreational facilities, which include both launching ramps and the necessary water and sewer lines. The chairman of the subcommittee was of great help—in fact, he gave all the help—both last year and this year in providing additional funds for the Cave Run Reservoir so that these facilities along the water can be constructed. Through his efforts, and in the House of Representatives, provision has been made for the Cave Run Reservoir.

The Department had requested \$260,000 for the construction of similar facilities at the Laurel Reservoir site, but said it would be glad to get any funds whatever in order to begin this necessary work.

The committee has been so helpful I shall not offer an amendment to try to get additional funds, but I would request if the Senate prevails in conference, if it is possible, to examine the needs of both the Cave Run and the Laurel River Reservoirs, to see if an adjustment could be made to meet both of these needs. If not, then I would hope that, when the supplemental appropriation bill is being considered, I would have a chance to address the committee and its distinguished chairman again in regard to the facilities on the Laurel River.

Mr. BIBLE. I am most sympathetic with the presentation of the Senator from Kentucky, which speaks for a richly justified need. I am reminded of the performance we had last year, when he made a wonderful case, and obtained the money to take care of a reservoir before it was built, rather than after it was built. We are doing the same thing on Cave Run, at a cost, I think, of \$864,000.

The Laurel Reservoir, frankly, is a very similar situation to the Cave Run Reservoir. The difference, we are advised by the Engineers, is that the Laurel Reservoir does not fill until the year after the Cave Run Reservoir.

I would think that the best way to handle this problem would be to fund the full amount for Cave Run. Then we could make a finding, or I could make a statement here, whichever meets the needs of the Senator from Kentucky the best, to the effect that Laurel is in the same general status, and that, come another year and on a proper showing, a similar amount or the required amount would be allowed. I think that would be the best way to handle it.

Mr. COOPER. I appreciate that.

If it is shown by the corps and the Department of Agriculture that it would be

helpful to have some funds this year, would it be possible for this to be considered at the time of the supplemental?

Mr. BIBLE. Indeed it would, in the supplemental, because I am advised by the chairman of the full committee that we will have one more supplemental this year, and we could consider it, if there were a showing.

Mr. COOPER. I thank the Senator. I ask unanimous consent that my prepared statement together with a letter addressed to the distinguished chairman be placed in the RECORD at this point.

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

STATEMENT BY SENATOR JOHN
SHERMAN COOPER

Since the Laurel River project lies within a national forest (the Daniel Boone National Forest) there is an agreement between the Secretary of Agriculture and the Secretary of the Army wherein it is agreed that the Corps of Engineers is responsible for constructing the Dam and the Forest Service is responsible for planning, constructing, and operating the recreation resource of the lake.

The Corps of Engineers' construction schedule calls for impounding the water in the Spring of 1974. There are certain facilities of the Forest Service's plan that should be completed by this date. These are facilities that will be underwater when the Dam is closed, such as water and sewer lines, boat-launching ramps.

After the water rises, the work would be more expensive, and some may not be able to be done. \$260,000 is needed now to commence the necessary work.

I emphasize that this work is only for underwater facilities, that must be done before the water rises. It would not make the area available for public use and would not provide the full recreation plan of the Forest Service.

JULY 1, 1971.

HON. ALAN BIBLE,
Chairman,
Subcommittee on Appropriations,
Washington, D.C.

DEAR SENATOR BIBLE: You may recall that Mr. Calvin Schneider, Executive Director of the Gateway Area Development District of Owingsville, Kentucky, and I testified before your Committee on April 20. I am very grateful for the kind reception you accorded us, and I appreciate the close attention you gave to our testimony. You always give full consideration to Kentucky projects, and your support has benefited the people of Kentucky.

I note that the House Appropriations Committee has released its Report and that it has provided for an additional \$762,000 for the Forest Service's recreation plan at the Cave Run Reservoir in the Daniel Boone National Forest, Kentucky. I hope the Senate Committee will be able to sustain the House action.

I also note that the House has not included funds for the Forest Service's recreation plan at the Laurel River Reservoir, Daniel Boone National Forest, Kentucky. You will recall that the problem at Laurel is very similar to the problem at Cave Run. To date, no work has been done on the Forest Service's recreation plan, and no money is provided in the fiscal year 1972 budget. The Forest Service states that it is essential that initial recreation-facility construction be started so that underwater type facilities will be in place before the water is impounded. Fiscal year 1972 costs—under the Forest Service's schedule—would be \$260,000. I hope the Senate Committee will be able to provide this amount—

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the figure the Forest Service estimates is necessary.

With kind regards, I am
Yours sincerely,

JOHN SHERMAN COOPER.

At this point the Senator from West Virginia took the chair as Presiding Officer.

Mr. SPONG. Mr. President, I want to discuss briefly with the chairman the fact that the committee has omitted from the bill \$100,000 approved by the House for the construction of recreational facilities at the Mount Rogers National Recreation Area in Virginia.

The Forest Service advised me in March of this year that it recognized the importance and need for development work at Mount Rogers. The area is experiencing a steadily increasing demand for more and better facilities and services. Unfortunately, no funds for such work were included in the budget request for fiscal 1972. The program at Mount Rogers is several years behind schedule. The total funds available for new development have decreased from approximately \$15 million in 1967 to the present \$3.2 million.

Visitors to the area contribute substantially to the economy of southwest Virginia, which is presently undergoing some suffering as a result of plant closings.

I offer an amendment to provide that on line 21, page 27, of the bill, the amount \$31,721,200 be amended to read \$31,821,200.

Mr. BIBLE. Mr. President, is that stated as an amendment to increase the figure by that amount? Is this considered as an amendment?

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

On page 27, line 21, strike "\$31,721,200" and insert "\$31,821,200"

Mr. BIBLE. Mr. President, I have gone into this matter since the Senator from Virginia has talked to me about it. I have mentioned it to the Senator from Illinois (Mr. PERCY), and I am willing to accept this amendment.

Mr. SPONG. I thank the Senator from Nevada and the Senator from Illinois.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

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

Mr. BIBLE. I yield.

Mr. HUMPHREY. I was very much interested in the National Foundation on the Arts and Humanities, and I note that the committee recommendation is substantially lower than the budget request.

Mr. BIBLE. I would not agree with the characterization, because the budget request for the arts was \$30 million, and we allowed \$29 million, and this is double what they had a year ago.

Mr. HUMPHREY. The National Foundation on the Arts and the Humanities, I note in the report, on page 27—

Mr. BIBLE. When they are put together, the total is \$3 million. Even with the reduction of \$2 million in the hu-

manities and the reduction of \$1 million in the arts, this is still almost double what they received last year.

We fought hard for this program. As a matter of fact, it is more than double. We believe that it is adequate to keep them moving in the right direction. I am dedicated to this. Senator PERCY has been a strong fighter for this. We are going to keep it moving, I assure the Senator from Minnesota.

Mr. HUMPHREY. I just wanted to get this in the RECORD, because I know some people will feel we did not go far enough. But the explanation given by the distinguished chairman indicates that both the committee and the administration have pushed this program along appreciably, and I commend both, in a spirit of amity and bipartisanship. I think the work done in this area has been remarkable.

Mr. President, support for full funding or the National Endowment for the Arts request for \$30 million should be of one of the highest priorities for Congress this year. During the endowment's brief history, its influence on the quality of this country's cultural and social life has been both effective and dramatic. All 50 States and five territories have followed the Federal Government's lead and established State arts councils. Most of these councils have received support from their State legislatures on an increasing basis to match their support from the endowment. The Federal seed money has reaped a rich reward in matching State funds. This has truly become a Federal-State partnership. The National Endowment for the Arts under the intelligent and perceptive leadership of Miss Nancy Hanks has reached into the lives of thousands of people in significant and meaningful ways. Perhaps it will serve a useful purpose to examine the effects of the endowment program in a single State—my State of Minnesota.

Minnesota could be called a microcosm of the arts with which the endowment deals with throughout the country. We have a regional theater of national reputation, a major symphony orchestra, a contemporary art center and a major art institute, a children's theater, contemporary and traditional opera producing companies, a major chamber orchestra, many community theaters, art centers and symphonies and dozens of fine artists, musicians, and actors.

Assistance from the endowment has enabled many of these institutions to undertake new and innovative programs as well as to continue ongoing ones. Let me mention just a few:

A grant to the Minneapolis Institute of Arts children's theater helped to develop a performing arts school for junior and senior high school students, tuition free, for which students receive academic credit.

Center opera, a contemporary opera producing company, has been able to commission and produce new operas within the State as well as tour the west coast.

The Guthrie Theater has been assisted

in producing a major production of the House of Atrous which toured New York and California.

The Minnesota orchestra is now developing a regional tour to surrounding States.

A State branch to the Minnesota State's Arts Council has helped support a major sculpture by Minnesotan Charles Biedermann in Red Wing, Minn., an artist in residency in a vocational school in Staples, Minn.; a tour by the Duluth symphony in the northwest section of the State; inner city art work shops in St. Paul, Minn. and Duluth; tours by the art institute's art mobile, a puppet show on drug abuse in elementary schools, and hundreds of other projects.

The Federal-State partnership has touched the lives of thousands of people throughout my State and these programs can be multiplied in every other State in the Union. It may seem that in these days, with so many major problems facing us, that the arts are not too important or of a very high priority. But let us examine some of these problems as the arts may affect them.

Pollution is a very high priority issue. Could a citizenry whose perceptions have been developed by the arts to really see and hear permit such ugliness to continue?

Racial problems. Perhaps no other area is so nearly color blind as the arts where talent and genius are so readily welcomed.

Quality of life. No other commodity is more in demand these days by the young, the old, the disillusioned, the alienated, the black and the white.

It is in the arts that man can truly find answers for now and in the future.

At a time when the gap between the government and the governed is so tremendous, perhaps we can recognize that men are really speaking not only how to solve their problems but why.

The answer may be in the arts which not only reflect our society but at their best prophesy our future.

Mr. BIBLE. Mr. President, I might say that due to the tremendous persuasion of the Senator from Minnesota, we restored the full budget amount to something that is very close to his heart, the Woodrow Wilson Center.

Mr. PERCY. I say to the distinguished Senator from Minnesota that we should point out that the appropriation for the Smithsonian Institution has been increased from \$36,895,000 to the committee recommendation of \$44,681,000. We have brilliant, able leadership under Dillon Ripley, and we want to support him to the maximum possible extent.

There has been a little shaving here. I hope it does not cut too much into it. But certainly all the way through we have strongly supported the arts and humanities and have had many comments in the subcommittee hearings and the full committee, as well as on the floor this morning.

Mr. BIBLE. Mr. President, I ask for the third reading.

The PRESIDING OFFICER (Mr. SPONGE). 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 the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. PERCY. Mr. President, the understanding I have with the chairman is that I would make my own comments about Illinois following third reading, just to be sure that no other Senators desire time if I could yield to them.

I would be very derelict in my duties to my State if I devoted all my time to the other 49 States and did not comment on my own obligations, as an individual Senator, to my own State and its 11.25 million people. I will try to make my comments very brief.

Though Illinois does rank 24th among the States in area size and fifth in population, it is tied with only three other States for the last place in the possession of federally owned national parks and holds 47th place for total national park acreage.

Each year, the Illinois Federal tax proportion of the National Park Service expenditure is approximately \$7.4 million by 1970 standards.

In other words, in the last 20 years, more than \$100 million has come from Illinois, and not a penny really has been spent in the State of Illinois.

Approximately one-third of our metropolitan population is too poor to visit our national parks; and since 75 percent of all recreation is near home and since no national park exists in Illinois, the vast majority of our people do not enjoy the parks their State's Federal tax dollars are supporting.

We are not lacking in ideas.

On March 2, I reintroduced with Senator STEVENSON's cosponsorship a bill to establish the first National Park Service recreation area in Illinois. At the site of the old Lincoln Homestead in Coles County, near the soon-to-be constructed Lincoln Reservoir, are 10,500 acres of woodlands and open spaces that can be developed into a recreation area and preservation grounds for wildlife. Within a 250-mile radius there are 26 million people who have easy access to the Lincoln Homestead area. That is in Illinois, of course, in Springfield, but it will serve the whole Nation as the longest term home in which Abraham Lincoln lived. It tears my heart out to see the community surrounding it deteriorating. We must preserve it for posterity.

Illinois is one of only five States that does not have a single national park. I believe that the studies conducted by the Corps of Engineers, a private firm, and the Bureau of Outdoor Recreation clearly show that the Lincoln Homestead meets all the criteria for a national park. It is my sincere hope that the Bureau of Outdoor Recreation will submit a favorable report to the Senate Interior Committee and that the committee will act to bring this proposal to the Senate floor at the earliest possible time.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement entitled, "What About the Chicago Portage?"

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

WHAT ABOUT THE CHICAGO PORTAGE?—II

Illinois is a great state. Amid the nation we rank 5th in population. We are first in the nation for export farming and fourth for cash receipts from farm marketings. We are fourth in the nation for industry and third in the dollar volume of retail sales. In the area of minerals development, we are fourth in the production of coal, even though we only have two percent of the nation's coal mines. With these facts in mind, it would not be an exaggeration to say that Illinois has given substantially to the total economy of our nation and is a leader in the formulation of its gross national product.

But such accomplishments have been costly. The price of economic prosperity has been environmental sacrifice. We have literally destroyed the land. Gone are Illinois' hardwood forests and her virgin prairie. Gone is the game and her abundant wildlife. Her wetlands have been channeled and drained, and her bottomlands flooded or filled. Her streams have been polluted, dammed, and diverted. Gravel, coal, and silica mining have gouged her surface, destroying the scenic, and forever marring the face of the land. The "Illinois Country" so eloquently described by Marquette and Llette no longer exists.

Fortunately, however, all is not yet lost. Some scenery still remains and not all our historical landmarks have yielded to the bulldozer or plowshare. Parks and forest preserves seemingly have saved a few such areas, but underdevelopment and overuse have left much to be desired. As a state Illinois has contributed both money and manpower to making our's a great nation. When she needed, we gave, and gave both willingly and generously. Now we are in need and now we are seeking your help.

Among the fifty states of our union only four do not contain federally owned lands within the national park system. These are Illinois and the nation's three smallest states: Rhode Island, Delaware, and Connecticut. Considering only those states having lands administered by the national park service, Illinois (with 91.2 acres) is third from the bottom, with just Ohio (89.72 acres) and Rhode Island (5.23 acres) having less. The one area within Illinois is the Chicago Portage National Historic Site located in Cook County near the village of Lyons. By mutual agreement between the forest preserve district and the national park service, no federal funds are to be spent on this area (the property is owned by the county) other than that needed to supply a bronze commemorative plaque "when funds become available." Since the dedication of the Portage in 1952, Illinois taxpayers (on a proportional basis) have paid over \$90,000,000 into the national park service account and still the plaque is not available.

Assuming Chicago and its suburbs to be a typical metropolitan area, then statistically approximately 34% of its households have a gross income of less than \$6000 per year. Since the average American household consists of three people, and whereas a family of three must have a net income of approximately \$5700 a year to subsist, without welfare, this means that almost 2,500,000 people in the Chicago area lack financial security. It is this group of people who can least afford a visit to one of our national parks or recreation areas, of which the nearest functioning unit, Herbert Hoover National Historic Site, is some 220 miles away (the Indiana Dunes National Lakeshore, although only 37 miles away, has no federal facilities). Moreover, since there is no relief for the poor from the federal tax burden used to finance these parks, then in effect, the tax money collected from the poor is being used to subsidize recreation for the rich.

A recent survey conducted by the Chicago Portage Project regarding the use of our national historic sites (32 out of 44 inquiries responding) shows that their annual visita-

tion ranges from 1000 to 2,000,000, with from 2% to 100% being by non-local residents, and the average visitation being 186,000 people per year. Travel-industry economist Somerset R. Waters, in an article dealing with the economics of tourism, states that if one touring couple spends one day and night in your area, they will spend at least \$35 for a room, meals, gasoline, shopping, and sight-seeing. Should northeastern Illinois ever be the recipient of a federally operated national park service area, then as a result of its metropolitan location it could feasibly attract over 250,000 visitors per year. If as few as 1% of these visitors were tourists who spent the day and night in the area, this could mean thousands of dollars of additional revenue for the local small businesses.

Since 1952, tens of millions of Illinois tax dollars have been spent to develop national parks in other states, but not one penny has ever been returned for similar parks development within Illinois. We do not feel it unreasonable to expect that some of this funding must find its way back to the people of Illinois. We therefore propose that, in the area of federal recreation, our senators and congressmen begin to act for the people of Illinois by obtaining federal funds for the creation and development of national parks within the State of Illinois. It is difficult to visualize Illinois as having an area of 56,400 square miles and yet not containing one acre of land suitable for national park development.

According to the federal government's own statistics, "75% of all recreation occurs close to home, after work and school, and on short outings. And in urban America, where 75% of our population is concentrated, only 25% of the recreation facilities and only 3% of public recreation lands are reasonably accessible." Illinoisans, and Chicago area residents in particular, have never had a true national recreation area within easy access. The Indiana Dunes National Lakeshore, although authorized in 1966, has so suffered since its inception from industrial lobbying, bureaucratic red tape, and time consuming legalities, that it may never fully develop into a park. As with other natural areas in the Midwest, the dunes environment has come out second best to profiteering.

Equally close to Chicago is the abandoned nineteenth century Illinois and Michigan Canal. Extending from Summit to La Salle the remaining segments of this historic water route are in excellent condition and could easily be preserved, restored, and developed into a major recreation area for northeastern Illinois. We propose, therefore, that our senators and congressmen sponsor legislation creating an Illinois and Michigan Canal National Historical Park, and that prior to its enactment a policy be adopted to prevent any further deterioration, industrialization, or commercialization of its remaining premises and immediate environs.

Approximately 4.8% of our total national park and recreation acreage is non-federally owned land. Nevertheless, federal funds are being spent to develop and service many of these areas. Among the national historic sites totally in private ownership a few fall into this category (John F. Kennedy National Historic Site and the Ansley Wilcox House National Historic Site). Since the national park service has seen fit to make at least two exceptions to the policy of not using federal funds to develop non-federal land, we do not consider it unreasonable to ask that a similar policy be applied to the Chicago Portage.

We propose, therefore, that the Chicago Portage National Historic Site be expanded in size by annexing, within the agreement, the remaining portion of the Ottawa Trail Forest Preserve, not presently included within the historic site, and the entirety of the adjoining Stony Ford Forest Preserve. These additions contain many historic sites

and pioneer trails necessary to a full appreciation and interpretation of Chicagoland history. We further propose that the forest preserve district cede to the national park service an area of land within the expanded national historic site sufficiently large and suitable for the erection of a visitor's center-museum, and that both agencies co-operate in the construction and financing of this structure. We do not consider these objectives as seeking special favors for the Chicago Portage, but rather as asking only for fair and equitable treatment. (The Chicago Portage Project, February 1971.)

Mr. PERCY. Mr. President, one item in the budget that should not be overlooked is the item of \$1 million for coal research. This project is of such significance for the country that I ask unanimous consent to have printed in the RECORD a statement entitled, "Outstanding Features of United States Steel's Process for Conversion of Coal to Coke, Chemicals, and Fuel" so that Senators may realize the seed money and the investment involved.

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

OUTSTANDING FEATURES OF U.S. STEEL'S PROCESS FOR CONVERSION OF COAL TO COKE, CHEMICALS, AND FUEL

As part of a program to more fully utilize the large reserves of low-grade coal not presently useful for metallurgical purposes, U.S. Steel has developed a new processing concept for production of coke pellets, chemicals, and high quality liquid and gaseous fuels. This process also appears consistent with the nation's requirements in the areas of pollution abatement and the energy shortage. Several years of preliminary experimental study at U.S. Steel's Applied Research Laboratory has demonstrated the technical feasibility of the process. A proposal for government support for a \$7 million research program for a one ton per day development project was submitted to the Office of Coal Research in December 1970, and testimony was presented before the Senate Subcommittee on the Department of the Interior and Related Agencies on April 20, 1971.

Although this new coal conversion process is of considerable interest to the steel industry with regard to development of a continuous cokemaking technique, there are many features of the project that are of importance with respect to many national needs and objectives in addition to those previously cited. The following outstanding features of the project are cited as being particularly noteworthy.

POLLUTION ABATEMENT ITEMS

1. High-sulfur coal is effectively converted into fuels that are essentially sulfur-free.
2. A new cokemaking process will help solve the problem of air pollution now resulting from operation of slot-type coke batteries.
3. The present air pollution resulting from use of coke-oven gas as fuel will be decreased by desulfurization of all gases in the new process.
4. The process generates a minimum of solid wastes or liquid waste streams since almost all materials are utilized and converted to products.

SUPPLEMENTAL ENERGY SOURCE

1. The project will provide about 7 million gallons of gasoline for each million tons of coal processed. This gasoline would be highly aromatic and could be marketed as a motor fuel without addition of tetraethyl lead.
2. The project will provide about 1.2 million cubic feet of pipeline quality gas for each million tons of coal utilized.
3. The process produces about 500 mil-

lion pounds of chemical products for each million tons of coal processed, without any demand on the already strained national supply of natural gas. The drain on natural gas, which is widely used to provide fuel and hydrogen for chemical processing, is thereby alleviated by this process.

UTILIZATION OF THE NATION'S MINERAL RESOURCES

1. There are large reserves of low-rank coals widely distributed across the nation. This potentially valuable resource cannot presently be utilized because of its high sulfur content. The U.S. Steel process can effectively utilize a wide variety of coals for feedstock in the process thereby providing for use of these resources.

2. The process has considerable flexibility, and the rates of production of coke, chemicals, and fuels can be widely varied depending on local or national requirements.

3. The process is essentially independent of external requirements for energy, hydrogen, or other items that are presently in short supply.

PROCESS COMPLEMENTS CURRENT OFFICE OF COAL RESEARCH PROJECTS

1. The project has been thoroughly reviewed with Office of Coal Research (OCR) personnel, and they have expressed keen interest in the project.

2. The project provides new technology useful in solving problems presently of great difficulty to OCR contractors. Pittsburgh Consolidation Coal's "Project Gasoline" has had considerable difficulty with the separation of liquid and solid materials, and it appears the U.S. Steel technology could be useful. The COED process under study by FMC Corporation has reportedly had difficulty in desulfurization of the char product in their process. U.S. Steel technology appears suitable to solve this problem.

3. The prospect of producing metallurgical coke from the char and heavy residue produced in all coal conversion processes under contract by OCR considerably enhances the feasibility and economics of these processes.

4. There is prospect of using the large pilot plants already constructed under previous OCR contracts. The completion of the \$7 million proposed U.S. Steel study will determine the feasibility of utilizing these existing pilot plants for further development of the project. The use of pilot plants such as are located at Cresap, West Virginia (Consol's Project Gasoline) and Princeton, New Jersey (FMC's Project COED) could result in considerable saving in development costs and also hasten commercialization of the project.

ECONOMIC FACTORS

1. The successful development and commercialization of the project will provide significant economic opportunity in areas where large coal deposits are present, such as Illinois, Alabama, Pennsylvania, West Virginia, Kentucky and the states where large reserves of Western coal are located.

2. The prospect of developing an integrated chemical industry based on coal should enhance economic opportunities and growth in depressed areas.

3. The development will assist in stabilizing the price of fuel and help relieve dependence of the nation on petroleum.

NATIONAL INTEREST

1. There is need, from the standpoint of air pollution control, for a new cokemaking method to replace the present slot-type coke oven. These ovens have inherent emission problems that cannot be eliminated completely by existing pollution abatement technology. Although the steel industry would benefit economically from a more adaptable cokemaking process, pollution abatement is the motivating factor behind development of the process.

2. As the nation's reserves of low-sulfur coals become depleted, it is becoming increasingly necessary to make use of the higher-sulfur coals for metallurgical purposes. The prospects for greater utilization of these coal reserves and assurance of continued economic growth in the affected coal-bearing areas of the country will be enhanced by development of a new, pollution-free process for conversion of these coals into usable coke.

3. Foreign competition has caused serious dislocations in a number of domestic industries. It is most imperative at this time to develop new technology across-the-board to enable American industry to meet the challenge and re-establish a competitive position. Development of new technology in cokemaking should contribute significantly to the flexibility of our raw material position with regard to the shortage of coking coals.

ADVANTAGES OF U.S. STEEL PERFORMING THIS RESEARCH

1. We have considerable experience in the area of materials handling, coal mining and beneficiation, and cokemaking.

2. We have completed 2 years of research on the project, at a cost of several million dollars, to develop the technology which is the basis of the process.

3. We have had many years of experience in development of chemical technology related to coal-derived products and process.

4. We have facilities and manpower especially suited to quickly initiate the development work and carry the project through the proposed \$7 million phase.

5. The technology resulting from this development would be made available to the general public and industry for use.

Mr. PERCY. Mr. President, here, out of a budget exceeding \$2 billion, we have invested only \$1 million this year to try to open up the vast coal resources available throughout the country so that in great States like West Virginia, Illinois, and others, that have low-grade, high-sulfur-content coal which is not now usable because of the high pollution standards we as a nation have established—and these standards are right and proper because it is in the national interest that we not continue pollution of the environment—with technology, science and research, it will be possible for us to open up new coal areas by this \$1 million grant for which we have set aside the money. The United States Steel facilities and its facilities will be made available so that the entire industry will be able to benefit by this project.

Mr. President, I commend the distinguished Chairman, and our staff members, for their unflinching service to the Nation as a whole in presenting this bill which I feel is a forward-looking bill which although it looks to the interest of the taxpayers is primarily concerned with the interests of all Americans in preserving our heritage.

Mr. President, I yield back the remainder of my time.

Mr. HUMPHREY. Mr. President, will the Senator from Nevada yield me 1 minute?

Mr. BIBLE. I yield 1 minute to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 1 minute.

Mr. HUMPHREY. As I understand it, the bill includes \$150,000 for the pilot Indian health problem in Minneapolis; does it not?

Mr. BIBLE. The answer to that is, it does.

Mr. HUMPHREY. I thank the distinguished Senator.

Mr. President, I am delighted with the approval today by the Senate of a \$150,000 pilot urban Indian health project for Minneapolis.

It is the first time the Senate has approved funds for an urban Indian project relating to health care.

For years we have talked about the problems of Indians on reservations and in rural areas, while overlooking the health needs of Indians in cities.

There are 12,000 to 15,000 Indians living in Hennepin County, most of them living on the near south side of Minneapolis.

Nearly half of all the Indian households surveyed a year ago by the Minnesota Systems Research showed Indians on welfare.

There is a critical need for better health care services for Indians, particularly children of low-income parents who suffer from nutritional inadequacies.

One out of three Indian households surveyed showed schoolchildren having learning difficulties directly related to health problems.

The Community-University Health Care Center served by the University of Minnesota recently reported that it could serve about 2,500 Indian children if provided with sufficient funds from an urban Indian health project.

Mr. COOPER. Mr. President, the Senate is considering today H.R. 9417, the appropriations bill for fiscal 1972 for the Department of the Interior.

I would like to make a few comments concerning the committee's recommendations with respect to the Bureau of Mines.

The committee has recommended an appropriation of \$74,630,000 for the Bureau's health and safety program, which amount is approximately \$1 million more than the funds authorized by the House. I should note that the additional \$1 million recommended by the Senate committee is earmarked for the construction of a Mine Health and Safety Academy.

The amount recommended by the House and Senate Committees for health and safety programs shows an increase of almost \$15 million over last year's appropriations of \$58,029,000 and represents the additional funds needed to carry out for the most part the administration and implementation of the recently enacted Federal Coal Mine Health and Safety Act of 1969. I note the breakdown on the Bureau's Health and Safety budget as contained in the Senate is as follows:

Health and safety

Appropriation, 1971.....	\$58,029,000
Budget estimate, 1972.....	73,643,000
House allowance.....	73,630,000
Committee recommendation.....	74,630,000

The committee recommends an appropriation of \$74,630,000 for health and safety activities in fiscal year 1972. This is \$987,000 over the budget estimate and \$1,000,000 over the allowance of the House of Representatives. The following table sets forth this recommendation by activities:

Activity	Budget estimate	House allowance	Committee recommendation
Inspections, investigations, and rescue work.....	\$38,919,000	\$38,906,000	\$39,906,000
Control of fires in coal deposits.....	222,000	222,000	222,000
Health and safety research.....	32,634,000	32,634,000	32,634,000
Increased pay costs.....	1,868,000	1,868,000	1,868,000
Total.....	73,643,000	73,630,000	74,630,000

An increase of \$1,000,000 over the budget estimate is recommended by the Committee for construction of a Mine Health and Safety Academy; and the Committee recommends concurrence with the House reduction of \$13,000 in the amount to be used for public relations and paperwork management.

Mr. COOPER. Mr. President, the House report makes the following comment on this aspect of the health and safety budget at pages 15 through 16.

Mr. President, I ask unanimous consent that these excerpts from the House report be printed in the RECORD.

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

Health and safety

Appropriation, 1971.....	\$58,029,000
Estimate, 1972.....	73,643,000
Recommended, 1972.....	73,630,000
Comparison:	
Appropriation, 1971.....	+15,601,000
Estimate, 1972.....	-13,000

The reduction of \$13,000 below the budget estimate relates to additional savings to be achieved by greater economy in public relations and paperwork management activities.

The Committee is seriously concerned with various shortcomings in the health and safety program which have been reported from various sources. By enactment of the Federal Coal Mine Health and Safety Act of 1969 and the Federal Metal and Nonmetallic Mine Safety Act, Congress has indicated the importance it gives to making the nation's mines a safe place for miners to work. It has also provided necessary funds and personnel to accomplish this objective as indicated in the following tabulation:

Fiscal year—	Budget Estimate	Appropriation	Positions
1969.....	\$12,546,000	\$12,334,000	825
1970.....	15,902,000	27,452,000	1,380
1971.....	58,029,000	58,029,000	2,242
1972.....	73,643,000	73,630,000	2,532

¹ Approved by House.

In fairness to those responsible for administration of the program, it should be remembered that many unavoidable problems were encountered in the rapid acceleration of this activity subsequent to the enactment of the Federal Coal Mine Health and Safety Act of 1969. Not only was the program greatly expanded, but there was also the problem of securing skilled personnel and adequate equipment necessary for the operation of the program on an accelerated basis. These problems were discussed at some length in hearings before the Committee both in connection with the 1971 and 1972 budget estimates.

Notwithstanding, the Committee will expect a greatly improved quality of performance in this program during fiscal year 1972. It would seem that sufficient time has now elapsed to solve many of the problems that have prevailed, and with the concerted attention that should be given to this very important work, there would seem to be no

reason why an effective program cannot be achieved within the next fiscal year.

Mr. COOPER. Mr. President, I would like to address myself briefly to recent developments in the Bureau of Mines concerning coal mine health and safety.

On July 1 and 2, the Department of the Interior held public meetings to compile information and recommendations concerning the Department's enforcement of the Federal Coal Mine Health and Safety Act of 1969.

In opening this meeting, Secretary of Interior Morton stated that the purpose of this and later meetings to be held by the Department is to seek "ways and means with which this great Government agency can better serve its constituency. We invite your comments; we solicit your criticisms; we appreciate your ideas."

Mr. President, I ask unanimous consent that Secretary Morton's remarks of July 1, 1971, be printed in the RECORD.

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

REMARKS OF ROGERS C. B. MORTON, SECRETARY, THE DEPARTMENT OF THE INTERIOR, AT THE OPENING OF THE DEPARTMENTAL SURVEY ON COAL MINE HEALTH AND SAFETY

This morning we are opening a series of meetings pursuant to our announcement in the Federal Register of June 25 regarding coal mine health and safety. We hope the input and testimony we will receive will be of real assistance to the Department. This information will be carefully evaluated in the compilation of our report to the Congress concerning Departmental responsibilities and activities as defined in the Coal Mine Health and Safety Act of 1969.

At the outset, may I express my personal thanks for the time and effort contributed by all the participants in this and subsequent meetings. Our common goal is to improve the health and safety for more than 140,000 men working in the coal mines of the United States.

First, let us review the current situation in the industry. Over the years, the coal mining industry has been the most accident prone and the source of more fatalities than any other major industry in America. Between 1954 and 1969, there were 5,553 fatalities and 207,988 injuries resulting from accidents in coal mines. This does not include any measure of the deterioration of individual miners' health due to working conditions on the job.

One of the early legislative proposals of this Administration was the Coal Mine Health and Safety Act, which was signed into law by President Nixon in December of 1969.

A good measure of our current effort to improve health and safety in mines is drawn from the funding level of the current program compared to that of former years. For example, in fiscal year 1968, the Bureau of Mines Budget for health and safety was \$10,777,485. The request for fiscal year 1972 by the Bureau is for \$71,075,000.

Since the Act became law, the Bureau of Mines has increased its inspector force from 300 to 1,090. These men are now either working actively in mines inspection or are undergoing an extensive training program which will give us a fully trained inspector force by the end of this year.

Since January of this calendar year, the Bureau has conducted 11,011 inspections, has cited 32,201 violations, and has levied 88,000 fines totaling \$4,800,000. This compares with 2,408 notices of violations made by the Bureau for the full year of 1968.

The Coal Mine Health and Safety Act of 1969, then, marks a threshold as we enter a

new era of action to reduce the hazards which confront the men who work in our mines.

During the six-month period from January through June of 1971, the Bureau recorded 98 fatalities which was the lowest number of fatalities recorded in any comparable period since the Bureau started accumulating these records.

Though this is an improvement, there is still a long way to go, and we do not accept the current accident rate as satisfactory.

Most accidents which occur in coal mines can be placed into two categories: One—accidents which are caused by conditions in the mines which the operator of the mine can control, and two—accidents which are caused by carelessness or failures on the part of the miner himself.

We will strive to attain the highest possible level of health and safety by continuing to improve the standards and practices in both categories. By working with management and supervisory personnel within the mining industry and through constant and vigilant inspection, we can and we must eliminate those conditions which cause accidents of the first category.

Through education and training programs carried out in cooperation with the unions, management, other employee groups, and the individual miner himself, we must to the limit of our resources do all that is feasible to reduce the accidents and fatalities of the second category. In other words, we must help the miner help himself.

These two approaches cannot be separated—nor can one be sacrificed for the other.

Significantly, education for the individual miner has parallel throughout American industry, in many agencies of government, and by such public spirited organizations as the National Safety Council. For example, the Federal Aviation Administration has carried on for years a pilot safety program that has been implemented by associations, by fixed base airport operators, and training schools and by pilots themselves. Major industry throughout the country constantly conducts training seminars and safety education programs for their workers.

The coal mining industry, with its hundreds of operating entities must depend on help from the Bureau of Mines in this effort. There are many small operators who do not have the expertise or the resources to carry out comprehensive education and training programs for the people who must work in the hazardous environment of underground mines. I can report to you that the Bureau of Mines is currently reviewing several methods by which it can best render this service.

If a single miner's life is saved as a result of better safety education and a better understanding of the hazards and risks, the program definitely is a worthwhile investment.

We are equally determined to join with management in a comprehensive effort not only to help them comply with the law, but to enforce compliance as well.

Specifically—despite dramatic improvement in the control of respirable dust—we are still vitally concerned with this area and methane gas levels in the mines as well.

We will also seek to improve existing engineering standards for roof support and for coal extraction. We are encouraging the development of safer and better mining technology. As innovative methodology becomes available, we will do all possible to insure its use in the mining industry.

Dr. Osborn, Director of the Bureau of Mines, will present before this meeting a detailed account of the Bureau's plans for carrying out its mission and its responsibilities to the miners of America.

We appeal to those interested parties to address themselves via this meeting, to ways and means with which this great government agency can better serve its constitu-

ency. We invite your comments; we solicit your criticisms; we appreciate your ideas.

We want your complete objectivity—partisan politics has nothing to contribute to the life and health of the miner.

I can say without equivocation that the Administration, the Department of the Interior and the Bureau of Mines are fully committed to the health and safety of the men who work in the coal mines of America. We fully understand the importance of this industry to the Nation's welfare. We are confident that the mining industry in America will make a meaningful contribution to the standard of living of future generations.

Again, I wish to express my sincere and personal appreciation to all of you and to all of those who will participate in these important meetings as they take place.

Mr. COOPER. Mr. President, in my prepared statement for the July 2 meeting, I commended Secretary Morton for his initiative in calling these needed conferences and pointed out that—

Such meetings will provide an opportunity on a work-shop basis whereby Bureau of Mines' officials and representatives of all segments of the coal mine industry can meet and exchange views on practical as well as technical problems they have encountered as a result of their own experiences.

Mr. President, I ask unanimous consent that my statement of July 2 before the Department of Interior be printed in the RECORD.

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

STATEMENT BY SENATOR COOPER

Secretary Morton is to be commended on his initiative in scheduling these conferences to review the first-year's operation and administration of the Federal Coal Mine Health and Safety Act of 1969, and to provide a forum for the exchange of views on the problems encountered by the Bureau of Mines in administering the Act, and to consider the changes required to make it more workable as well as effective in improving the safety of our miners. As outlined in Secretary Morton's statement, those individuals invited to participate in these conferences will include representatives of miners, labor officials, coal mine operators of large mines, coal mine operators of small mines, mining educators, state mining officials and others who by training and experience are in a position to contribute to these discussions.

Such meetings will provide an opportunity on a work-shop basis whereby Bureau of Mines' officials and representatives of all segments of the coal mine industry can meet and exchange views on practical as well as technical problems they have encountered as a result of their own experiences.

The Federal Coal Mine Health and Safety Act of 1969, which went into effect March 31, 1970, represents a complete overhaul of previous legislation in this field and, as a result, many problems have been encountered by the Bureau of Mines in the implementation, administration and enforcement of the Act's provisions. I welcome Secretary Morton's announcement as an excellent first step in providing a continuing forum where all these problems can receive a public airing. By taking such a lead the Secretary is emphasizing to all those participating in these conferences, to the Congress and to the public the concern and importance that the Department attaches to improving the administration and operations of the 1969 Act for the purpose of advancing the health and safety of all the people who work in our underground coal mines.

Mr. COOPER. Mr. President, many problems have been encountered with

respect to the implementation, administration and enforcement of the Federal Coal Mine Health and Safety Act of 1969 by the Bureau of Mines. I should note that since the Bureau did not hold public hearings on the regulations promulgated under the act, that there was little or no opportunity for comment on these regulations before they were to be put into effect. During the first year of its administration of the new law, the Bureau of Mines has encountered substantial criticism in its administration and enforcement of the law and the Bureau's own regulations. Because of the complexity of the new law, all of this criticism may not be justified; however, a great part, in my view, is justified. But I think the important thing from the public's point of view is that the Bureau admit the existence of these problems, recognize them, and receive suggestions on how the Bureau better deal with these problems if the present law is to be effective in advancing the health and safety of our miners.

The new law and regulations have created many problems among the small coal mines in eastern Kentucky and a substantial number of small, nongassy mines in Pike, Letcher, Harlan, Lesley, Perry, Floyd, and Bell Counties have shut down.

Where the small underground mines have shut down, there has been a substantial increase in surface mining production along with an increase in environmental problems that is associated with strip and other forms of surface mining. In fact, I am informed that Kentucky surface mine production as a percentage of Kentucky's total coal production has increased from 35 to 49 percent for the year 1970 and is projected to 55 percent for this year, thus surpassing for the first time underground mine production.

While a number of small nongassy underground mines and the number of employees of these mines have decreased, nevertheless the number of injuries and fatalities in underground mines has increased since the effective date of the Federal Coal Mine Health and Safety Act of 1969.

Figures released by the U.S. Bureau of Mines show that there have been 86 men killed in the Nation's coal mines during the first 5 months of 1971. Of these 86 fatalities, 69 took place in underground coal mines making the underground fatality record for the first 5 months worse than last year in which there were five less fatalities as of this same period.

During May of 1971, there were 13 fatalities in six States: Kentucky, four; West Virginia, three; Illinois and Pennsylvania bituminous coal operations, two each; and Kansas and Ohio, one each.

I also note that of the 86 fatalities occurring in coal mines during the first 5 months of this year that, regrettably, Kentucky leads with 27; West Virginia, 21; Pennsylvania, 18—bituminous coal; Virginia, seven; Illinois, six; and Colorado, Iowa, Kansas, Missouri, Ohio, Tennessee, and Utah, one each.

The Federal Coal Mine Health and Safety Act of 1969 went into effect on March 28, and the Department of the In-

terior issued its initial regulations on April 1. One of the immediate problems experienced by many coal mine operators was that they did not understand the requirements of the new law and regulations and, second, they did not have a reasonable time, opportunity, or equipment available once they comprehended the requirements to bring themselves into compliance.

When the coal mine health and safety bill was considered by the Senate Labor and Public Welfare Committee in 1969, and when it was debated on the floor of the Senate, I offered an amendment both in the committee and on the floor to retain the distinction between gassy and nongassy mines. I stated that the provision in the Senate bill to remove the distinction would not advance coal mine safety. I went on to point out that the new electrical equipment required by the Senate bill for the nongassy mines could not be manufactured and made available to the operators within the prescribed time limits of the proposed law.

I regret that the then Director of the Bureau of Mines, Mr. O'Leary, did not testify before the Senate Labor and Public Welfare Committee on the question of the cost and the availability of the equipment which would be required, when the committee was considering the Senate bill. However, when Mr. O'Leary appeared before the Senate Appropriations Subcommittee hearing on the Bureau of Mines budget in February of 1970, I requested the chairman of the subcommittee, the distinguished Senator from Nevada (Mr. BIBLE) that I be given an opportunity to question Mr. O'Leary on the subject of the availability of equipment and Bureau of Mines enforcement procedures under the new law. In his answers, Mr. O'Leary readily admitted that much of the new equipment, for example, required to be installed by March of 1971, would not be available, and that the operator acting in good faith would nevertheless be in violation of the act and subject to penalty and fine, although a nominal one.

Mr. President, I ask unanimous consent Mr. O'Leary's answers to Senator BIBLE's questions and my questions on this and related matters be included in the RECORD at this point.

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

TRAINING OF MINE INSPECTORS

Senator BIBLE. You are proposing a \$700,000 increase up to \$1,324,000 for training mine inspectors, indicating that the funds are for initial training of new personnel to be employed during fiscal year 1971. This appears to be just about a doubling of the prior appropriation; is that correct?

Mr. O'LEARY. Yes; it is a massive increase in the work force to comply with this new act.

Senator BIBLE. What did you do with the funds you had in the past fiscal year? Did you have about \$624,000 in the current year?

Mr. O'LEARY. It is right in that level. In the current fiscal year we are running two and possibly three major training cycles. We have one now going on at Mount Hope which will be a 4-month cycle with 50 people involved. We have one soon to commence at the University of West Virginia.

I believe we are planning another one in

Pittsburgh as soon as the intake of new personnel warrants that, and that is how we will spend the \$600,000-odd for this year.

Senator BIBLE. What about your training in 1971?

Mr. O'LEARY. During the remainder of 1970 and during 1971 we will be bringing in several hundred new inspectors, and we will have to provide for their training. We will simply add training units to the facility which is now located at Mount Hope, and we will augment the work at the University of West Virginia.

At the present time, we are continuing the old training programs but, at the same time, we are involved in that contract with the University of West Virginia that Senator Byrd and I discussed in which the new training program is being outlined. At the moment, we are having to make do with what we have. We hope to improve that in the relatively near future.

ASSISTANCE REQUESTED BY COAL MINING INDUSTRY

Senator BIBLE. It is indicated that the coal mine industry is seeking health and safety assistance. Just what type of assistance generally does the coal industry seek?

Mr. O'LEARY. Well, for example, either this week or next we will have a staff of experts going to a mine in Oklahoma which had 16 emissions in the past year. Although they are pushing a lot of air into the working areas of the mine, they are running into quite hazardous conditions. We are taking some ventilation people out there. I might say in passing, Mr. Chairman, we probably have about half a dozen people fully qualified in ventilation and they represent 50 percent of the trained people in ventilation in the country. We are taking our own people out to see if we can provide some assistance in ventilation so we can eliminate this one problem.

Senator BIBLE. Do the mining companies contribute anything to that work?

Mr. O'LEARY. No, sir. We feel it is fully justified on the basis of the overall significance of the result. One of the questions I had when I first heard about this was: Are we competing in the professional field on this? The competence of the Bureau of Mines is so unique that there is no competition.

Similarly, about 3 months ago there was a coal outburst in a mine under very heavy overburden in the Rocky Mountain area. In this case, the people who work for Tom Howard, who was up before you this morning, were requested to come up with recommendations for an improved method. The physical situation of this mine is unlike that which we find in other areas. They are operating under about 2,300 feet of overburden in very unstable ground and the pressures are tremendous. We are looking at that in the hope that we can come up with some means for the operation to continue economically and safely. This is the sort of assistance that is contemplated.

HEALTH AND SAFETY GRANTS

Senator BIBLE. You are asking for \$400,000 for grants. How much are they and what is the purpose for which a grant is made in health and safety?

Mr. O'LEARY. Title V of the new act instructs the Secretary of Interior to work with the Secretary of HEW and the Secretary of Labor in developing criteria for these grants. Mr. Wheeler has been working with his counterparts in the two other agencies looking toward the publication of some form of criteria about April 1, but at the moment we have no really defined ideas as to how this can be administered.

Senator BIBLE. To whom would a grant go? Senator O'LEARY. Directly to the State.

Senator BIBLE. Is it matched by the State? Mr. O'LEARY. No, sir. The law has a specific

formula on the limit of such grants but there is no in-kind requirement on the State. No State has availed itself of the authority despite the fact that we have had it for a number of years. The new requirement puts no matching restriction on the funds.

Senator BIBLE. There are coal mining problems in Kentucky. If that State wanted a grant of, say, \$100,000, what would have to be the purpose of the grant? Just give me an example.

Mr. O'LEARY. To revert back to training, they might want to provide for an intensive course in ventilation in mine air control.

Senator BIBLE. The Bureau of Mines within the State of Kentucky would come to you and say, "We would like to have \$100,000 to further air ventilation in the mines of Kentucky," and if it met your criteria, you could make such a grant to the State of Kentucky to continue research and education in that field?

Mr. O'LEARY. That is correct. In one State which heretofore has not been too prominent in this area there is a tentative plan to do some reorganizing of the State inspectors. The pay for consultants working on the plan will be on the order of \$2,200 to \$2,500. The State has no funds for this amount and I have asked Mr. Weaver to look at it. We have these funds available which can be so long as they further the objectives of the act.

HEALTH AND SAFETY RESEARCH

Senator BIBLE. I have two more questions on health and safety research. You are proposing a budget of some \$20,620,000, an increase of about \$10,800,000 over the amount appropriated in fiscal year 1970. Please describe to the committee what will be done with these funds, indicating particularly the health fields which will be examined.

Mr. O'LEARY. This is essentially directed to the area of dust control which I covered a few moments ago.

SAFETY RESEARCH

Senator BIBLE. An additional \$7.6 million is proposed for safety research in coal mine work. Please discuss this research.

Mr. O'LEARY. This is one of the most helpful aspects of this legislation. I think it is fair to say that there is essentially a virgin field here for improvements in the coal mining technology. The coal companies have been unable to afford the research until very recently. I do not know but I have heard from such people as the dean of engineering of the University of Pennsylvania that all of the advanced technology in the last 20 years was more or less by accident. This money will be used by Tom Howard's people to take a look at how to design improved systems, to get, first of all, the product, because that, Mr. Chairman, pays the freight and, secondly, to achieve the safety, I think, we should have in mining in this country, and, additionally, accomplish the environmental control which was discussed earlier. The market is now ripe for this and this is the best way to get it.

Senator BIBLE. Senator Cooper would you like to ask your questions now?

Senator COOPER. I am glad to see you again. The Mine Health Safety Act becomes effective March 30th, does it not?

Mr. O'LEARY. That is right.

AVAILABILITY OF PERMISSIBLE HAND-HELD EQUIPMENT

Senator COOPER. I think it is provided in the first year that small voltage equipment must be installed in all mines, certain types of equipment?

Mr. O'LEARY. Yes, the permissible hand-held equipment.

Senator COOPER. Is that equipment available?

Mr. O'LEARY. It is to a degree. It is not available along the way and, of course, you

can't require people to have what is not available.

Senator COOPER. It is not available now to install in mines.

As I recall the mine safety bill, there are about 450 mines which were formerly termed gaseous and about 3,000 that were normally termed nongaseous. Now, those 3,000 and also others that did not use this type of equipment, first, this small voltage permissible equipment must be installed and within a year?

Mr. O'LEARY. Sir, it must be installed within a year; otherwise the operator of that mine is technically not in compliance with the statute that the Congress enacted. If he is technically not in compliance with the act, we will not have any choice in that matter, but the penalty can be essentially nominal. As the equipment becomes available, and then the operator has not availed himself of the equipment and continues to be out of compliance, then under the statute that the Congress enacted, the penalty will rise accordingly.

Senator COOPER. Your testimony is it is not immediately available?

Mr. O'LEARY. There are some machines that have not been manufactured for years.

Senator COOPER. Do you anticipate equipment of this first type will be available in March of 1971?

Mr. O'LEARY. The equipment would probably not be available to cover all circumstances.

Senator COOPER. In the event this equipment is not available to all mine operators, will the mine operators who do not have this equipment available to them be penalized?

Mr. O'LEARY. As I pointed out, he will be technically not in compliance with the standard that you enacted, and under the act the Secretary of the Interior has no alternative when someone is out of compliance but to assess a penalty. However, the size of the penalty can be nominal; it would not be a crippling penalty.

Senator COOPER. 600 of the mines in my State make every effort to obtain this equipment or attempt to build it themselves. Will the Bureau of Mines close them down if they cannot be in compliance?

Mr. O'LEARY. The Bureau of Mines will not close down anyone unless there is imminent danger under essentially the same rules we use now or unless there is unwarranted failure to comply.

Senator COOPER. Where a good faith effort is made, they will not be closed down except where there is imminent danger?

Mr. O'LEARY. Or unless there is unwarranted failure. If the man is making an effort to get into compliance with the act, we would not close him down, unless there is imminent danger.

Senator COOPER. This is a problem we had in the development of this bill, as you will recall, Senator Bible.

PENALTY FOR NONCOMPLIANCE

Senator BIBLE. If I understand Mr. O'Leary correctly in this period March 30, 1970, to March 31, 1971, if mining company "X" does everything it can do to comply with this permissible equipment and if it tries to get the equipment and cannot do so, then I understand him to say the Secretary of the Interior, while it is mandatory that he told the owner of company "X" in noncompliance, nevertheless, his mine will not be closed down, but I think you said a nominal penalty could be imposed. What does that mean? If a man is doing the best he can to conform and he cannot get the equipment because it is not available, it looks like he is acting in good faith. Therefore, what kind of penalty would the Secretary of the Interior impose?

Mr. O'LEARY. Where the man was acting in absolutely good faith and there was no imminent danger present. I would expect that

the fine would be an amount that simply would not bother the man.

Senator BIBLE. Is that \$5, \$10, \$30, \$50?

Mr. O'LEARY. It would be my recommendation that it be even lower than that—perhaps \$1.

Senator BIBLE. If the little mining operator is doing his best to conform and it is not a dangerous mine and he cannot get the equipment to comply, it seems a little unfair to fine him very much.

Mr. O'LEARY. Senator Bible, this might seem like an unreasonable box we placed ourselves in, but I would like you to know I was the one who recommended that there be no option. I recognized from the outset, where there was every evidence of an attempt to perform, that you could not put an actual penalty on the operation. The fellow is technically in noncompliance and technically we must fine him under the law, but we will not expect the fine, in the circumstances we have described here, to represent any real hardship. In the circumstances where he makes no effort to procure the equipment or if imminent danger is present, then he is not in compliance and we must act accordingly.

Senator BIBLE. I understand your second illustration.

Mr. O'LEARY. Mr. Chairman, I think this calls for one further rejoinder. In my view, if we cause wholesale closures of coal mines, as a result of the first few months' implementation of this act, the Bureau of Mines will have failed. We are not simply policemen. We have other responsibilities. The Bureau of Mines has some responsibility for the Nation's supply of fuels but by no means is this our total responsibility. If by unwise or imprudent administration of this act we damage the mining industry, we will have failed in our total responsibility to the public of this country. I have heard these charges that everybody is going to be closed down by April 15, and so on, and I will tell you that to the degree that I have anything to do with it, it simply will not occur. We will do what the Congress requires us to do but we will do it with prudence with the spirit of the overall congressional intent.

Senator BIBLE. Thank you, Mr. O'Leary.

Senator COOPER. I am glad to hear what you said about the nominal penalty and where a mine will not be closed down where a good faith effort is made and the equipment cannot be secured. I cannot yet see why a penalty could be imposed if a person cannot meet the test. I think it is wrong, absolutely wrong.

PERMISSIBLE HEAVY EQUIPMENT REQUIREMENTS

Before the 5 years have elapsed, the operator must provide additional heavy face equipment. Would the same rule apply there, in the event the equipment was not available and the operators made a good faith effort to find the equipment, purchase equipment, rebuild equipment so they could be installed and yet they could not meet the deadline. What would be the attitude of the Bureau of Mines in that instance?

Mr. O'LEARY. Senator, my understanding is he will have available to him a mechanism built into the law. The law provides an interim compliance panel, and he will be able to take his case to that body. If he makes his case before it, he will get relief from the provisions for the time necessary for that relief.

Senator COOPER. I remember one day we were together before the Senate Committee on Labor and Public Welfare, and I believe you stated at that time a minimum of 5 years would be required to produce the manufacture in your judgment of the permissible equipment that would be required.

Mr. O'LEARY. You will recall there was a movement at that time to require that permissible equipment go into all of the mines within the country within 12 months from

the effective date of the act. It was my position, and continues to be my position, that that is an impossibility. But there are some grandfathered items of equipment that should take priority, and it will take a matter of some years. My estimate is about 5 years for the equipment manufacturers to gear up in an orderly fashion to manufacture permissible equipment to cover all of the circumstances. The Congress finally adopted that view in the final version and recognized also that there are contingencies even with the built-in time where a person through no fault of his own would be in technical non-compliance. The interim compliance panel provides a mechanism for extricating him from there.

COAL MINE INSPECTORS

Senator COOPER. How many inspectors for underground coal mines does the Bureau of Mines now employ?

Mr. O'LEARY. We have approximately 300 now.

Senator COOPER. How many will you recruit for the job you think you must do now?

Mr. O'LEARY. We will have before the end of 1970, if we are successful, very close to 1,000.

Senator COOPER. Where do you expect to get the men?

Mr. O'LEARY. We are getting them from the middle layer of management of the coal industry itself. There is a pool of approximately 10,000 people who are at the lower and middle management level within the industry. These are the section foremen and mine superintendents, and we would be drawing our new people in this fiscal year and next from this layer.

We recognize that taking some 3 percent of that pool this year and approximately 3 percent next year is going to cause some hardship. Therefore, we are trying to develop programs now with the industry that augment that pool.

I want to point out to you, Mr. Chairman, and to you, Senator Cooper, if we want to have skilled inspectors, there is no other area from which we can hire. We cannot have inexperienced people wandering around in these mines doing damage to themselves and to others. We must have skilled people and, indeed, the 1952 act recognized that. You will recall it required inspectors to have a minimum of 5 years practical experience. In practice we are going to trade some practical experience for education, but essentially we need and must have people with experience not simply in mining but in supervision in the mining environment to show the understanding that is required of an inspector under today's conditions.

ROLE OF STATES IN MINE SAFETY

Senator COOPER. What do you consider the role of the State Bureau of Mines in the field of mine safety?

Mr. O'LEARY. I think where the States have been aggressive and have developed inspectors over a long period of time—one example is Pennsylvania—they can make a massive contribution to the health and safety of coal miners.

Senator COOPER. I came here this afternoon to ask these questions because of complaints I have been receiving. I have not come here to belabor you but, nevertheless, I have come here to present the facts that have been given me. This Coal Mine Safety Act does place financial burdens upon the mines in my State. They were formerly mines termed non-gaseous mines. There are about 1,000 of them. They must now equip themselves with permissible machinery. There is a good deal of argument as to how much they will have to go into debt, but the view of those in my State who are practical mine operators say it would put about half the mines out of business down there. I do not know whether

it will or not, but I believe it will. I do not believe it would be economical for them to operate in the areas with coal in mind.

Now, they tell me the Bureau of Mines is placing an additional burden upon them. They are recruiting and taking away from them their foremen and their superintendents.

These people are absolutely necessary for the operation of a mine. Now, if I am correct, Mr. O'Leary, they will have to reequip and train other men how to operate mines and perform the services required by the Bureau of Mines. You are raiding these mines. We are contributing a lot in losses to the Bureau of Mines in my State.

Senator BIBLE. What would be the alternative?

Senator COOPER. That is why I suggested something to him about the State bureaus. We have one in Kentucky, a very good one which inspects our mines much more than the Bureau of Mines does. They have a good safety record. Why is it not possible to work out some arrangement with these State bureaus? I would say they have a better safety record than the Bureau of Mines all over the United States, and I know the one in my State has. Why can't you use some of their people and send your own along with them rather than taking the best employees of the coal mine?

Mr. O'LEARY. I would suspect even if we took advantage of the services of all of the State inspectors in all of the States in the Union, we would still fall far short of enough. We anticipate that the State inspectors will continue to do what they do. If they stop doing it and turn to what we are doing, they are not going to advance this process. We have searched just as hard as we know how to find alternatives to the course I have described to you. We knew at the very beginning, when we had to augment our work force, that the only place we could look for adequate talent was this middle range of the mining industry itself. It is not that we are going to take numerically a very large part of that management group. As I said, there are 10,000 people in that pool and we are going to draw on 300 of them in this fiscal year, and we are probably going to take 300 of them in the next fiscal year. We feel that pool should and can be replenished.

Now, this limits us in two ways: it limits our ability to meet coal requirements; and, two, our effectiveness is limited. I do not think there are many more than 100 qualified inspectors throughout the entire country, and we need 600 or 700 inspectors. We intend to cooperate with the States. The act states the Bureau of Mines will make four inspections a year. It states that it will make one spot inspection every 5 working days in certain classes of mines, and we have no way out of that.

As far as the other elements of the law are concerned, such as on the dust side, competence simply does not exist at the State level.

RECOMMENDATIONS FOR "GASSY" MINES

Senator COOPER. What do you intend to do in the mines which have been termed gaseous mines for so long?

Mr. O'LEARY. On this question, sir, I must hedge because my recommendation must be made to the Secretary and he will disclose that recommendation.

Senator COOPER. You expect to watch them very closely?

Mr. O'LEARY. Yes, sir; with 20 inspections a year.

ASSISTANCE TO OPERATORS FROM SMALL BUSINESS ADMINISTRATION

Senator COOPER. Under that provision of the act which provides for assistance from the Small Business Administration, has anything been done about that?

Mr. O'LEARY. As you may know, Senator, we

had a 2-day briefing in the Department of the Interior Auditorium last week to which we invited representatives from the Small Business Administration. They attended and described how operators should apply for this assistance, giving them where to apply and giving them quite a bit of detail. So, the Small Business Administration is set up to do the job and will take applications at its field offices.

Senator COOPER. I thank you very much.

Senator BIBLE. I appreciate your coming today, Senator Cooper. I know you have great concern and I understand. Thank you very much.

Mr. COOPER. Mr. President, the Courier-Journal has recently commented on these problems in two informative news articles and I ask unanimous consent that an article entitled "Little Things in Mine Law Vex the Small Operators" and an article entitled "Mining Official Sees Small Mine Collapse" both appearing in the Louisville Courier-Journal of June 27, 1971, be printed in the RECORD.

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

DILEMMA OVER SAFETY RULES IN KENTUCKY COALFIELDS: LITTLE THINGS IN MINE LAW VEX THE SMALL OPERATORS

(By Kyle Vance)

MOUTHCARD, Ky.—The little things in the Federal Mine Health and Safety Law are the ones that vex Cecil Chaney and bother him with thoughts of closing his coal operation after 24 years.

Chaney works 89 men in eight small truck mines in the vicinity of Mouthcard, a Pike County community about a half mile from the Virginia line. Last year, his payroll totaled \$564,948.

"If they (federal inspectors) don't give me some relief in 60 days, I'll have to do what nearly everybody else is doing—quit," he said. Now 60, he said he has been in mining work since he was 15.

Chaney said the relief he seeks has to do with provisions of the law which "aggravate the devil" out of operators and "come down to nothing but nuisance."

He said an example is "them portable toilets."

"They tell us we have to put portable toilets in the mines, which is all right, I guess, if they'd work," he said. "The toilets they say we have to use are 18 inches high. My mines, some of them, are 30 inches high. So you can see. . . ."

Chaney said he has spent \$720 on toilets "that can't be used."

"Bed pans would do the job better," said Bruce Huffman, another small operator listening to Chaney.

Chaney and Huffman share a dilemma with hundreds of small operators throughout the coalfields. They are struggling to survive the expenses of making their mines comply with the federal safety requirements.

Their fears of being forced out of business are supported by statistics that show hundreds of small mines, unable to afford the changes, have closed in Kentucky and elsewhere.

In Pike County, where Chaney and Huffman operate, the number of state-licensed mines has dropped from 750 two years ago to 292 at present. Coal employment in the county is down from 6,000 last year to 4,000, notwithstanding boom conditions in the coal industry.

Officials of the U.S. Bureau of Mines district office in Norton, Va., declined to comment on the individual complaints of Chaney and others concerning too much enforcement of smaller violations.

"All I will say," George Mears, sub-district manager, said, "is that our inspectors are guided only by Public Law 91-173 (the health and safety law)."

Chaney said his experiences with inspectors have convinced him that "the little man" has no chance of economic survival under the law.

"If the inspectors would stick to safety matters instead of piddling little things, things that don't have anything to do with safety, and if they'd just agree with each other, it might be easier," he said.

"One will come in and say change your wiring for circuit breakers to the intake air line. Another will come along and say just run your main circuit line through your last circuit break. And you've got to do what each one tells you.

"If they'd make up their mind it wouldn't cost half as much. It costs \$200 or \$300 every time you change your wiring."

A bigger expense—\$500 a month for each mine—comes from satisfying inspectors with the way line curtains are hung to route air from the outside to the coal face inside, Chaney said.

The law requires a minimum of 3,000 cubic feet of air per minute at the production point, making it necessary to close off some corridors with curtains to create a direct route for the air intake.

"You get into something else with the curtains," Chaney said. "The haul cars have to bust right through them, and it gets dangerous when they don't know what's on the other side. Somebody's got to look before they go through. Men are getting killed by cars that bust through blind."

"All of this slows down production. You take men off of production to look after the line curtains, and you are slowed down going through them. My production is down 50 per cent since we started having to do all of this."

"My average was 1,200 to 1,300 tons a day before the safety law. It's 600 tons a day now with the same number of men."

INSPECTORS FREQUENT VISITORS

Chaney agreed with other operators who have said the faster flow of air actually makes the nongassy Kentucky mines more dangerous. The cold winter air dries out the coal dust, making it more explosive, he said, while the warmer summer air causes mine roofs to sweat and drop loose rock where men are working.

The operator said inspectors visit his mines on the average of once a week, and that during one recent week a total of six came in pairs.

"You just listen while they write the violations, something like getting a speeding ticket," he said. "It don't do you no good to argue."

Soon after the enforcement of the law began, Chaney said, an inspector wrote him "an imminent danger and withdrawal notice," only because an apron protecting the mine opening "didn't satisfy him."

An apron is a timber shelter used to keep loose rock on the mountainside from falling on miners entering and leaving the mine.

"This inspector said my apron was built out of 4-by-8 timber and it would have to be made with 8-by-8s," Chaney said. "Nearly everybody uses 4-by-8s, but he gave me an imminent danger and made me pull the men out of the mine right then and there."

"Nobody could go back in the mine till we put in the 8-by-8 apron. I paid three men \$35 a day each for three days to build the new apron, and of course I lost three days of production, and then I got fined \$3,800 to boot."

BACK TO LITTLE THINGS

Chaney said he has four other violation citations pending and that cash fines are automatic when they are cleared through the U.S. Bureau of Mines.

"That gets us back to the little things," he said. "They got me for not having drink-

ing water in the mines when the men bring their own water from home.

"They got me for not having a permissible hand-held drill, which is something you can't buy (because it isn't in production).

"They got me for not having belt badges showing the men's names and social security numbers when I had them on order and ready for delivery the next morning.

"They got me for not having a little piece of wood with an arrow on it pointing to the outside, and you could see the outside from where they wanted it put."

Chaney said he considered as "most burdensome" a requirement that orders be placed two years in advance for permissible mine machinery not now in production.

"You've got to pay for the machinery, every bit of it, in advance," he said. "You don't see your money or the machinery either for two years. Lots of fellows just can't turn loose the kind of money those things cost for that long."

SAFETY LAW CALLED SILLY

"This thing (safety law) gets real silly sometimes. They make us send sealed sanitary drinking cups for water into the mine, and then the miner will eat his lunch with coal-black hands. Maybe I shouldn't say that. It might give somebody an idea to make us put wash basins in the mines."

Huffman, the other operator, was concerned over a \$2,000 fine assessed against him for letting "road coal" accumulate. Road coal is the coal spilled from cars along the haulway.

"They cut the fine to \$500 on appeal," Huffman said, "and I appealed again. I got a notice that I can go before a hearing examiner in Washington in July."

"I guess you know what it costs to take attorneys and maybe witnesses to Washington. Also, I've been notified that the hearing examiner can raise the \$500 fine to \$10,000 and I take my chances. With me, though, it's the principle. I expect to go."

Huffman, at 35, is new in the coal business. His small mine at Island Creek, also in Pike County, employs seven men inside the mine and one on the outside. He said he is "ready to quit now if I could."

"If I had my financial obligations taken care of, I'd quit," he said, "because I just don't feel like there's any way a small man can make it."

"I'd like to have a cutting machine in my mine, but I would be scared to death to spend the money. Men like me just work the small boundaries (seams) that the big companies won't touch. Our coal hasn't been core-drilled. We have no idea what we have when we go in. We just go up the seam as long as it's workable."

STATE INSPECTORS CALLED HELPFUL

Huffman said he strongly subscribes to some of the safety requirements, such as roof control, but that he believes the state safety law is adequate.

"The state inspectors are helping us get in compliance with the law, but they don't push," he said. "I don't know what we'd do without them. They'll cite violations but they'll let you correct them without fines."

Huffman said he has not expected large profits from his mine.

"But it's my own business, and it (coal) is the only business that brings money in here besides the government," Huffman said. "I've got my life savings in it and some money I haven't seen."

MINING OFFICIAL SEES SMALL-MINE "COLLAPSE"

(By Kyle Vance)

PIKEVILLE, KY.—An approaching collapse of the small-mine segment of the coal industry, a major part of Eastern Kentucky's economy, is seen by a veteran state mining official.

Everett C. Brown, district supervisor for

the Department of Mines and Minerals, said the new Federal Mine Health and Safety Law, has given operators "a deal they just can't live with."

He said the number of state-licensed mines in Pike County has dropped from a high of 750 about two years ago to 292. The latter figure includes 15 mines posted as "idle."

Pike is the largest coal producing county in Eastern Kentucky, but Brown said the same trend prevails in other counties and in other coal states.

"I've been here 30 years and mine conditions are the worst I've ever seen, in good times or bad," Brown said. "The small-mine industry is gradually coming to a close. A few are trying to hang on, but they are dropping off like flies, and this is just the beginning."

In one recent week, he said, abandonment notices were filed by 14 mines with more than 20 underground employees.

Coal employment in the county has dropped about 2,000 in one year, he added—from 6,000 last year to 4,000 this year.

"BREAKING THEIR BACKS"

Brown said that in almost every instance, the operators blame federal inspections which turn up violations—"some of them not serious at all"—for their closing.

"For the least little thing, they get a fine, and sometimes a very stiff fine," he said. "It's just breaking their backs."

He gave as an example the Mars Mining Co. at Elkhorn City, the county's oldest mining operation with 50 years of production and 100 years of reserves. It employed 60 persons, including 45 miners.

"Our state inspectors said the mine was in the best shape ever," Brown said. "Mars had just spent \$20,000 to get in compliance, but the federals (inspectors) came back last Monday with an imminent danger and withdrawal order."

Mines deemed to be dangerous in any respect are classified as being in "imminent danger." Immediate withdrawal of men from the mine is then required.

"Mars just told its men to go out and sign up for unemployment," Brown said.

He said he recently surveyed some of the county's larger small mines to get a picture of how the safety law has affected production. He explained that compliance work takes men away from production, or slows down production in other ways.

PIDDLING THINGS BLAMED

One company (he withheld their name) lost 60,396 tons of production in three months even though 71 employees were added and 20 more shifts were worked.

Another, he said, lost 56,940 tons, even though 583 men worked 20 more shifts than a comparable three months before the safety law.

A third one was down 74,984 tons even though it, too, had added to its work force, Brown said.

"Each one of them said the safety law was directly to blame," Brown said. "Too many men have to spend too much time with piddling things in order to comply."

Robert Holcomb, president of the newly formed Coal Operators and Associates, an organization seeking relief from the law for small miners, said some mine inspections are "plain laughable."

"They (inspectors) don't just nit-pick," he said, "but a lot of times they just don't know what the dickens they are doing."

"They are turning in inspection reports on abandoned mines and non-existent mines, with names that nobody ever heard about. They closed one mine that hadn't been in production for weeks, without going inside and without citing a violation."

Brown charged that the law which is closing the mines "in the name of safety" actually is making some of them more dangerous.

"At the rate we are going, the new law will

kill more people than got killed before," he said.

He cited figures from the May bulletin of the State Department of Mines and Minerals, to show a statewide fatality picture that "looks like a trend."

"In the first five months of 1969, the year prior to enforcement of the act, 15 men were killed in Kentucky mining accidents," Brown said. "In the first five months of 1970, the first year of enforcement, 19 were killed. In the first five months of this year, 24 were killed."

"Most of these deaths are resulting from roof falls and haulage accidents. New ventilation requirements cause some of the roof falls. The haulage accidents are coming mostly from the line curtains, motors having to crash through them blind."

Line curtains are used to close off mine corridors to create ventilation tunnels that bring air directly from the outside to the point where coal is being mined. Some curtains necessarily are hung across haulage routes.

"We've lost 10 years of safety work in Kentucky," Brown said. "What they're doing, it looks like, is taking people's time away from safety. The foreman is busy all the time with compliance. He can't spend his time with the men where accidents happen."

"In the last 11 years Kentucky's fatality rate has dropped from one man for each 67 million tons of coal to one man for each 125 million tons. I believe this shows that the state has been doing a good job," he said.

Mr. COOPER. Mr. President, returning to the Department of the Interior's conference of July 1 and 2, I should note from reading the schedule of witnesses that several constituents from Kentucky gave their views based upon their experiences concerning various phases of coal mine health and safety. I have had an opportunity to read the statement of Mr. Cloyd McDowell of Harlan, Ky., president of the National Independent Coal Operator's Association and a member of Secretary Morton's Advisory Committee on Coal Mine Safety, in which he proposes that the Department hold future public conferences open to all segments of the mining industry concerning specific technical problems relating to the administration of the 1969 act. I believe these proposals have merit and I hope that the Department will give them its careful consideration.

Mr. President, I ask unanimous consent that Mr. McDowell's statement be printed in the RECORD.

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

STATEMENT BY CLOYD D. McDOWELL,
JULY 2, 1971

Mr. Chairman, my name is Cloyd D. McDowell. I am President of the National Independent Coal Operators' Association, a voluntary trade organization of over four hundred small mine operators located throughout the states of Virginia, Kentucky, West Virginia, Tennessee and Iowa. I am also President of the Harlan County Coal Operators' Association a local chapter of N.I.C.O.A. and I am a Member of the Secretary's Advisory Committee on Coal Mine Safety Research.

We have other members of our organization here today who will present testimony with respect to their particular problems in the areas covered by various local chapters of N.I.C.O.A.

We are here in response to a notice received by most members on June 28th, advising us of this meeting to be held in Washington, July 1 and 2, and giving us until June 29th,

to make an appointment to be heard for ten minutes. While we are grateful for the opportunity to present testimony concerning the many problems we are facing in trying to comply with the Federal Coal Mine Health and Safety Act of 1969, we believe that a more productive meeting would have resulted had we been notified well in advance of the meeting and been provided with an agenda to follow in our discussions. Therefore, I urgently suggest that this meeting of July 1 and 2, be considered a planning session for a series of future meetings to be held in Washington. I further recommend that each participant be given an opportunity to contribute suggestions of topics and problems to be discussed in future meetings.

I presume that the basis for calling a meeting of this nature is provided in Section 101 (c) of the Act. I regret that the Secretary has not allowed public hearings in connection with proposed regulations as they appear in the Federal Register from time to time. I believe that such hearings would have resulted in regulations that were workable and better understood by the operator, the mine worker and the Bureau inspector.

We feel that legislation contained in the Act is not achieving the goals of health and safety that we all are seeking. In fact, the record to date has shown no improvement over that achieved before the Act became effective. At the same time hundreds of small mine operators have closed their mines, either through fear of bankruptcy or fear of continued harassment by inspectors and the mounting penalties charged against them by officials of the Bureau.

More and more coal is being produced by surface mining as the small operator closes his mines. While surface mining has a legitimate place in the industry the loss of coal that would have been mined by the small underground mines is gone forever once the mine is abandoned. Surface mining will keep the production of coal going at a record rate but can we afford the luxury of losing millions of tons of underground coal because of the inflexibility of regulations that were meant to prevent accidents in the larger gassy mines?

There are hundreds of problems facing the small coal mine operators and I wish to include in my remarks an outline of an agenda that may be used in future meetings if we are given time and opportunity to offer suggestions in making the Federal Coal Mine Health and Safety Act a workable instrument for improving the health and safety of those employed in the coal industry of this nation. I recommend the following agenda which can be improved on:

DEPARTMENT OF INTERIOR HEARING ON COAL MINE HEALTH AND SAFETY—AGENDA: SAFETY

I. Operations and regulations

1. Ventilation problems.
 - a. Too much air in low coal.
 - b. Haulage way or intake air.
2. Haulage problems.
 - a. Belt haulage.
 - b. Track haulage.
3. Shuttle car—line curtain.
4. Reporting procedure too time consuming.
5. Roof control problems.
6. Use of methane monitor in nongassy mines.

II. Enforcement and penalties

1. Interpretation of regulations.
2. Unequal treatment of assessing small mines.
3. Lack of uniformity in assessing penalties.
4. Appeal procedure too costly.
5. Legality of assessment procedure questionable.
6. Not enough responsibility on individual miner for his safety.

III. Equipment

1. Availability.

2. Increased cost.
3. Bureau should advise manufacturers of requirements.
4. Designed to meet regulations.
5. Need list available and not available.

IV. Research

1. Research the effect of regulations on health and safety before adoption.
2. Advisory Committee's recommendations requested by the Secretary.
3. Priority of projects and grants for research adopted and followed.

V. Education and training

1. Guidelines for all training programs made available to industry.
2. Assistance from Bureau of Mines for instructors required.
3. Training manual and supplies needed.
4. Growth of local safety institutes encouraged.
5. Vocational schools encouraged to train mine workers.

VI. Financial assistance

1. Availability of Small Business Administration loans to small coal operators.
2. Grants and assistance made available to vocational schools for training.

VII. Lack of manpower

1. Recruiting of supervisors by Bureau should be stopped.
2. Training programs needed.
3. Bureau of Mines should be required to hire physically handicapped and over age inspectors.

HEALTH

1. Operations and regulations

1. Dust standard too low and impractical.
2. Accuracy of instruments questionable.
3. No allowances for use of respirators in dusty environment.

II. Enforcement and penalties

1. Chest X-ray proposed regulation (50% requirement).
2. Rules on job transfers impractical.

III. Equipment

1. Availability list.
2. Increased cost.
3. Manufacturers to build in dust and noise suppression devices on equipment.

IV. Medical

1. Research needed for determining "black lung".
2. Study should be made of effects of cigarette smoking on "black lung" condition.
3. Research required on harmful effect of too much ventilation and water.

[The Courier-Journal, July 1, 1971]

MINE LAW ISN'T WORKING AS PLANNED

For some reason or other, the new mine-safety law doesn't appear to be working very well. It was supposed to save lives, yet more miners are dying in the mines this year than died before the law was passed. It wasn't supposed to put mines out of operation and miners out of work, but that's what it is doing.

Small mines are shutting down at an alarming rate, as staff writer Kyle Vance noted in Sunday's *Courier-Journal & Times*. In one Eastern Kentucky county alone the number of employed miners has dropped one-third in the past year. This is not only hurting the economy. It is having the unfortunate side-effect of driving small operators from deep mining into the more destructive practice of stripping-mining. Strip mines are not bothered by the numerous regulations that are applied to make underground mines safe.

Where the fault lies in a matter of wide disagreement. Safety advocates insist that small mines forced to close because of trouble with the safety law shouldn't have been in operation, and that mines that can't meet the law's standards aren't fit places for men to work. They may have a point, although

the safety record of the small mines prior to the law's passage was in some respects better than that of the large mines that are continuing to operate.

But small-mine operators also appear to have a case in their objections both to some of the new regulations and to the way they are being enforced. A group of them has filed a suit in federal court challenging the constitutionality of the entire act. This, of course, is a matter for the courts to decide. But there seems to be serious questions about the consistency with which the law is being enforced, and the common sense of some of its provisions when applied to small mines.

ERRATIC, UNEVEN ENFORCEMENT

It certainly doesn't make any sense to require an operator to install 18-inch toilet seats in a mine that is just 30 inches high. (One Pike County operator tells of buying \$720 worth of such toilets, though he knew they could not be used by the miners.) It does not make sense to require operators to install air-directing curtains across passageways so that motor operators must drive through them blind, and possibly collide with something on the other side.

It does not make sense to require an operator to install ventilating equipment that pulls so much air through the mine that it stirs up dust and dries out the mine, making it more dangerous, not safer for the men working in it. And it does not make much sense to require costly methane-detecting devices, and time-consuming methane tests, in non-gassy located above the water table where methane gas almost never is found.

But perhaps the worst feature of the new law is the way that it is being enforced. The criticisms from both operators and miners on this score are becoming too numerous to discount entirely. When two different sets of mine inspectors give an operator two conflicting sets of instructions on two consecutive inspection visits, the operator is caught in the middle. Yet one operator after another can tell of instances in which he has been penalized, shut down or fined by one inspector for doing what another inspector told him to do, or of losing valuable time changing an installation ordered by one inspector in order to meet the demands of a second inspector.

Some operators charge that "the heat is on from Washington" because of the small-mine disaster at Hyden last December in which 38 men were killed, and that inspectors are nitpicking in order to show they are doing their jobs. Others claim that the law was written to order for big mines, and is not flexible enough to be applied to small operations. Still others say that the flexibility of the law, designed to make it apply to any type of mine, leaves too much to the discretion of the individual inspector.

It is impossible for the layman to know where the truth rests. But there is evidence that there is too much variance in the application of the law by the inspectors. The Bureau of Mines owes it to both its own overworked inspectors and the harried operators to see that the inspectors are thoroughly familiar with the law, and know how to enforce it uniformly. If the inspectors can't agree among themselves on what constitutes safe equipment, installation and operation, the operator is put in an impossible position.

Furthermore, the operator—as well as his miners—has a right to know that the inspector judging his mine is qualified and competent. But how can he have any confidence in a Bureau whose procedures made it possible to hire as an inspector a man such as Ernest "Red" Hoskins?

Mr. Hoskins is undoubtedly an experienced miner, with 21 years underground. He thus met the Bureau's apparently-overriding requirement for employment as an inspector. But he was also a foreman in the Finley mine where the improper use of illegal ex-

plosives has been blamed for the death of those 38 miners last winter. And as House committee chairman Carl Perkins said during recent hearings into the mine disaster, Mr. Hoskins either knew that illegal explosives were being used and did nothing to prevent their use, or should have known and was negligent in not making sure safe practices were followed.

By resigning voluntarily from his inspector's post, Mr. Hoskins has shown a more sensitive regard for public opinion than did the men who hired him. But the fact that he was hired in the first place, and considered capable of enforcing safety laws efficiently and fairly, gives the public cause to wonder at the general quality of both federal inspectors and inspections.

Mr. BIBLE. Mr. President, before I yield back the remainder of my time, on the last item to which the ranking member of the Republican side of the Appropriations Committee has directed himself, the distinguished Senator from Illinois (Mr. PERCY), the \$1 million for coal research, he built a compelling and powerful case. It was an add-on on the Senate side. The Senator from Illinois will be a conferee on the bill and I certainly hope that we hold that item in conference.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1972

Mr. BYRD of West Virginia. Mr. President, will the Senator from Nevada yield me 1 minute?

Mr. BIBLE. I yield 1 minute to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, the bill making appropriations for the Departments of State, Justice, Commerce, and judiciary has been scheduled for Monday next. It is already in order to order the yeas and nays thereon. So that Senators may know that there will be a rollcall vote on final passage of this bill, I ask for the yeas and nays on H.R. 9272.

The yeas and nays were ordered.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 9417) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1972, and for other purposes.

Mr. MILLER. Mr. President, I would be remiss if this bill were to pass without making some comments on the item listed on page 29 of the report under the Smithsonian Institution section for construction of the Joseph H. Hirshhorn Museum and sculpture garden in the amount of \$3,697,000 for the liquidation of contract charges.

Senate Joint Resolution 45, introduced by the junior Senator from Alabama (Mr. ALLEN) would declare the entire agreement on this project null and void with a view to continuing the project under a newly negotiated agreement which

would not contain certain objectionable provisions in the present agreement.

One of the objectionable features is that Mr. Hirshhorn would be able to control which art objects will be represented in the museum—a control which could lay a foundation for manipulation of the market value of much contemporary art. This, in turn, could affect the amount of tax writeoffs arising from gifts by Mr. Hirshhorn to the museum.

Absent such a newly negotiated agreement, I believe we should make it clear that the Congress expects the Smithsonian Institution to manage the museum in such a manner as to avoid abuse of the control features reserved in the agreement; and, further, that the Internal Revenue Service will most scrupulously examine into the valuation figures used as a basis of tax deductions for gifts to the museum.

I would hope that the congressional committees having cognizance of these matters, including the Senate Finance Committee on which I have the privilege of serving, will maintain careful cognizance over these points so that the public interest will be well served.

Mr. MCINTYRE. Mr. President, I am pleased to be able to rise in full support of the appropriations bill for the Interior Department and related agencies which is before us now.

Naturally, as with most appropriations measures we consider I might wish that there was a little more here and possibly a little less in some other item. When you are dealing with a matter as large and complex as the areas covered in this legislation it would be impossible to satisfy each and every Member and their constituency.

I am particularly gratified that this legislation includes funds for the construction of the Forest Service laboratory at the University of New Hampshire at Durham, N.H. These funds will be used to construct a new laboratory building at the university to house 12 forest research labs, nine laboratory facilitating rooms and staff offices. It will be located on the university's campus on land leased free to the Forest Service by the university.

Such a laboratory will greatly facilitate the on-going research in five crucially important areas. First, watershed yield improvement and flood runoff reduction; second, genetic improvement of white pine and other associated species; third, production of high-valued hardwoods; fourth, control of diseases that degrade northern hardwoods; and fifth, improved management of private forest recreation enterprises.

This laboratory has been a dream and a vital need of forestry in New Hampshire and New England for years. As much as 90 percent of the land of some of the New England States are forests and when we consider how important forests and their proper management are—not only for recreation but for water, wood, wildlife and natural beauty then we realize how vital the research to be done by this laboratory is to the future of America's Northeast.

I want to pay a special word of tribute to the distinguished chairman of the Interior Appropriations Subcommittee

the Senator from Nevada (Mr. BIBLE) who has been such a help in bringing this laboratory to fruition.

I would also like to say a word about H. A. Keener, dean of the college of life sciences and agriculture at the University of New Hampshire who has worked diligently over the past several years in behalf of this research facility. He has made many visits to Washington in support of the laboratory as has Otis Hall, director of the institute of natural and environmental resources at the university. George Gilman, commissioner of the department of resources and economic development for the State of New Hampshire, John W. McConnell, the former president of the university, Paul O. Bofinger, the forester for the Society for the Protection of New Hampshire Forest, Tudor Richards, the executive director of the Audubon Society of New Hampshire and so many others have been helpful.

All of us have been working for years on this and I have been pleased to join with them in this effort. We have now reached our goal in this matter and I am sure it harbors well for the future of forestry in New England.

There is much still to be done in the development and use of our forests. I am particularly concerned about the recreational facilities in our forests and this is in area that I am most hopeful we can see further accomplishments in future legislation.

Mr. FULBRIGHT. Mr. President, I wish to commend the Appropriations Committee for the inclusion of two items which are of particular interest to my State. The first is \$50,000 for planning the Greers Ferry National Water Garden Park. Having both sponsored and supported efforts in behalf of this project since its inception, I especially appreciate the committee's favorable consideration.

I also refer to the committee's approval of \$882,000 for additional construction of work in connection with Blanchard Springs Caverns. These natural caverns in north central Arkansas have been described as the most beautiful in the United States and this added money will go far to insure that they may be fully enjoyed by the many people who visit them annually.

The committee has done a fine job and I express my appreciation on behalf of the many Arkansans who are following these projects with interest.

Mr. BENTSEN. Mr. President, I support H.R. 9417, the appropriations measure for the Interior Department and related agencies.

I want to take this opportunity to comment on one section of the bill, the \$60,400,000 appropriation for the National Endowment on the Arts and the Humanities.

Mr. President, when President Johnson signed the bill creating the Arts and Humanities Endowments into law on September 29, 1965, he said:

We in America have not always been kind to the artists and the scholars who are the creators and the keepers of our vision.

He went on to say that the sciences "always seem to get the penthouse while

the arts and humanities get the basement."

Lyndon Johnson recognized that this country will ultimately be judged, not solely for its technological achievements, but by its attention to those elements which uplift man's spirit, which enable him to endure and to prevail.

That, in brief, is the mission of the arts and the humanities.

Last year, in testimony before a joint House-Senate committee, Barnaby Keeney, the chairman of the National Endowment on the Humanities, said:

Many of the most important problems cannot be solved by science . . . because scientists alone cannot decide what to do with the knowledge that is produced . . . What this country, and indeed the whole world lacks, is an understanding of the past, where we have been; the present, where we are; and the future, where we are going.

The Humanities Endowment has established programs to aid us to understand more fully the civilization we have created. Through its public programs, it has sent teams of scholars to small towns to meet with members of civic and church groups to bring the humanities to areas which do not have ready access to universities, major libraries, museums and other cultural centers. Through its education program, it has concentrated on improving the teaching of the humanities at the elementary, secondary, and college levels. Fellowship and research programs have allowed humanistic scholars to take time off from their teaching duties and to gain new insights into their fields.

Both Dr. Kinney and Wallace Edger-ton, the present Chairman, have been effective in distributing humanities funds to all sections of the country and in bringing new life to our pursuit of knowledge in language, linguistics, literature, history, jurisprudence, and a variety of other fields which are central in our quest for an understanding of the goals of our society—past, present, and future.

The Arts Endowment, which is the other arm of the National Foundation of the Arts and the Humanities, began with some skepticism on the part of legislators and artists alike concerning the ability of Government to support the arts without violating artistic freedom or fostering a governmentally imposed mediocrity.

But these earlier fears have been dispelled, and the Arts Endowment has now won the support of many of those who were its severest critics in earlier days.

The endowment, under the chairmanship of the able and distinguished Nancy Hanks, has fostered creativity in the arts without Government interference and has breathed new life into our struggling orchestras, museums, dance companies, and other arts organizations which are going through the most severe financial crisis in their histories.

The approach of the Arts Endowment has been twofold—a national program to support the organizations and artists whose activities were not restricted to the confines of a single State, and a State arts council program to encourage artistic activities, through State and local

organizations, among the citizens of the individual States.

The national program has supported such vital American cultural enterprises as the American Ballet Theatre, the Western Opera Theater, and various symphony orchestras throughout the country, many of which would have had difficulty surviving at all without some form of Government aid.

In my own State of Texas, the Arts Endowment has supported the Amon Carter Museum of Western Art, the Dallas Theatre Center, the Alley Theatre in Houston, the Symphony Society of San Antonio, and the El Paso Symphony Orchestra Association, and a variety of other artists and organizations.

One particularly interesting project in Texas supported by the endowment is a bilingual theater organized by Texas Tech University, which plans to tour the areas of South Texas in which Spanish is the predominant language.

The State arts council program under section 5(g) of the act has also had a profound effect in my State. Using the funds provided by the National Endowment, which have been more than matched by funds appropriated by the Texas legislature, the Texas Fine Arts Commission has established a number of innovative projects.

The San Angelo Symphony, for example, has initiated a program allowing orchestra members to visit rest homes and mental institutions to bring the therapy of music to people who are largely isolated from the outside world. The Dallas Civic Opera Guild has established a highly successful program of opera for schoolchildren. And various large city symphony and ballet companies have been given the resources to tour the rural areas of my State to bring these art forms to the inhabitants of areas formerly neglected by the performing arts.

I am particularly pleased by the success of both the Arts and Humanities Endowments in stimulating outside sources of support. As many Presidents, including President Nixon, have noted, it is not the function of the endowments to provide the complete financial support for the arts and the humanities. Their function, rather, is to act as a catalyst to encourage State and local governments, as well as private sources, to contribute their share. This is creative federalism in the truest sense of the word.

In Texas, for example, a Federal contribution of \$30,909 to the Texas Fine Arts Commission in 1970 was more than matched by \$106,000 in State funds. Moreover, contributions from State, local, and private sources across the country have exceeded Federal contributions for the arts by a better than three to one margin. In the humanities, a similar trend has developed.

Mr. President, I commend President Nixon for his strong support for the arts and the humanities, and I want to record my own approval of the \$60,400,000 request made by the Appropriations Committee.

Mr. TUNNEY. Mr. President, I would like to compliment Senator BIBLE and the other members of the Subcommittee

on the Interior Appropriations for their fine work on the Department of the Interior appropriations bill.

As you know, one of our Nation's major problems is the pollution of our waterways. Californians are becoming increasingly concerned over the future of the Salton Sea, an inland salt water lake in southeastern California. This sea is experiencing threats of increasing salinity which destroys fish life; increasing quantities of nutrients which produce numerous algae, offensive odors and water discoloration, and unstable water levels which could affect drainage and deter shoreline development.

Two years ago while serving in the House of Representatives, I secured funds in the amount of \$103,000 for a reconnaissance study of the Salton Sea. This report made a series of observations and recommendations on how the Salton Sea could be saved from destruction.

The Senate Subcommittee on Interior Appropriations has recommended that Congress appropriate \$150,000 for a feasibility study of the Salton Sea. It is my hope that the House and Senate will accept this committee recommendation. It is most important that alternatives be developed and evaluated by the Federal Government in cooperation with State and local officials and interested citizens' groups to insure the future of this body of water.

The Salton Sea is an important fish, wildlife, and recreational asset to the State of California serving over 1.5 million people in the Southwest.

To watch this valuable 36-mile long lake and 100-mile coastline, which brings pleasure and enjoyment to so many become another Dead Sea is one sight that I do not want to witness.

I would like also to address myself to another item in the Interior appropriations bill—funds for California Indian housing. On March 4, 1971, a letter was sent by myself and Senator CRANSTON to the subcommittee outlining the desperate need for additional funds for Indian housing in California. The House appropriated \$894,000 for California and I am very pleased that the Senate Appropriations Committee has decided to recommend an additional \$1 million for California. I urge the Senate and the House to accept this recommendation which more than quadruples the normal Bureau of Indian Affairs budget allocation for California rural Indian housing needs.

However, I would like to add my disappointment as well that my original request for \$5 million was not approved. It has been estimated that \$30 million would be needed to correct fully the substandard housing of California's rural Indian population.

Out of a rural Indian population of over 40,000, probably 90 percent are ill-housed. Alternative housing programs are not well suited to meet the needs of California Indians. Housing programs under HUD do not operate well where housing needs are widely dispersed. In addition, annual Indian family incomes are very low—averaging \$2,000 annually. To these Indian families, usual housing programs requiring mortgages and monthly payments are not workable.

The Bureau of Indian Affairs housing improvement program provides the flexibility needed to construct new homes and repair old ones at the point of need anywhere in California.

It is my hope that either in the next supplemental or regular appropriations bill, a more significant amount of housing funds can be made available.

To demonstrate further the need for Indian housing in California, I would like to place in the RECORD at this time a report by the California Indian Legal Services.

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

DECENT HOMES: A REPORT ON THE NEED FOR AN EMERGENCY HOUSING GRANT FOR RURAL CALIFORNIA INDIANS

INTRODUCTION

Tarpaper shacks with leaking roofs. Cramped, decaying trailers. Four children, of both sexes and varying ages, in an eight by ten room. Frayed and exposed electric wiring (or none at all). No privacy. No place for the young to study. No place for the sick to rest.

Such is the degrading squalor of most Indian housing in the Golden State today. Why do such conditions exist in the wealthiest State in the richest nation in 1971? What can be done to alleviate them? This report briefly explores the history leading to this situation, documents present needs, and offers a realistic first step in bringing a measure of dignity and shelter to the original Californians, whose land underlies the prosperity of California today.

OUT OF SIGHT, OUT OF MIND

Most Californians know little about California Indians. There are many Indians in the State—over 100,000, including tens of thousands brought here from other states over the past two decades by the Bureau of Indian Affairs under its job training and placement programs. California is now the first or second most populous Indian state in the country. But in a State so large and dazzling, the Indian population, particularly the 40,000 or so native Californians who live in rural areas, tend to be all but forgotten. Rural California Indians are tucked away in remote areas, often on tiny, impoverished reservations and rancherias far from the cities, suburbs, and freeways of the Golden State. Rural California Indians suffer many ills; by all measures of social well-being they are at the lowest rung of society.

The history of California Indians is one of terror and tragedy. Hunted down like animals, they were literally decimated in the nineteenth century, decreasing from 150,000–200,000 to 15,000,000¹ in 50 years, through encounters with white settlers, loss of food supplies and white-imported diseases. Later experiences with the United States Government were only slightly less traumatic.

Over the years the Federal Government has provided far less assistance to California Indians than to Indians in other states. Ironically, even in California most BIA funds are spent for the benefit of Indians from other states brought here by the Bureau for employment. And until a year or two ago, Sherman Institute, the only BIA school in California, was closed to California Indians. Even now the majority of students there are from out-of-state. Yet the cost of maintaining Sherman—several million dollars—was de-

¹ Since the turn of the century, they have increased to something over 40,000, owing to the highest birth rate in the state, longer life span and lower infant mortality (despite a present life expectancy of 44 years and the highest infant mortality rate of any group in the State).

ducted from the 1944 California Indian Claim Award.

United States Treaties with California Indians are a history of treachery and duplicity; none have ever been ratified by the United States, although the Indians gave up their land in reliance on the treaties. To this day, little land has been set aside for California Indian groups; most of the land that has been set aside is either very remote and poor or came too late as a half-hearted afterthought; and some has been lost because of the ill-conceived Federal termination policy of the 1950's and '60's in California. A great many California Indians have never received any land at all.

The ambivalence and inconsistency of Federal Indian policy during the last 100 years in California—now assimilationist at any price, now ineffectually paternalistic—has left the Indians confused, embittered and in harsh poverty.

ESTIMATED NEEDS

For most rural California Indians, safe and adequate housing does not exist. Out of a rural Indian population of about 40,000, at least seventy per cent, and probably closer to ninety per cent, are ill housed. At present, there is no hope for improvement. During the last three years, the Bureau of Indian Affairs in California has had an annual housing budget of about \$300,000 per year. Basically this money, which is funneled through the BIA's Housing Improvement Program (HIP), serves as an emergency fund to extricate a handful of families whose housing is so deteriorated as to be uninhabitable or whose homes have been destroyed by fire. (Fire is very common among rural Indians, mainly because many of the houses are improperly wired and unsafely heated. If building codes were enforced against them, most would be homeless.)

The Bureau's annual \$300,000 housing budget represents about one per cent of the money needed to substantially improve the overall housing picture for California Indians. It is far from enough to even maintain existing conditions, as depressing as they are, let alone make any advances. The present money is little more than a token fund. It is estimated by Bureau officials that to substantially correct the situation, about thirty million dollars would be needed in California.

For the purpose of estimating rural California Indian housing needs, it is useful to divide the state into three areas: northern, central and southern. In those areas the estimated needs for Indian housing are as follows:

In northern California, an area which for this purpose includes the five counties of Humboldt, Del Norte, Siskiyou, Shasta, and Trinity, it is estimated that there are about 11,200 Indians either on or near the reservation (the "on or near" classification includes all Indians except terminated groups). A fairly accurate survey conducted, in part, by the Hoopa Area Office of the Bureau of Indian Affairs indicates that in this area about 250 new housing units are needed. The new units include those houses which are beyond repair and additional housing for those Indian families now living doubled up with other families. About 500 existing units are in need of major repair. It is estimated that to meet the northern area housing need would cost approximately \$4,250,000.

The central portion of the state, which for the purposes of this report includes significant Indian populations in the counties of Mendocino, Lake, Glenn, Sonoma, Tuolumne, Mariposa, Fresno, Tulare, Alpine, Mono and Inyo, has an Indian population of approximately 20,500. In this area it is estimated that at least 500 new units are needed and 1,000 houses need major repair. The total cost is estimated at about \$8,500,000.

In the southern part of the state, including significant Indian populations in the counties of Santa Barbara, San Bernardino,

Riverside, San Diego and Imperial, there are approximately 10,095 Indians living on or near Indian reservations. In this area it is estimated that about three hundred new houses are needed and about 470 houses require repair. The total projected budget for this work comes to approximately \$4,975,000.

Adding the three areas together there is a total state need for "on or near" a reservation housing of \$17,725,000. However, that figure does not include terminated Indians. There are probably at least 5,000 terminated Indians in California, most of them in the northern and central parts of the state. The Bureau of Indian Affairs estimates it would cost approximately \$12,275,000 to meet their housing needs, making a statewide total of \$30,000,000. These estimates are based on simple, decent housing, without frills.

WHO SHALL BE SHELTERED?

As indicated above, many California Indians surrendered their land in reliance on the unratified treaties but were never given the reservations promised in the treaties. Therefore, they have never lived on Federal trust land. In addition, thousands of the Indians who were belatedly given small parcels (known as "rancherias") in the northern and central parts of the State, in the late 19th and early 20th centuries, to save the troubled white conscience, were stunned to find those lands being terminated (that is, losing their Federal trust status and the attendant services, such as they were) in the 1950's and 60's. Because of termination, some of those Indians have lost even those token lands. Others remain in total oblivion so far as the BIA is concerned while Indians in other states have been provided greatly increased Bureau assistance in recent years. However, termination should no longer be an excuse for such neglect. As President Nixon stated in his Message of July 8, 1970 to Congress on Indian policy:

"This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

"This goal, of course, has never been achieved. But the special relationship which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

"The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances² in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of

Federal, State and local assistance efforts. Their economic and social condition often has been worse after termination than it was before."

Thus as a matter of meeting the real needs of the people and not making false distinctions based on historical inequities, it is essential that housing be provided to rural California Indians on a non-discriminatory basis, that is, without regard to whether they live on Federal, State or private land, whether on reservations, rancherias, allotments, or individually owned property, whether they are terminated or unterminated.

HOW SHALL HOMES BE PROVIDED?

With the multiplicity of existing housing programs, it is disappointing to find none that is tailored to meet the unique situation confronting California Indians. Yet generally speaking that is the case. Many California Indians are dispersed in small, remote groups, often with weak governing bodies and a membership consisting largely of disabled and elderly people, or a disproportionately high number of children. Untermated people reside on trust land which cannot (and should not) be mortgaged. Annual total family incomes of less than \$2,000 are typical. In light of all of these factors, the usual housing programs, which often require mortgages and monthly payments, simply are generally unworkable. For the small, poorly organized groups which predominate in northern and central California, the same is true of housing authorities. In the southern part of the State, however, there is a Mission Indian Housing Authority covering about half a dozen reservations which have sufficient area, population and functioning governing bodies to justify such a pilot project. Several other large reservations, elsewhere in the state, may also lend themselves to such efforts and the Mission project will be an important test for them. It should be given full Federal support.

CONCLUSION AND RECOMMENDATION

Housing is, of course, a vital necessity in itself. However, it is also the key to many other problems confronting rural California Indians. The lack of decent shelter creates health and safety hazards. It does not provide room for study, with resulting educational problems. Psychological studies have documented the adverse effects of sustained overcrowding. Dignified housing is also essential for Indian self-respect and the respect of neighboring non-Indian communities. An Indian sium on the edge of town breeds contempt and erects barriers of bias against Indians seeking employment, social contact, education and all of the services, private and public, they require. It is a constant, visible reminder of the failure of the Federal Government. New or improved housing can restore a sense of hope to the Indian people.

In light of the above factors, if housing is to be made available to rural California Indians in the near future, the only practicable program for most of them is the Bureau of Indian Affairs' Housing Improvement Program (HIP). This program has been functioning, although at a token level, for some time. It is flexible in that it permits construction of new homes or repair of repairable old ones and it need not be limited to Indian trust land. It also makes housing available to those most badly in need of it, those who simply cannot make monthly housing payments. Many of them can barely find enough money for food. HIP is a grant program and does not require any payments.

Although it may not be possible for Congress to appropriate at one time the \$30 million needed to make rural California Indian housing adequate, a minimum emergency appropriation of 5 million dollars should be made immediately. Congress should expressly provide that these funds shall be used to meet the needs of Indians regardless of the type of land upon which they live or whether

they are terminated or unterminated. Indians should be involved as much as possible in planning their new homes or repairs to existing ones.

The present condition of rural California Indian housing is comparable to that which would exist if all of the Indians lived in an area devastated by some great natural calamity. The fact that the shacks are remote and out of sight should not obscure the fact that the great majority of California Indians live in such conditions. An emergency housing grant is just as essential for them as if they were in a Federally-declared "disaster area"—perhaps more so as they have lived in these squalid conditions for so long and the Federal Government has a special obligation to them.

Mr. BIBLE. Mr. President, if there are no further requests for time I yield back the remainder of my time.

Have the yeas and nays been ordered? The PRESIDING OFFICER (Mr. SPONG). The yeas and nays have been ordered.

Mr. BIBLE. I thank the Chair. I think that we can now proceed to final passage, Mr. President.

The PRESIDING OFFICER. All time on the bill has now been yielded back.

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 was read the third time.

The PRESIDING OFFICER. 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 legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Montana (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), the Senator South Carolina (Mr. HOLLINGS), the Senator from Washington (Mr. JACKSON), the Senator from North Carolina (Mr. JORDAN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RBICOFF), 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), and the Senator from Georgia (Mr. TALMADGE) are absent on official business.

I further announce that, if present and voting, the Senator from South Dakota (Mr. MCGOVERN), the Senator from Connecticut (Mr. RBICOFF), the Senator from Washington (Mr. JACKSON), and the Senator from Illinois (Mr. STEVENSON), would each vote "yea".

Mr. SCOTT. I announce that the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from New York (Mr. BUCKLEY), the Senator from Michigan (Mr. GRIFFIN) and the Senators from Ohio (Mr. TAFT and 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 Massachusetts (Mr.

² Thirty-six rancherias have been terminated in California and a number of others are in the process of termination.

BROOKE) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

Also, the Senator from New Hampshire (Mr. COTTON), the Senator from Arizona (Mr. GOLDWATER), the Senator from Texas (Mr. TOWER) and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

If present and voting, the Senator from Oregon (Mr. HATFIELD), the Senator from Idaho (Mr. JORDAN) the Senator from Ohio (Mr. TAFT) and the Senator from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 71, nays 0, as follows:

[No. 147 Leg.]

YEAS—71

Aiken	Ervin	Mondale
Allen	Fannin	Montoya
Allott	Fong	Moss
Anderson	Fulbright	Nelson
Bayh	Gambrell	Packwood
Beall	Gravel	Pastore
Bellmon	Gurney	Pearson
Bennett	Hansen	Percy
Bentsen	Hart	Prouty
Bible	Hartke	Proxmire
Boggs	Hruska	Randolph
Burdick	Hughes	Roth
Byrd, Va.	Humphrey	Schweiker
Byrd, W. Va.	Inouye	Scott
Case	Javits	Smith
Chiles	Long	Spong
Cook	Magnuson	Stennis
Cooper	Mansfield	Stevens
Cranston	Mathias	Symington
Curtis	McClellan	Thurmond
Dole	McGee	Tunney
Dominick	McIntyre	Williams
Eastland	Metcalf	Young
Ellender	Miller	

NAYS—0

NOT VOTING—29

Baker	Harris	Pell
Brock	Hatfield	Ribicoff
Brooke	Hollings	Saxbe
Buckley	Jackson	Sparkman
Cannon	Jordan, N.C.	Stevenson
Church	Jordan, Idaho	Taft
Cotton	Kennedy	Talmadge
Eagleton	McGovern	Tower
Goldwater	Mundt	Weicker
Griffin	Muskie	

So the bill (H.R. 9417) was passed.

Mr. BIBLE, 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 (Mr. TUNNEY) appointed Mr. BIBLE, Mr. McCLELLAN, Mr. BYRD of West Virginia, Mr. McGEE, Mr. MONTAYA, Mr. ELLENDER, Mr. PERCY, Mr. YOUNG, and Mr. BOGGS conferees on the part of the Senate.

Mr. MANSFIELD, Mr. President, with the final passage of the appropriation bill for the Department of the Interior the Senate owes the distinguished senior Senator from Nevada (Mr. BIBLE) a note of thanks. As the volume of amendments increases each year his able hand and expert knowledge becomes more invaluable. The skillful and courteous approach exemplified by the senior Senator from Nevada (Mr. BIBLE) brings every measure he supports a positive response from this chamber.

Aiding Senator BIBLE with this important final vote on appropriations in a truly fine bipartisan way was the able senior Senator from Illinois (Mr. PERCY). Our appreciation and thanks are ex-

tended to him for his dedicated and knowledgeable help on this important matter.

Contributing in the floor debate is an important means by which the Senate keeps informed on legislation. The articulate contributions by both Senators from Alaska (Mr. GRAVEL and Mr. STEVENS) were very informative. The north land is reputed to make hard workers, and these two fine gentlemen certainly uphold that reputation.

And adding their always thoughtful views to the discussion today were the Senator from Arizona (Mr. FANNIN) and the Senator from Minnesota (Mr. HUMPHREY). Their views are always welcome.

Again, to Senator BIBLE, to the members of his subcommittee and to the Senate as a whole, recognition and commendation is due for the expeditious and judicious adoption of this needed funding measure.

THE GENEVA PROTOCOL OF 1925

Mr. FULBRIGHT, Mr. President, on June 8 I reported to the Senate on the status of the Geneva Protocol of 1925. At that time I also released the text of a letter which I had written to the President on behalf of the Committee on Foreign Relations suggesting that the administration reconsider its position that the protocol does not prohibit the use of tear gas and herbicides in warfare. I noted in my report that my letter to the President, then 2 months old, had not received a substantive reply. Another month has now passed and there still has been no response from the President.

Despite this protracted lapse in communication with the White House there have been other indications that the military use of chemical herbicides in Vietnam continues to be an active issue within the executive branch. In an article which appeared in the Washington Post of July 3, 1971, Mr. Bernard D. Nossiter reported that the Pentagon is presently seeking a reversal of the President's earlier decision to discontinue the use of chemical herbicides in Vietnam, and that the Defense Department is now speaking of "phasing down" the use of herbicides rather than phasing them out.

If this report is accurate, and I have reason to believe that it is, it would come as no surprise. There have been many indications, including the ten month delay in the President's submission of the Geneva protocol to the Senate, that the military services, primarily the Army, have consistently opposed the constructive but limited steps which the President has taken with regard to restricting the military use of tear gas and herbicides in Vietnam.

In the absence of a response from the President to the committee's communication regarding the larger issues involved in the ratification of the protocol, I would be pleased, at a minimum, to have some assurance from the administration that the President's announced decision to discontinue the use of herbicides in Vietnam is not being reconsidered. While many of us are not at all in agreement with the administration's interpretation that the Geneva protocol does not pro-

hibit the use of herbicides in warfare, we were nevertheless encouraged during the hearings on the protocol by the administration's assurances that their use in Vietnam was being "phased out." In their testimony on the protocol both the Secretary of State and Assistant Secretary of Defense Nutter placed great emphasis on this decision, stating repeatedly that the use of herbicides in Vietnam was being terminated—"phased out" was the term which they used, not "phased down." If this decision is now reversed I, for one, would consider such action as constituting a major departure from the policy on which the administration based its request for Senate advice and consent to the Geneva protocol.

I ask unanimous consent that the article by Mr. Nossiter to which I referred earlier be placed in the RECORD at the conclusion of my remarks.

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

[From the Washington Post, July 3, 1971]

PENTAGON FIGHTS HERBICIDE BAN

(By Bernard D. Nossiter)

The Pentagon has asked the White House to relax its ban on herbicides in Vietnam, it was learned yesterday.

The issue is now being discussed at the uppermost levels of the National Security Council, and it is regarded as "highly sensitive."

The Defense Department is said to be contending that the outright ban pledged by President Nixon would deprive remaining troops of a needed safeguard. Those favoring existing policy fear that continued use of the plant-killing chemicals will further snarl Senate ratification of the Geneva Protocol outlawing chemical and biological weapons.

At issue is Mr. Nixon's announcement of last Dec. 26. He said then that the United States is "initiating a program for an orderly, yet rapid phase-out of the herbicide operations."

The Pentagon wants the policy changed to a "phase-down" instead of a "phase-out." This would sanction limited but continued use.

In a report to congressmen last April on herbicides in Vietnam, Dennis J. Doolin, deputy assistant secretary of defense for international security affairs, used the word "phase-down."

The Pentagon request is described as a limited, narrowly defined change, closely tied to the safety of troops. Presumably, military men are arguing that continued herbicides use is needed to clear foliage around fire bases, giving clearer fields of fire and making infiltration more difficult.

Opponents of the proposed policy change acknowledge that herbicides used under these conditions would have little effect on South Vietnam's ecology. But they fear the political consequences if the Defense Department gets its way.

Permission for indefinite use, they argue, would amount to a sanction for herbicides and keep alive Pentagon research in this emotionally charged area.

More importantly, it is said, a change to "phase-down" would make more difficult the already troubled passage of the Geneva Protocol. The United States is the only major nation that has not ratified the agreement, which Mr. Nixon has asked the Senate to approve.

However, the administration has said that it wants ratification with the understanding that the Protocol does not prohibit herbicides or tear gas.

This understanding is held by few nations and is opposed by an important bloc of Senators who favor ratification. As a result, the

Protocol has not been reported out by the Senate Foreign Relations Committee.

If the United States is still using herbicides when the Protocol finally reaches the floor, it will be very difficult for many senators to approve it. It would put them in the position of ratifying an international agreement condemning a practice employed by the United States.

Some officials who favor ratification of the Protocol argue that the Senate is already so divided over whether to include the reservation on herbicides and tear gas that the change sought by the Pentagon makes no difference. In any case, these officials say, it is very hard to argue with the military when they contend that what they want affects the safety of American troops.

It was still unclear last night whether the National Security Council and Mr. Nixon would approve the switch to "phase-down." An announcement is expected soon.

SENATE RESOLUTION 100—ADDITIONAL EMPLOYEES FOR VETERANS' COMMITTEE

The PRESIDING OFFICER. The Chair lays before the Senate the motion to proceed to the consideration of the motion to reconsider the vote by which the Senate passed Senate Resolution 100.

Who yields time?

Mr. ELLENDER. Is that motion now the pending business?

The PRESIDING OFFICER. It is the pending question. The Senate must proceed to its consideration at this time.

Mr. ELLENDER. And we would have a voice vote on it?

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. HARTKE. I yield back the balance of my time.

Mr. ELLENDER. I want the Senate to have the opportunity to reconsider the vote.

The PRESIDING OFFICER. The question before the Senate is, Shall the Senate proceed to its consideration?

Mr. LONG. Mr. President, will a Senator yield me some time?

Mr. HARTKE. Mr. President, let me make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator has yielded back his time.

Mr. HARTKE. Mr. President, I ask unanimous consent that I may withdraw that.

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

Mr. HARTKE. Mr. President, a parliamentary inquiry. The motion before the Senate at this time is very simply whether to take up the motion to reconsider. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HARTKE. If it is adopted, the motion to reconsider becomes the pending business. Is that correct?

The PRESIDING OFFICER. Then the question is whether the Senate shall or shall not reconsider the vote by which the resolution was agreed to.

Mr. HARTKE. Then there is debate on the motion to reconsider the vote?

The PRESIDING OFFICER. That is correct.

Do Senators yield back their time?

Mr. ELLENDER. Mr. President, in order to place the original resolution,

Senate Resolution 100, before the Senate, yes.

The PRESIDING OFFICER. The question is on the motion to proceed to the consideration of the motion to reconsider the vote by which the Senate agreed to Senate Resolution 100.

The time has been yielded back.

All in favor say "aye," opposed "nay."

Mr. LONG. A division, Mr. President.

The PRESIDING OFFICER. A division has been requested. All in favor will stand up and be counted.

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

The PRESIDENT. Senators opposed will stand up and be counted.

The absence of a quorum has been suggested. The clerk will call the roll.

Mr. BYRD of West Virginia. Mr. President, will the Senator withdraw his request?

Mr. HARTKE. Mr. President, I ask unanimous consent to withdraw my request for a quorum call.

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

Mr. BYRD of West Virginia. Will the Senator yield me 1 minute?

Mr. HARTKE. I yield.

Mr. BYRD of West Virginia. Mr. President, I would like to call to the attention of Senators the fact that unless this matter is disposed of, one way or another, it will stay on the calendar. I think we ought to adopt the motion to proceed to take up the motion, and then we can dispose of it without any problem. I would hope Senators would vote "aye."

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion to proceed to consider the motion to reconsider was agreed to.

The PRESIDING OFFICER. The question now before the Senate is whether to reconsider the vote by which the Senate adopted Senate Resolution 100.

There is a limitation of 15 minutes to a side.

Who yields time?

Mr. ELLENDER. Mr. President, what is before the Senate at this time?

The PRESIDING OFFICER. The reconsideration of the vote by which the Senate adopted Senate Resolution 100.

Mr. ELLENDER. Mr. President, I understood that the reconsideration would be agreed to and that the resolution would be placed before us so that I can offer an amendment which could then be voted up or down.

I ask unanimous consent that my proposed amendment be printed in the RECORD at this point.

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

Strike out all after "Resolved," and in lieu thereof insert the following:

"That the Committee on Veterans' Affairs is authorized, until otherwise provided by law, to employ three additional clerical assistants at rates of compensation to be fixed by the chairman in accordance with the provisions of section 105 of the Legislative Branch Appropriation Act, 1968, as amended. Such additional clerical assistants shall be paid from funds available to pay the compensation of the positions referred to in section 2.

"Sec. 2. The number of additional clerical

assistants authorized, until otherwise provided by law, to be employed by the Committee on Labor and Public Welfare by Senate Resolution 74, agreed to February 20, 1967, is reduced from nine to seven. The number of additional clerical assistants authorized, until otherwise provided by law, to be employed by the Committee on Finance by Senate Resolution 86, agreed to February 17, 1969, is reduced from six to five."

Mr. LONG. Mr. President, will the Senator yield me 2 minutes?

Mr. HARTKE. I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, this Senator had no knowledge of the fact that there was to be a proposal to amend this resolution which would force us to fire one of our best employees on the Senate Finance Committee, a hard-working man, one of the most brilliant young men I know, who works diligently, long hours. When he was working on veterans' legislation on the Finance Committee, he devoted about 10 percent of his time to such legislation. Now that we are not working on veterans' matters in the Finance Committee, he is able to devote the time to social security matters, social insurance, medicare and medicaid matters. In short that man is enormously useful to us.

It is our judgment that that man will save this Government literally hundreds of millions of dollars, by pointing out where money can be saved on social security, medicare, and medicaid, welfare and various and sundry other matters.

Frankly, if we are going to say that in order to provide three men for the Veterans' Committee, we are going to have to fire a hard-working, devoted employee of the Finance Committee, who is overworked and underpaid, then I would have to proceed to start offering amendments to tell every other committee what it can have. I do not think anyone knows better than we do how many people we need on the Finance Committee.

I see the distinguished ranking member on the other side of the committee in the Chamber. I think he would agree that we need this employee very definitely.

Mr. BENNETT. Mr. President, will the Senator yield 2 minutes to me?

Mr. HARTKE. I yield 2 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, the Senate Finance Committee, which handles all the tax problems, social security problems, and is now going to work on the problems of completely overhauling the welfare system and the question of revenue sharing, has a staff of 14 permanent members and one temporary member—15.

When we had jurisdiction over veteran affairs problems, we handled every question that came to us part of the time with one staffman. The chairman has said it took 10 percent of his time. If we add the time of the secretary, we would have the equivalent of one quarter of the time of one staffman. The Veterans' Committee has 12 staff people. It asked for 17. The Committee on Rules and Administration gave it 15. Now we are being asked by this resolution, in order to validate those 15, to give up one of the 14.

I will leave to the Senate to determine

whose load is heaviest, that of the Veterans' Committee or that of the Finance Committee. This proposal would leave us with one staff person less than the Veterans' Committee has.

As the chairman of the Finance Committee has stated, if it is interpreted to mean that is necessary in order to save money to pay for the salary of the person who goes on the Veterans' Committee staff, then, he is right, we have to fire some we cannot afford to lose.

So I hope this matter of reconsideration is rejected.

Mr. FANNIN. Mr. President, will the Senator yield me 2 minutes?

Mr. ELLENDER. I yield to the Senator.

Mr. FANNIN. I want to concur in what has been said by the distinguished chairman of the Finance Committee and the distinguished ranking Republican member of the committee. We are taking on an additional workload, and then we are asked to do that workload without additional personnel, whereas I feel we should have additional work personnel rather than a cutback.

We now have an ad hoc committee delving into the problem of the tremendous imports into this country and our inability to export into other countries. This matter is vitally important to our economy. I do not know of anything that is more important today than the effort to solve our foreign trade problems and try to get a more favorable balance of trade with the other nations of the world. In trying to do this we need additional help.

We have a very excellent staff, and I feel that they are doing a tremendous service to the country—not only to the Senate, but to the Nation—in delving into and helping to solve the problem. I think it would be a great mistake if we cut that staff.

Mr. ELLENDER. Mr. President, I yield myself 5 minutes.

This little motion to reconsider has caused more interest to Senators than the Interior appropriation bill we just passed. I do not know why.

The Senator from Utah (Mr. BENNETT) has stated, as I understood him, that the Finance Committee had 14 employees. Is that correct?

Mr. BENNETT. We have 14 regular and one temporary employees, a total of 15.

Mr. ELLENDER. The record shows the committee has 24 positions authorized, including 10 clerical assistants. All I am asking is that one of these positions which the committee apparently is not using—a clerical—be transferred to the committee that is headed now by my friend from Indiana. I am asking the same thing with respect to the Committee on Labor and Public Welfare.

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

Mr. ELLENDER. I yield.

Mr. LONG. The Committee on Finance has authority for 24 employees, but we are not hiring 24; we have 15. We really need professionals; that is where we are shorthanded, but at present we have no space for any more.

Mr. ELLENDER. How many profes-

sionals does the committee now have? Twelve?

Mr. LONG. Six.

Mr. ELLENDER. As I understand, the committee has authorization for 12 professionals and 12 clericals but is not using them all.

Mr. BENNETT. That is correct.

Mr. ELLENDER. Evidently the committee has authorization for too many.

Mr. BENNETT. Oh, no.

Mr. ELLENDER. It is my belief that at least one of the clericals could be taken from the Committee on Finance and placed on the new committee. The reason is that the Committee on Finance handled a part of what the Committee on Veterans' Affairs now handles. The same is true of the Committee on Labor and Public Welfare. That seems a very reasonable course of action.

Mr. LONG. There is a misunderstanding. We are using every clerical employee for which we have authorization. They are all used. That is what the Senator would take from us.

Mr. ELLENDER. The Senator from Utah has stated otherwise.

Mr. BENNETT. I got my information from the chief of our staff. We have five secretaries and three other clerks and a chief clerk. That is a total of nine clericals. We also have six professionals, making a total of 15 staff members.

Mr. LONG. The point is that we are not going to hire anyone unless additional help is desperately needed. I have just signed a paper to fill our last vacancy for a clerical, to give us some extra help with the big welfare bill.

We are going to need professionals when we begin our work on the welfare bill. The administration claimed that only 1 percent of welfare is fraud. There are some who claim that 15 or 20 percent is fraud. How can we find out who is right if we do not have someone to investigate the question? If 1 percent is reported by the administration to be fraud, and others claim that it is 15 percent, we need to know who is right. We will use the additional employees only if it is necessary.

I cannot for the life of me understand why the Committee on Appropriations went up to 40. All the Committee on Finance is asking is that you not take our staff away from us.

Mr. ELLENDER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The senior Senator from Louisiana has 8 minutes remaining.

Mr. ELLENDER. I do not care to take up the time of the Senate unnecessarily. It was my understanding that agreement had been reached, and that the resolution would be placed before the Senate for reconsideration. I prepared an amendment on that basis, and prepared myself to debate the issue on its merits. The committees affected were notified of my intentions.

Senators know that I have been trying to keep down the expenses of the Senate. My colleague from Louisiana (Mr. LONG) has referred to the Committee on Appropriations. When I came to that committee as its chairman, we had 41 employees on board. In recent weeks, the number

has been reduced by four. I do not want any more than we need.

For the past 25 years, I have been trying to reduce the expenses of the Senate, particularly with respect to subcommittees and the supposedly "temporary" expansion of committee staffs. Some time ago we had a policy meeting on this general question. There is now talk of having to construct another Senate office building or add to the present New Senate Office Building.

Much of the work that is going to be done by the newly created Committee on Veterans Affairs was done previously by the Committee on Labor and Public Welfare, and partly by the Committee on Finance. I thought we could take from those two committees three clerical positions—that is all; two from labor and public welfare and one from finance. That would suffice, from what I can understand, for the needs of the new committee.

I understand that the Committee on Veterans' Affairs originally asked for five clericals, on a permanent basis, but the Committee on Rules and Administration agreed to only three supposedly on a temporary basis. I am trying to prevent this increase in total Senate employment. It seems to me that the two committees that used to handle veterans' affairs could supply the small number of clericals needed in order to enable the new committee to do its work.

I ask unanimous consent that three tables showing the transfer of jurisdiction and workload to the Veterans' Committee be printed in the RECORD at this point.

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

COMMITTEE ON VETERANS' AFFAIRS

Staff \$331,608
(Legislative Reorganization Act of 1946, as amended)

6 Professional Staff Members, 2 Not to Exceed \$35,670 each.

1 Chief Clerk, 4 Not to Exceed \$34,194 each.

1 Assistant Chief Clerk, 2 Not to Exceed \$32,718 each.

4 Clerical Assistants, Not to Exceed \$14,514 each.

92nd Congress Expense Fund..... \$10,000

Fiscal Year Stationery Allowance..... \$300

92nd Congress Expense Fund..... \$10,000

NO INVESTIGATIONS RESOLUTION

Jurisdiction

1. Veterans' measures generally. From Finance.

2. Pensions of all wars of the United States, general and special. From Finance.

3. Life insurance issued by the Government on account of service in the armed forces. From Finance.

4. Compensation of veterans. From Finance.

5. Vocational rehabilitation and education of veterans. From Labor and Public Welfare.

6. Veterans' hospitals, medical care and treatment of veterans. From Labor and Public Welfare.

7. Soldiers' and sailors' civil relief. From Labor and Public Welfare.

8. Readjustment of servicemen to civil life. From Labor and Public Welfare.

9. National cemeteries. From Interior and Insular Affairs.

COMMITTEE ON FINANCE

Staff \$331,608
(Legislative Reorganization Act of 1946, as amended)

6 Professional Staff Members, 2 Not to Exceed \$35,670 each.

1 Chief Clerk, 4 Not to Exceed \$34,194 each.
1 Assistant Chief Clerk, 2 Not to Exceed \$32,718 each.

4 Clerical Assistants, Not to Exceed \$14,514 each.

Additional Staff Authorized by

Resolution \$283,392

6 Professional Staff Members, Not to Exceed \$32,718 each.

6 Clerical Assistants, Not to Exceed \$14,514 each.

92nd Congress Expense Fund..... \$10,000

Fiscal Year Stationery Allowance... \$300

NO INVESTIGATIONS RESOLUTION

Jurisdiction

1. Revenue measures generally.
2. The bonded debt of the United States.
3. The deposit of public moneys.
4. Customs, collection districts, and ports of entry and delivery.
5. Reciprocal trade agreements.
6. Transportation of dutiable goods.
7. Revenue measures relating to the insular possessions.
8. Tariffs and import quotas, and matters related thereto.
9. National social security.

The following jurisdictional areas were transferred to the Veterans Affairs Committee by the Legislative Reorganization Act of 1970:

- Veterans' measures generally.
- Pensions of all wars of the United States, general and special.
- Life insurance issued by the Government on account of service in the armed forces.
- Compensation of veterans.

COMMITTEE ON LABOR AND PUBLIC WELFARE

Staff \$331,608
(Legislative Reorganization Act of 1946, as amended)

6 Professional Staff Members, 2 Not to Exceed \$35,670 each.

1 Chief Clerk, 4 Not to Exceed \$34,194 each.
1 Assistant Chief Clerk, 2 Not to Exceed \$32,718 each.

4 Clerical Assistants, not to Exceed \$14,514 each.

Additional Staff Authorized

by Resolution \$425,088

8 Professional Staff Members, not to Exceed \$32,718 each.

1 Assistant Chief Clerk, not to Exceed \$32,718.

9 Clerical Assistants, not to Exceed \$14,514 each.

92nd Congress Expense Fund... \$10,000

Fiscal Year Stationery Allocation... \$300

Investigations Resolution Authorizations

S. Res. 35, authorizing an additional 58 positions; agreed to March 1, 1971..... \$1,540,000

Section 3..... \$1,065,000

For "a study of all matters within its jurisdiction." Section 4.... \$475,000

For "an examination, investigation, and complete study of all matters pertaining to the United Mine Workers of America Election of 1969 and a general study of pension and welfare funds, with special emphasis on the need for protection of employees covered by these funds".

Jurisdiction

1. Measures relating to education, labor, or public welfare generally.

2. Mediation and arbitration of labor disputes.

3. Wages and hours of labor.

4. Convict labor and the entry of goods made by convicts into interstate commerce.

5. Regulation or prevention of importation of foreign laborers under contract.

6. Child labor.

7. Labor statistics.

8. Labor standards.

9. School-lunch program.

10. Vocational rehabilitation.

11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.

12. United States Employees' Compensation Commission.

13. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and St. Elizabeths Hospital.

14. Public health and quarantine.

15. Welfare of miners.

The following jurisdictional areas were transferred to the Veterans Affairs Committee by the Legislative Reorganization Act of 1970:

Vocational rehabilitation and education of veterans.

Veterans' hospitals, medical care and treatment of veterans.

Soldiers' and sailors' civil relief.

Readjustment of servicemen to civil life.

Mr. ELLENDER. The new Committee on Veterans' Affairs has six professionals and six clericals authorized, which I think, under the circumstances, is ample. I understand that one of the difficulties is that they have too many professionals and would like to have more clericals. That is what my amendment provides. I cannot for the life of me see how, at this time, six professionals and nine clericals can be used by the Committee on Veterans' Affairs, but if the committee does need that many, I suggest that they be taken from the two committees that handled veterans' affairs for many years. That is all my amendment proposes.

I do not think anyone will suffer by it, and it might make it possible to have more effective work accomplished.

The Committee on Labor and Public Welfare has a total of 88 employees authorized. I think it is fair for them to release two clericals in order to assist the Veterans' Affairs Committee to do work that was formerly a minor part of the work of the Labor and Public Welfare Committee. That is all I am asking.

Mr. THURMOND. Mr. President, the passage of Senate Resolution 100 is of deep concern to me and indirectly to all veterans of the United States. With the large influx of veterans from the Vietnam war, the veterans population of the United States has risen to nearly 28 million. If the Veterans' Affairs Committee cannot carry on its important activities because of inadequate staffing, many vital programs for veterans will be delayed.

There are presently 45 bills pending before this committee, and the volume of veterans bills is increasing. The Veterans' Affairs Committee has been addressing itself to a great number of veterans' problems. Hearings have been held on the hospital crisis within the Veterans' Administration system. There have also been a series of hearings on the drug problem within the Army and the ability of the VA to handle this problem through its proposed rehabilitation program.

Hearings have been held on several bills concerning mortgage protection and life insurance. Bills dealing with direct loans within the VA system have also been investigated in hearings. Several bills related to the drug problem will be taken up next week; and hearings on bills pertaining to mortgage insurance for severely disabled veterans, direct loans and limitation of discounts payable on direct loans are also scheduled.

Mr. President, the size of our veteran population is just part of the reason for increasing our committee staff. Additionally there is the number and variety of veterans' benefits programs. The U.S. system of veterans' benefits is made up of a variety of programs designed to serve the widely varying needs of veterans. It is up to the Veterans' Affairs Committee to keep this system balanced by meeting changing needs and improving the level and effectiveness of these benefits. The Veterans' Affairs Committee can provide the needed perspective to coordinate their activities.

Veterans' benefits must be constantly reviewed to keep them up to date. One area where this surveillance is necessary is compensation and pension payments. The high degree of unemployment among veterans concerns all of us and is one of the most serious problems that the Veterans' Affairs Committee faces. The Veterans' Affairs Committee is vitally interested in getting our retiring veterans back into civilian society in a way which satisfies and benefits both them and our Nation. Education assistance and hospital care programs also must be updated to meet rising costs.

The area of concern of the Veterans' Affairs Committee includes veterans' measures generally, pensions, life insurance, compensation, vocational rehabilitation, education assistance, hospitals, soldiers and sailors civil relief, readjustment, and national cemeteries. These areas create large amounts of correspondence from veterans and persons affected by pending and proposed legislation.

Mr. President, it would hardly seem equitable for a new Senate committee to be formed and then find itself unable to function because of lack of adequate staffing. Because of this shortage of personnel, we have found it necessary to borrow stenographic and clerical help from the Senators on the committee.

I am confident that the Senate understands the problems of those men and women who have served our Nation in its armed services and will respond to this critical situation by providing this committee with sufficient help to do the job.

Mr. ELLENDER. I yield back the remainder of my time.

Mr. HARTKE. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the motion to reconsider the vote by which Senate Resolution 100 was agreed to.

The motion was rejected.

Mr. ELLENDER. Mr. President, I might say that I am not surprised nor disappointed.

LIMITATION ON STATEMENTS DURING THE FURTHER TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there now be a resumption of the period for the transaction of routine morning business, with statements therein limited to 3 minutes.

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

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1972

Mr. WILLIAMS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 7960.

The PRESIDING OFFICER (Mr. TUNNEY) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 7960) to authorize appropriations for activities of the National Science Foundation, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WILLIAMS. I move that the Senate insist upon its amendment and agree to the request of the House for a conference on the disagreeing votes of the two Houses 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. KENNEDY, Mr. PELL, Mr. EAGLETON, Mr. CRANSTON, Mr. PROUTY, Mr. DOMINICK, and Mr. PACKWOOD conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, there will be no further rollcall votes today. There will be at least two rollcall votes on Monday, however, and there may be more.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session, to consider the nominations on the Executive Calendar, beginning with "New Reports."

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

The PRESIDING OFFICER. The nominations on the Executive Calendar will be stated, as requested by the Senator from West Virginia.

DEPARTMENT OF DEFENSE

The legislative clerk proceeded to read sundry nominations in the Department of Defense.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

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

U.S. AIR FORCE

The legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

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

U.S. ARMY

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

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

U.S. NAVY

The legislative clerk read the nomination of Vice Adm. Lloyd M. Mustin, U.S. Navy, for appointment to the grade of vice admiral when retired.

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

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The legislative clerk read the nomination of Douglas W. Toms, of Washington, to be Administrator of the National Highway Traffic Safety Administration.

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

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMY

The legislative clerk proceeded to read sundry nominations in the Army, which had been placed on the Secretary's desk.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

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

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

QUORUM CALL

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. Presi-

dent, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. Mr. President, for the information of the cloakrooms, I suggest the absence of a quorum. This will be the last quorum call of the day, so far as I can determine.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESIDENT NIXON'S FORTHCOMING TRIP TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. COOPER. Mr. President, the announcement last night by President Nixon that he would go to Peking and meet with the Government of the People's Republic of China is a step of great significance and a step that may help to bring stability and peace to Southeast Asia.

It has been my view for several years that an international settlement of the Vietnam war is a fundamental requirement to end all hostilities in that troubled part of the world. President Nixon's announcement and recent reports brought back by several Western visitors suggest that it is possible the government in Peking may be willing to participate in an international settlement of the Indochina conflict.

Since 1966, I have supported efforts to bring an end to American participation in the hostilities in Indochina. The amendments I have introduced with Senators CHURCH, MANSFIELD, and AIKEN, and other important amendments, notably by Senator MANSFIELD, now being considered in the House-Senate conference on the bill extending the draft, have helped, I believe, to bring the day closer that involvement by U.S. forces—land, sea, and air—will cease. I think it should be the central purpose of American foreign policy to bring an end to all hostilities in Indochina.

It is my belief that President Nixon's initiatives to improve relations with the People's Republic of China have been made, in part, in the recognition that an international settlement for Indochina must include China. It is my hope and expectation that in the near future an international conference including all the parties involved in the Indochina conflict will be convened. It is also my belief that the prospects for an international solution will be enhanced by a firm declaration on the part of the United States that it will remove all its forces from Indochina in order to bring about a political settlement and an end to all hostilities there.

President Nixon deserves full credit for the many initiatives he has undertaken in Europe, Asia, and the Middle East.

I ask unanimous consent to have printed in the RECORD the text of President Nixon's statement last evening.

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

TEXT OF NIXON STATEMENT ON PLANS TO VISIT CHINA

(Here is the text of President Nixon's address last night announcing his plans to visit Red China:)

I have requested this television time tonight to announce a major development in our efforts to build a lasting peace in the world.

As I have pointed out on a number of occasions over the past three years, there can be no stable and enduring peace without the participation of the Peoples Republic of China and its 750 million people. That is why I have undertaken initiatives in several areas to open the door for more normal relations between our two countries.

In pursuance of that goal, I sent Dr. Kissinger, my assistant for national security affairs, to Peking during his recent world tour for the purpose of having talks with Premier Chou En-lai. The announcement that I shall now read is being issued simultaneously in Peking and in the United States.

"Premier Chou En-lai and Dr. Henry Kissinger, President Nixon's assistant for national security affairs, held talks in Peking from July 9 to 11, 1971. Knowing of President Nixon's expressed desire to visit the People's Republic of China, Premier Chou En-lai, on behalf of the government of the People's Republic of China, has extended an invitation to President Nixon to visit China at an appropriate date before May 1972.

"President Nixon has accepted the invitation with pleasure.

"The meeting between the leaders of China and the United States is to seek the normalization of relations between the two countries and also to exchange views on questions of concern to the two sides."

In anticipation of the inevitable speculation which will follow this announcement, I want to put our policy in the clearest possible context. Our action in seeking a new relationship with the People's Republic of China will not be at the expense of our old friends. It is not directed against any other nation. We seek friendly relations with all nations.

Any nation can be our friend without being any other nation's enemy. I have taken this action because of my profound conviction that all nations will gain from a reduction of tensions and a better relationship between the United States and the People's Republic of China.

It is in this spirit that I will undertake what I deeply hope will become a journey for peace—peace not just for our generation but for future generations on this earth we share together.

DEATH OF JOHN V. LAWRENCE, ORGANIZER AND FIRST MANAGING DIRECTOR OF THE AMERICAN TRUCKING ASSOCIATIONS

Mr. MAGNUSON. Mr. President, an old friend of the Senate Commerce Committee, and of Members of the Senate, died on July 13. John V. Lawrence was one of the organizers of the American Trucking Associations and was its first managing director.

The distinguished Senator from New Hampshire (Mr. CORROR) and I have had a long association with John Lawrence over the years in dealings with the Commerce Committee concerning one of the most important modes of transportation in the United States; namely, that of trucking.

We mourn his death and the loss of his friendship.

Mr. President, I ask unanimous consent to have printed in the RECORD a biography of John V. Lawrence.

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

BIOGRAPHY OF JOHN V. LAWRENCE

John V. Lawrence, 71, one of the organizers of American Trucking Associations and its first Managing Director died today after a long illness.

Mr. Lawrence played a major role in the development of motor carriers through the industry's national federation for 37 years. He was especially instrumental in the trucking industry's effort during World War II.

He began his career with ATA in 1933 as Assistant General Manager. Two years later—at the age of 36—he was named General Manager. He held that post until 1943 when he became Managing Director under a staff reorganization which created the new position.

As Managing Director from 1943 until his retirement in 1964 Mr. Lawrence devoted most of his time to industry policy matters and to representing the motor carrier field before Congress and the federal regulatory agencies. After his retirement he had continued to serve ATA until recently as a special consultant.

Born in Babylon, N.Y., on August 3, 1899, Mr. Lawrence served with the U.S. Navy during World War I on patrol, convoy, and minesweeping duty in the Atlantic, Mediterranean, and the North Sea.

Only 19 years old when the war ended, Mr. Lawrence returned to school and received his Bachelor of Commercial Science degree from New York University.

From 1920 to 1925, Mr. Lawrence was with the commercial engineering and installation division of the Western Electric Company, manufacturing subsidiary of Bell Telephone.

In 1925, he joined the Automobile Manufacturers Association—then the National Automobile Chamber of Commerce—and served first in the export department, and later as the association's South and Central American representative.

He became European Manager of AMA in 1928 and remained in that post until 1932. Working out of Paris, he covered all of Europe, North Africa, and the Near East to the Indian border.

Mr. Lawrence participated in the formation of American Trucking Associations at a time when the National Industrial Recovery Act, and the creation of a trucking industry "Blue Eagle" code of fair competition, left most trucking operators bewildered about their own industry. Because most trucking operations were at that time local or intrastate and under local or no regulation, the new national codes threatened to turn the still-infant industry upside down. Mr. Lawrence's efforts helped avoid a calamity.

During World War II, Mr. Lawrence marshalled the industry's contribution to the war effort. He helped in the organization of Transportation Corps units for the Army; dealt with materials allocation agencies; helped overcome the manpower shortage, and fought for tires and fuel to "keep 'em rolling."

One of ATA's most notable feats under Mr. Lawrence's direction during World War II was recruiting two Quartermaster Regiments in five days. The War Department requested ATA to provide the personnel for this supply corps and the ATA staff began to telephone the 350 members of the industry serving on the Trucking Service War Council. The result was that in less than a week there were 5,700 volunteers for enlistment and 258 officer candidates.

This evolved into one of the largest trucking operations in history—providing a lifeline to Russia from an American-built port on the Persian Gulf.

Temperatures ranged from 40 degrees below zero to 160 in the shade. The route crossed rugged mountains and more than 100 miles of desert. American trucks working under almost unbelievable conditions carried hundreds of thousands of tons of munitions and supplies to Russia.

After World War II, Mr. Lawrence took an active part in the affairs of many committees and organizations whose work directly affects the welfare of the trucking industry and overall highway community—including the National Highway Users Conference, the Advisory Council of the President's Committee for Traffic Safety, and the American Trade Association Executives.

In addition, Mr. Lawrence was a Director of Security Bank of Washington, and a member of the National Press Club and Kenwood Golf and Country Club.

He also was the author of numerous magazine articles on the trucking industry.

Survivors include his widow, the former Mary Eleanor Healy, whom he married in 1928, and two daughters, Mrs. Ursula V. McCrane and Mrs. Mary Elliott Loker. Long-time residents of Washington's Maryland suburbs, Mr. and Mrs. Lawrence made their home in Rockville at 10401 Grosvenor Place. They earlier resided in Bethesda.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND THE JUDICIARY AND RELATED AGENCIES, 1972

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 9272, and that it be made the pending business.

The PRESIDING OFFICER (Mr. ROHR). The bill will be stated by title.

The assistant legislative clerk read as follows:

H.R. 9272, an act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary and related agencies for the fiscal year ending June 30, 1972, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on this bill not begin running until Monday next, July 19, 1971.

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

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for Monday next, July 19, 1971, is as follows:

The Senate will convene at 11 o'clock a.m. Immediately following the recognition of the two leaders under the standing order, there will be a brief period for the transaction of routine morning business, with statements therein limited to 3 minutes. The period will not exceed 30 minutes.

At the conclusion of the morning business, the Senate will proceed to the con-

sideration of H.R. 9272, an act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies. There is a time limitation of 2 hours on the bill, with one-half hour on any amendment thereto, with the exception of Senator PROXMIRE's amendment, the Subversive Activities Control Board amendment, on which there is a 1-hour limitation.

At least two rollcall votes are expected on the bill. There may be more. A rollcall vote has already been ordered on final passage.

With respect to Tuesday, July 20, 1971, the Senate will convene at 10 o'clock a.m., following a recess—and that convening hour, of course, is subject to change. As to a morning hour, I foresee no morning business, in view of the fact that the Senate will have convened following a recess. Immediately following the recognition of the majority and minority leaders under the standing order, the Senate will proceed to the consideration of H.R. 9382, the HUD appropriation bill with a limitation of 1 hour on the bill, and one-half hour on any amendment thereto. At least one rollcall is expected. There may be more.

Upon disposition of the HUD appropriation bill, the Senate will proceed to the consideration of the AEC authorization bill. There is a time limitation of 1 hour on that bill, with one-half hour on any amendment thereto, with the exception of the Gravel amendments. It is my understanding that Senator GRAVEL has four amendments. There is a time limitation of 1 hour on each of the Gravel amendments. Rollcall votes are expected.

With respect to Wednesday, July 21, 1971, so far as the leadership can determine at this point, the Senate will take up the bill making appropriations for the Department of Transportation.

As chairman of the Appropriations Subcommittee on the Department of Transportation, it is my intention to conduct the subcommittee markup on Monday morning and the full committee markup on Monday afternoon, having discussed with Senator ELLENDER and the distinguished ranking minority member, the Senator from New Jersey (Mr. CASE) and other Senators.

If the full committee reports that bill on Monday next, it is the intention of the leadership to call up the bill on Wednesday next and dispose of it.

Mr. President, as to Thursday and Friday—and possibly Saturday of next week—the program has not yet been definitely determined but the majority leader indicates that the Senate is expected to take up either the measure providing emergency loan guarantees for major business enterprises—Lockheed, for example—or S. 382, the Federal election campaign bill. Rollcall votes are expected.

We have a very busy next week coming up. I want to emphasize, at the request of the distinguished majority leader, that beginning next week, in view of the fact that the August recess will begin at the close of business August 6,

1971, and will extend until 12 o'clock noon on September 8, 1971, it is the intention of the leadership on both sides of the aisle to expedite, as much as possible, the "must" bills and resolutions, so that most of the program for this session, hopefully, can at least have been transacted prior to the August 6 recess.

In view of the close proximity of that recess, the leadership, I repeat, is alerting all Senators to the possibility of Saturday sessions beginning next week and continuing up until the week ending August 6, 1971.

ADJOURNMENT TO 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock a.m., on Monday next.

The motion was agreed to; and (at 2 o'clock and 8 minutes p.m.) the Senate adjourned until Monday, July 19, 1971, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 16, 1971:

DEPARTMENT OF DEFENSE

Richard S. Wilbur, of Illinois, to be an Assistant Secretary of Defense.

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

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

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

IN THE AIR FORCE

The following officers for appointment in the Air Force Reserve, to the grade indicated, under the provisions of chapters 35 and 837, title 10, United States Code:

To be major general

Brig. Gen. Earl O. Anderson, **xxx-xx-x**, **xxx-xx-x**, FV, Air Force Reserve.

Brig. Gen. Russell F. Gustke, **xxx-xx-x**, **xxx-xx-x**, FV, Air Force Reserve.

Brig. Gen. Maurice I. Marks, **xxx-xx-x**, **xxx-xx-x**, FV, Air Force Reserve.

Brig. Gen. Evette J. Younger, **xxx-xx-x**, **xxx-xx-x**, FV, Air Force Reserve.

To be brigadier general

Col. Richard Bodycombe, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. Byron K. Boettcher, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. Arthur W. Clark, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. William J. Crandall, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. Mortimer I. Gordon, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. John H. Grimm, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. William G. Hathaway, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. William Lyon, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. Oscar D. Olson, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

Col. John S. Warner, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FV, Air Force Reserve.

The following officers for appointment as Reserve commissioned officers in the U.S. Air

Force, to the grade indicated, under the provisions of chapters 35, 831 and 837, title 10, United States Code:

To be major general

Brig. Gen. Clarence E. Atkinson, **xxx-xx-x**, **xxx-xx-x**, FG, Delaware Air National Guard.

To be brigadier general

Col. George N. Masterson, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FG, Oklahoma Air National Guard.

Col. Raymond C. Meyer, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FG, New York Air National Guard.

Col. Stanley L. Vihtelic, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FG, Michigan Air National Guard.

Col. Roland R. Wright, **xxx-xx-xxxx**, **xxx-xx-xxxx**, FG, Utah Air National Guard.

IN THE ARMY

The following-named officer for appointment as Chief, National Guard Bureau, under the provisions of title 10, United States Code, section 3015:

Maj. Gen. Francis Stevens Greenleaf, **xxxx**, Army of the United States (major general, Army National Guard of the United States).

The U.S. Army Reserve officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3884:

To be brigadier general

Col. Willie E. Dixon, Jr., SSAN **xxx-xx-xxxx**, Infantry.

Col. Carlos K. Hayden, SSAN **xxx-xx-xxxx**, Field Artillery.

Col. Marvin H. Knoll, SSAN **xxx-xx-xxxx**, Field Artillery.

Col. William B. Pendlebury, SSAN **xxx-xx-xxxx**, Field Artillery.

Col. Aureliano Rivas-Flores, Jr., SSAN **xxx-xx-xxxx**, Medical Corps.

Col. Lawrence B. Rohde, SSAN **xxx-xx-xxxx**, Civil Affairs.

Col. Frederick A. Welsh, SSAN **xxx-xx-xxxx**, Infantry.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3385:

To be major general

Brig. Gen. Vahan Vartanian, SSAN **xxx-xx-x**, **xxx-xx-x**.

To be brigadier general

Col. Paul P. Foran, SSAN **xxx-xx-xxxx**, Infantry.

Col. James T. Keltner, SSAN **xxx-xx-xxxx**, Air Defense Artillery.

Col. Thomas J. Kennedy, SSAN **xxx-xx-xxxx**, 1390, Infantry.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

To be brigadier general

Col. Cunningham C. Bryant, SSAN **xxx-xx-x**, **xxx-xx-x**, Military Police Corps.

Col. Lauris D. Graves, SSAN **xxx-xx-xxxx**, Medical Corps.

Col. Leigh R. Wilson, SSAN **xxx-xx-xxxx**, Field Artillery.

IN THE NAVY

Vice Adm. Lloyd M. Mustin, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

IN THE ARMY

The nominations beginning Robert A. Bratt, to be first lieutenant, and ending John W. Zurcher, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 1971.