

MONDAY, SEPT. 20, THROUGH SUNDAY, SEPT. 26

\*Painting of the Week—De Hooch. A Dutch Courtyard (Andrew Mellon Collection). Gallery 47, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the Week—Theater Designs from La Scala Opera House. Central Lobby, Tues. through Sat. 1:00; Sun. 2:30.

Tour—Introduction to the Collection. Rotunda. Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday Lecture—My Reminiscences of John Sloan. Speaker: Mrs. John Sloan, Teacher, Artist, and Author. New York, N.Y., Auditorium, 4:00.

Sunday Concert—National Gallery Orchestra. Richard Bales, Conductor. East Garden Court, 7:00.

All concerts, with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS-AM (570) and FM (103.5).

JOHN SLOAN 1871-1951

The National Gallery of Art will mark the centennial of the birth of John Sloan (1871-1951) with the most comprehensive exhibition ever held of paintings and graphics by this important American realist. The exhibition, on view September 18 through October 31 in the central gallery, is the seventh in a series organized by the National Gallery honoring major American artists.

The 176 works in the exhibition represent all periods of Sloan's career, including his little known art nouveau work of the 1890s, the city pictures of 1900-1912, and the later Gloucester, Santa Fe and figurative paintings. Among the paintings is *The Wake of the Ferry* (The Phillips Collection), which has been reproduced as a U.S. commemorative stamp honoring the Sloan centennial.

The exhibition catalog, a major publication on Sloan, will illustrate all works in the exhibition, including 14 in full color. Essays on the artist's life and paintings by David W. Scott, and on his graphics by E. John Bullard, both of the National Gallery staff, will be featured, as well as a personal remembrance by the artist's widow, Helen Farr Sloan.

After the initial showing in Washington, the exhibition will travel to museums in Athens, Georgia, San Francisco, St. Louis, Columbus, Ohio, and Philadelphia.

#### LABOR DAY WEEKEND FILM

Roberto Rossellini's *The Rise of Louis XIV*, a film that vividly recreates the way of life in 17th-century France, will be shown in the auditorium at 3:30 and 6:30 Sunday and 3:30 Monday of Labor Day weekend; the running time is 1 hour and 40 minutes.

#### SUNDAY EVENING CONCERTS

The Gallery's 30th Season of Sunday evening concerts will begin on Sunday, September 26. The program will be given by the National Gallery Orchestra, Richard Bales, Conductor, and will take place in the East Garden Court at 7 o'clock. The concerts will continue each Sunday through June 1972.

LA SCALA: 400 YEARS OF STAGE DESIGN FROM THE MUSEO TEATRALE ALLA SCALA, MILAN

To coincide with the opening of the John F. Kennedy Center for the Performing Arts in Washington, the National Gallery of Art has scheduled an exhibition of stage designs, miniature stage sets and posters from the Museo Teatrale alla Scala in Milan. These prints, watercolors, drawings and models, on view for the first time in the U.S., are being circulated by the International Exhibitions

Foundation and will remain at the Gallery from September 10 through October 17.

The exhibition, depicting the evolution in theater design from the 16th to the 20th century, includes works reflecting the baroque, rococo, neoclassic, romantic and art nouveau styles. An illustrated catalog, with an introduction by the distinguished theater art scholar Mario Monteverdi, will be available in the Publication Rooms. On Sunday, September 12 in the Gallery's Auditorium, Elaine Evans Dee, Curator of Drawings at the Cooper-Hewitt Museum will speak on "Footlights and Fantasy—Italian Stage Design."

#### THE ANNUAL REPORT

For the first time the Gallery's *Annual Report* will be published separately from *Studies in the History of Art*. Scheduled to be distributed early in September, the *Report* will cover all of the many activities of the Gallery through the fiscal year of 1970. The *Report* will be illustrated with photographs and includes a foreword by the Gallery's President Paul Mellon and a personal report by the Director, J. Carter Brown. Copies may be obtained from the Gallery's Publication Rooms.

#### CHANGE OF GALLERY & CAFETERIA HOURS AFTER SEPTEMBER 6

Regular hours begin September 7: weekdays and Saturdays 10 a.m. to 5 p.m., and Sundays noon to 9 p.m.

Cafeteria hours after September 6: weekdays 10 a.m. to 4 p.m.; luncheon service 11 a.m. to 2:30 p.m.; Sundays, dinner service 1 to 7 p.m.

Summer hours (weekdays and Saturdays 10 a.m. to 9 p.m.; Sundays noon to 9 p.m.) will be in effect through Labor Day, September 6.

## SENATE—Friday, September 10, 1971

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

#### PRAYER

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

Our Father God, Thou knowest that in our highest and best moments we deeply desire to be the true servants of Thy will. Impart to us now the grace and strength so needful for our solemn responsibilities.

Turn our minds backward that we may learn what the past has to say to the present to guide us in the future. Turn our minds inward that we may discern the clear voice of conscience. Turn our minds outward that we may understand the tragic needs of our time. Turn our minds upward to the vision of Mount Sinai and the divine law and to Mount Calvary and the law of love.

May the larger vision make us more adequate, wise, and strong.

We ask it in the name that is above every name. Amen.

#### THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, September 9, 1971, be dispensed with.

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

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Leonard, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

#### COMMITTEE MEETINGS DURING SENATE SESSION

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

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

#### ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order the distinguished Senator from Washington (Mr. JACKSON) is now recognized for 15 minutes.

#### THE SOUTH VIETNAMESE ELECTIONS

Mr. JACKSON. Mr. President, like so many Americans, I am deeply concerned over the election developments in South Vietnam. The administration should not sanction the one-man referendum President Thieu wishes to hold in October. If necessary to assure a genuine contest, the October "election" should be postponed.

The United States still has a strong presence and significant influence in Vietnam that should be used to permit the South Vietnamese people a choice in a meaningful presidential election. It should be made clear to President Thieu that the commitment of the United States has been to the people of South Vietnam—to "give the South Vietnamese people a chance to determine their own future" as four Presidents from Eisenhower to Nixon have pledged—and not to President Thieu or to any other particular politician.

I consider the failure to have a competitive presidential election in Vietnam a serious and fundamental matter. Should such an election fail to take place, I must reserve my position regarding future U.S. military and economic aid to the South Vietnamese Government.

It is ironic that the sabotage of this presidential election is not by the Vietcong—who no longer seem able to do it—but by the Thieu regime itself.

Unfortunately, the U.S. administration has not only allowed the election situa-

tion to deteriorate, it has contributed to the deterioration.

Over the past year, the administration could have acted on the basis of our still significant presence in Vietnam. Instead, it maintained the facade of a "hands off" policy, which could only be construed initially as an endorsement of President Thieu, and more recently his methods.

The administration could have publicized widely a directive to all U.S. representatives, advisers, and personnel throughout Vietnam, stating that our first and foremost commitment is self-determination for the Vietnamese people and democratic development through a fair campaign and voting procedures, accompanying such a declaration by a program assuring the citizenry that the United States supports no candidate but only the rights of all candidates to campaign freely and of all voters to be free of coercion and pressure. Instead, the administration allowed our Embassy to convey the impression that Thieu was really "our man."

And when it became obvious to all that President Thieu was intent on a one-man referendum, the administration should have said publicly that this is not good enough; and it should have brought our influence to bear upon President Thieu to find ways—as he has done before—to unlock the situation and assure a bona fide contest that includes General Minh, Vice President Ky, and any other legitimate candidate. Instead, the administration has issued rationalizations and apologies for the situation, getting President Thieu "off the hook," and in effect sanctioning the one-man referendum.

It is a tragedy that after years of Vietnamese and American sacrifices, the administration has now lapsed into a mood of cynicism about the prospects for positive political development in Vietnam.

The one group that is not cynical is the people of Vietnam. They turned out in record numbers during the recent National Assembly elections. They ignored Vietcong threats, intimidation, and terrorism. Over 5.5 million people went to the polls—that is 78.5 percent of the eligible voters. Of the 159 seats to be filled, 84 went to pro-Thieu candidates, 60 to opposition candidates, and 15 to independents. No doubt there were abuses. No doubt some of the opposition were subjected, at the polls, to questionable tactics. But the increased security, coupled with a healthy antagonism between pro- and anti-Thieu forces, aroused public interest and brought the Vietnamese people into the system at 7,000 polling sites. Their vote did make a difference. And the people sensed it. And this is the beginning of participatory democracy.

But the upcoming presidential referendum is no election.

A contest where the man in power manipulates the laws and intimidates the courts is not an election.

A contest where potential opponents have good reason to believe they will be denied access to the people is not an election.

A contest where the people can vote only to approve of the acts of an administration but are offered no way to express their disapproval is not an election.

A contest where the adversary system of democratic politics is scrapped in favor of a one-man referendum is not an election.

I am not suggesting, of course, that the Vietnamese must have a system which is the mirror image of our own—or any other. But a nonelection plays into the hands of those who wish to see the future of Vietnam settled by an armed struggle. The renewed talk of coups, the polarization and the frustration harden attitudes and encourage violence, rather than a political solution. Moreover, the development of a sense of participation in political life among the Vietnamese is an important way of insuring that they will continue to work for and defend their so costly independence.

Various ways still exist to restore the three-way race that was expected for a period of time, and also open it to other candidates:

The Supreme Court in South Vietnam can reopen the list of candidates, and can postpone the October election for 30 to 90 days to provide the time necessary in which to organize a genuine and open election.

The newly elected National Assembly in Vietnam can be called in special session to amend the electoral law to promote a meaningful election, and if necessary, to vote to postpone the election.

The administration should stop pretending to be helpless, saying there is nothing more to be done. The United States still has sufficient influence in Vietnam to see that a pointless referendum is transformed into a meaningful political contest—if necessary, at a later date.

The PRESIDENT pro tempore. Under the order previously entered, the Senator from Kansas is recognized.

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

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

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. JACKSON. Mr. President, I ask unanimous consent that I may continue with the time that I have remaining.

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

Mr. JACKSON. Mr. President, I am very pleased to yield to the distinguished Senator from Illinois.

Mr. STEVENSON. Mr. President, I am most grateful to the Senator from Washington for yielding to me. And I commend him for what I regard as a most significant contribution to the continuing debate over the U.S. involvement in South Vietnam. I would add a few words of my own, having very recently returned from a trip to South Vietnam where I had occasion to observe the election campaigns then underway.

To fortify the remarks of the distinguished Senator from Washington about the nature of those campaigns and the role that the Thieu government took in rigging the elections, I ask unanimous consent to have printed in the RECORD

at the conclusion of my remarks a document which was furnished to me by General Minh.

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

(See exhibit 1.)

Mr. STEVENSON. Mr. President, this is a State Department translation of a document which contains instructions from the central government to the province chiefs concerning the conduct of the elections. The document makes it clear that President Thieu's forces are to engage in covert and illicit tactics to assure his reelection. Tactics of harassment and intimidation are outlined in the document. Some excerpts illustrate how extensive the manipulation has been:

"All civilian and military personnel may be used in covert activities."

The document goes on in great detail to outline a blueprint for illicit activities including a variety of forms of harassment, intimidation, and bribery and including, among other things, the arresting of opposition candidates.

Far from aiding the South Vietnamese aspiration for self-determination, our military presence there has become tragically and ironically the greatest single obstacle to a free government for the South Vietnamese people. The South Vietnamese election process has been corrupted by the power of President Thieu. He derived this power from the United States.

The administration, as the Senator from Washington has pointed out, has done absolutely nothing to use its influence to insist on free elections in South Vietnam. So, we have by inadvertence and neglect corrupted the very process we sought to establish in South Vietnam. Our efforts in the war for self-determination have been climaxed by rigged and uncontested elections. A war for self-determination has now become a war for the self-perpetuation of a corrupt and autocratic regime.

The result has been the rigging of the South Vietnamese elections. The only way to avoid this is to withdraw and give the South Vietnamese at last a chance to reconcile their differences and an incentive to make peace.

We may find that when we take his crutch away the patient will walk on his own two feet. He would no longer be perceived as the puppet of the Americans. He may pull himself together, reform his political ways, and generate the will to survive. The Vietcong and the North Vietnamese would have to deal for the first time with a South Vietnamese Government standing on its own.

The conclusion of the Senator from Washington is an extraordinarily significant and a valuable contribution to the debate over Vietnam.

It may be too late for the administration or Mr. Thieu to act. My own feeling is that it is too late for them to bring about fair elections. It is up to Congress to act, and the Congress can do so and help the South Vietnamese by ending our military presence in South Vietnam. It can do so by insisting upon the original language in the Mansfield amendment which requires our withdrawal within 9 months from its date of enactment.

I thank the Senator from Washington for yielding.

## EXHIBIT 1

STATE DEPARTMENT TRANSLATION OF DOCUMENT FURNISHED TO U.S. MISSION BY GEN. DUONG VAN MINH

(NOTE.—The translation may omit certain portions of the original text. These are designated "apparent omission.")

Each page of document is marked top secret (toi mat). It has no heading, signature, seal or date.

2. Begin text: this document has the purpose of explaining and delineating the electoral plans of the President in the provinces (reserved for the province chief). This electoral campaign plan includes two aspects:

Overt side: Comprises the campaign procedures fixed by the law such as distributing leaflets, putting up posters, speaking with the voters, radio broadcasting, television, etc. The central government will explain this plan to the provincial representatives of the electoral slate who will be responsible and will carry it out. The province chief will only support it with facilities and guidance.

Covert side: Comprises the secret campaign procedures including schemes, tricks, and maneuvers aimed at blocs of voters such as political parties, religions, organizations, ethnic groups, the military, the government, and the unaligned elements of the mass of the common people in order to hold close friends firmly, fight for fence-sitters, and undermine and paralyze the opposition.

## ESTABLISHING THE CAMPAIGN PLAN

The province chiefs must directly draw up a plan for carrying out the covert plan, that is the various forms of secret campaign activities with regard to political parties, religions, organizations, the military, civil servants, government cadre and the people, as well as carrying out measures to paralyze the activities of the opposition slate.

The province chiefs along with the special campaign staff must establish a truly meticulous plan to be applied in all villages, all districts, all organizations, etc. . . . based upon the following guiding points:

Plan to struggle for voters:

(1) Consolidation of the friendly bloc by means of:

Maintaining the friendly bloc.

Blocking the undermining infiltration of the opposition.

(2) Struggling for the fence-sitting bloc.

The plan must aim at each group, each village, each urban ward and each district in a detailed and concrete manner.

(3) Undermining and paralysis of the opposition bloc.

Analyze carefully the opposition groups: the leadership element, the weak points which might be exploited in each village, urban ward and district. Analyze the various tricks and maneuvers which might be applied in order to undermine and paralyze these opposition elements in each village, urban ward and district.

For example: Can infiltration be carried out to cause confusion and internal division in any opposition groups? It is possible to buy any leadership elements? By what means? For example, as in the cases of: [Apparent omission].

This basic plan will determine the results precisely because you the province chiefs will define and directly carry out and control it. The guiding principles are: discreet preparation, concrete plans, scientific organization, choice of prudent cadre, logical use of cadre and facilities, and tight control. This document has the purpose of providing guidance so that you, the province chief, may ease yourselves upon accurate data concerning the local situation in order:

(1) Analyze and judge the voters' inclinations.

(2) Establish a campaign plan for each vine.

(3) Fix the guiding index (of votes) to be attained.

(4) Organize and employ human resources for the campaign machinery.

(5) Estimate requirements needed to support the plan.

(6) Fix the time schedule for each task.

## Part one

Analyze and judge the voters' inclinations. A. General explanation

(1) A special staff committee in the province will undertake this task instead of entrusting it to the administrative services to undertake as would be the general rule.

(2) Analyze the basic current situation of the locality based upon the results of the province council and upper house elections.

(3) Pay special attention to the results of the upper house election by means of analyzing the results of each ballot box in order to determine thereby the political inclination of the voters in each hamlet and village. From the results of each village, summarize the results of the respective district, then from the results of the district summarize the results of the province.

This analytical work must be sent to the central government before the end of June 1971.

Explanation of analysis:

(1) Record under the headings of political parties, organizations, religions, and ethnic groups, those blocs which are tightly organized and have a unified position, in other words the entire bloc follows the orders of the leadership levels.

Government personnel, the military and a number of organizations which do not have unified attitudes and do not altogether follow the orders of higher authorities in voting should be recorded under the heading of independent voters. The heading "independent" includes the mass of EOL who are not in any group.

(2) The leaders are the figures who stand at the head of the provincial section of the party or group . . . for example, the secretary of a province party committee, the leading Catholic priest of an area, etc. . . . but there are times when these figures have only a symbolic leading role, and actually another figure really has the prestige to command or persuade the members of the group.

(3) Only record the totals of voters in three blocs: Friends, fence-sitters, and opposition.

Detailed analysis at the village or urban ward level.

Two phases:

Phase 1. To be completed before the end of June, 1971, just record the total numbers of the elements of the voters in the villages and urban wards under the headings given in the form, based upon the results of an analysis of each ballot box.

Phase 2. (From July 1 to July 15, 1971) under the leadership of the responsible district cadre, and the cadre responsible for village liaison, and with the direct guidance of the district chief, the village and urban ward campaign workers have the responsibility of completing the analysis done in Phase 1 by replacing numbers with lists of names.

Each campaign worker will be responsible for 300 to 400 voters, and must have a list of the names of the voters for which he is responsible, separated according to whether they are friendly, fence-sitting or opposition elements: Members of groups, political parties, religions, ethnic minorities, belonging to a military unit or to a government agency, etc.

The aim of the village and urban district analysis is:

To know clearly the tendency of all voters. Help the cadre and campaign workers know clearly their objectives in order to carry out their activities,

Check on the ability of the cadres and campaign workers.

[Apparent omission.]

Position: Clearly supports the government slate, is not directly connected with opposition elements, and is not afraid to speak out and to work.

Must be a local person or have lived many years in the locality so that he is well acquainted and knows thoroughly the situation of the local people.

The list representatives should be chosen among the following elements:

The provincial council.

Notables:

Civil servants and military personnel.

In places where the majority of the voters belong to a religion or some other group with a tight organization and with a close feeling among the members, the official list representative should be chosen from that religion or group. For example the Cao Dai in Tay Ninh or Hoa Hao in Long Xuyen. The supplementary representative should be chosen from young elements who are active, who have initiative, and who are loyal, in order to assist the province chief, particularly with the covert section. However, in places where the number of ethnic minority voters is important (Montagnards, Chams, Vietnamese of Cambodian origin, Vietnamese of Chinese origin), the supplementary representative should be chosen from that ethnic minority.

In the provinces that have cities with the province chief serving concurrently as mayor, the representatives of the list (primary and alternate) will concurrently serve in both province and city.

(b) Cadres with special responsibility for districts. The member of the provincial council who was elected with the highest number of votes in the district or a citizen who has prestige with the greatest mass of voters in the district should be chosen.

Military personnel and government officials serving as cadre in the district should not be chosen and they must not take leave without pay, because they might be objected to for leaving their positions in order to campaign.

(c) District Cadre responsible for liaison with villages. They should be chosen from elements of the district level military officers, the district information chief, the district national police chief, the district military security chief, etc., because they are the people whose positions require them to be in permanent contact with the villages and at the same time they have prestige with the village and hamlet official.

(d) Chiefs of village campaign teams. Each village has one campaign team chief. He should be chosen from the following elements:

Village council chairman.

Village chief.

Prestigious members of the village council.

Deputy village chief for security.

In short, the people in positions of authority in the village who have prestige with the people.

(E) Campaign workers. Each hamlet must have a minimum of one campaign worker. Each one is responsible for 300, specifically, named voters. Campaign workers should be chosen from the following elements:

Hamlet chief.

Chief of PSDF.

RD cadre.

Hamlet military assistant.

Primary school teachers.

Other cadre. It is possible to use public officials and military personnel in two ways, covert and overt. All civilian and military personnel may be used in covert campaign activities. Another group might be used for overt activities. For example:

(A) Information: radio transmitters, loud-speaker posts, news and comment bulletins,

regular documents for study can be used to counter the poisons.

(F) The arguments to entice the people which the opposition uses, such as immediate peace. We should arouse hostilities at the cruel acts of the communists, and set forth the successes in pacification, development, social reform, etc., in order to respond to concerns about the present economic situation. Support can be given to the internal publications of government agencies, groups, university and high school students, with the aim of spreading the above points.

(B) RD cadre: It is possible to use these cadre for covert and overt activity, such as putting up posters, distributing leaflets, talking with the people, spreading rumors, following and escorting closely opposition cadre, and observing polling stations.

However, it is necessary to pay attention to the fact that a number of cadre are not popular with the people because they are lacking in manners, are not from the local area, or are banded as members of a political party [Apparent omission.]

Detection of pro-Communist elements. Oppressing elements who have a questionable past.

Following the key cadre of the opposition. Transferring outside of their area of activity: cadre at the village level can be brought to the district, cadre at the district can be brought to the province level in order that they no longer have an appropriate opportunity for their activity.

Organizing training camps during the time period before the election in order to concentrate and paralyze elements campaigning for the opposition.

(B) Techniques of meticulous organization in order to struggle for victory.

(1) Study the location of polling stations, study the arrangements for personnel for polling stations, study the organization of polling stations. Study the techniques for controlling the polling stations and training the responsible personnel.

(2) Follow the activities of the opposition in order to establish plans to counter them.

#### Part three

Fixing the Guiding Index for the Province. The guiding index is the number of votes which must be received expressed as a percentage on the basis of the total voters in the half-the-Senate election last year, plus the increase resulting from the pacification and development program if any.

The guiding index: The number of votes of friends plus the number of votes which can be achieved in the fence-sitting group plus the number of votes which can be broken off from the opposition bloc.

Concerning the number of votes which can be won from the fence-sitting group or broken off from the opposition bloc, state from what elements of the population and from what groups these can be won.

Calculate the guiding index for each village then add them up for each district and finally for the entire province.

#### Part Four. Organization and Employment of Personnel in the Campaign Machinery

A. Organization of the campaign machinery.

1. The controlling province organization consists of three sections:

(A) Support section: To be taken charge of directly by province chiefs with the necessary special staff which will be established as soon as this document is received.

(1) The special staff will have the mission of:

Carrying out voter analyses at village, district, and province levels:

Organizing the overt and covert sections. Following the elections situation, both friendly and enemy activities.

Drawing up plans. Following, checking on and coordinating all electoral campaign machinery.

(2) Personnel of the special staff will consist of loyal and able government employees

and military officers among the administrative officials, police, military security and intelligence personnel, phoenix committees, etc. The secrecy of activities and documents must be strictly preserved.

(3) Descending from the province level to the district, the support system will be the responsibility of the district chief; at the village level, the village chief will be responsible (if the village chief is loyal to us, if not, then some other person, one within the village government apparatus, will shoulder the responsibility).

(B) Covert section: to be controlled by the alternate representative of the list if this representative is competent. If not, it is necessary to choose a civil official or military officer to take charge who is of good reputation, able, and with close relations with the political parties, religious groups, organizations, government agencies, and the military. Belonging directly to the covert network are cadres specially charged as follows:

(1) Responsibility for the regular army. Unit commanders in the area will be responsible along with the unit's polwar officer, and they must organize a campaign system down to the company level. This system will include all unit commanders as well as related polwar officers. Province chiefs will coordinate with the responsible regular army officers in the area in order to fix the guiding index for each unit.

(2) Responsibility for the regional and popular forces.

The deputy sector commander will be responsible for campaign activities in regional and popular forces units and in all units directly belonging to the sector. The campaign system will include unit commanders down to the platoon level. The sector commander will fix the guiding index for each unit.

(3) Responsibility for parties, religious groups and organizations, will be assumed by a civil servant of good reputation, for example by the director of cabinet of the province office, etc., but it must be someone loyal.

(4) Responsibility for government offices will be shouldered by the service chiefs if they are friendly. If not, choose an official with power and a good reputation in that particular service office. Importance should be attached to the National Police Forces, rural development cadre, information cadre, and primary school teachers. The common principle which must be applied in the covert section is to keep all responsible cadre for each branch completely separate from each other.

(C) The overt section: That is to say, the representative of the list in the province has the duty to:

Represent the candidate in the local election campaign committee and to the people.

To be the list's disbursing agent in the provinces and cities.

To carry out legal campaign activities: Distribution of posters and handbills, radio broadcasts, talking with the voters;

To train and give guidance in carrying out campaign tasks to cadre and campaign workers in the districts, villages, urban wards, and hamlets;

To discover, check, gather evidence, and oppose all violations by opposition lists.

The central government will supply documents and guidance to the overt section.

II. The district-level campaign agency.

From the district level down to the level of village, hamlet, ward and sub-ward, all cadre and campaign workers must be active, both publicly and undercover. The undercover front is the most important. Mix with the voters as part of campaigning; paralyze the activities of the opposition. Work overtly only when pasting up posters and distributing handbills, and when moving to block and gather evidence on violations by opposition lists.

Local district chiefs: Are to direct all cadre and campaign workers in the district and are

responsible for attaining the guiding index which has been fixed for the district.

Responsible district cadre: Every district should have a person specially responsible for that district. This cadre should, in practice, only serve as a front for the district chief to arrange activities, because there are many tasks which district chiefs cannot carry out publicly.

Cadre responsible for village liaison: Three to six cadre may be chosen, each one with special responsibility for local liaison with three or four villages or for a part of the subsector. These cadre would receive instructions from the district chief regarding places of village or subsector.

Responsibility: These cadre are a component of the district chiefs campaign staff.

#### III. VILLAGE CAMPAIGN GROUP

This group of low level infrastructure is that which does the most work and will determine the results. Therefore province chiefs and district chiefs must train this group carefully, must plan its activities meticulously, must guide it personally, and check on its activities closely.

This group of campaign workers will have responsibility of both covert and overt activities but the most important will be cover activities (struggling for the voters by every means).

Special note: In each province containing a city there will only be organized one joint campaign apparatus for the province and the city.

(B) Criteria for choosing personnel. (1) Cadre within the election campaign apparatus.

(A) List representative: The principal representative and the supplementary representative must fulfill all the following criteria: Not a lower house candidate.

Has general prestige, does not belong clearly to any bloc of voters (an independent element).

Type of person: Does not have any vices (gambling, debauchery, dishonest business dealings, swindling, traitorous activities, abuse of authority, etc.). Modest.

Ability: A planner, with initiative, courageous, active, with a wide circle of friendships. People who are acquainted only with desk work must be avoided. Therefore retired civil servants who desire only to be left in peace and have a bureaucratic spirit should not be chosen. Should be educated.

(C) Village, hamlet and popular forces cadre: Make use of this group of people as they are close to the population, especially the notables because the people are lacking in education or making judgments about voting. Use even people of bad reputation, for at least they can persuade a number of relatives, acquaintances or persons with similar interests. These cadre may be used for both covert and overt activities.

(D) Police: Use them in particular for covert activities, especially to undermine and paralyze the opposition group.

(E) Military personnel: Make use of the political warfare personnel to operate covertly and overtly in military units and camps of military dependents: putting up posters, distributing leaflets, talking, spreading rumors. This group must work closely with the list representative in the province during the period of campaigning. If commanding officers are used as observers in the military polling places, all the better.

(F) Secondary and primary teachers: This is an element capable of persuading the people, but the majority has an attitude of "standing aside," either from the complexes of intellectuals or because they find it difficult to openly support the government. Nevertheless if they can be attracted it is very advantageous, because the words of a teacher are reflected in the immature judgments of the pupil and influence his family.

Most teachers have an anti-communist point of view, and it is necessary to choose campaign cadre with a high level of knowl-

edge in order to attract them and especially to prevent their leaning toward the opposition.

A good occasion to meet the above elements is during the prize-giving ceremonies at the end of the present school session. The province chiefs should accept invitations to preside over prize-giving ceremonies in all big secondary schools, and all primary school services should organize solemn prize-giving ceremonies for the elite students, presided over by the province chief with the attendance of all teachers, or on the occasion of the opening of the next school session organize a seminar of all the teachers in the province.

The list of the special province staff, the list representative, the cadre responsible for the districts, the cadre responsible for liaison with the villages, the chief of each village campaign group, and all other cadre belonging to the covert section must be prepared with complete names and police record before the end of June 1971 and reported to the central government by July 15, 1971, at the latest.

As for the names and police records of the representatives of list principal and supplementary in each province and city, they must be submitted to the central government before June 30, 1971, and the central government will approve them by July 15, 1971.

The entire group of cadre and campaign workers covert and overt will begin real operations starting August 1, 1971 to October 3, 1971. During this period of two months, one month will be in secret and one month will be the period established by law.

The entire group of cadre described above will be used for covert support in the 1971 lower House election. Each province chief must establish a detailed plan for using the above mentioned cadre, because the matter is extremely delicate: for example, a cadre campaigning in support of a revolutionary dia viet (RDV) Lower House candidate against a Vietnamese National Party (VNQDD) Lower House candidate, if they are in the same electoral constituency, later will be opposed by the (VNQDD) party members when he campaigns among them asking votes for the president.

In order to preserve secrecy and in order to control the activities of the cadre, province chiefs must apply strictly the principle of separation between the overt section and the covert section, and between the various branches of the covert section.

Consolidation of the administrative system. Here we only mention the various levels of cadre holding positions in the local administration which are concerned with the organization of the election or, if they are not concerned with the organization of the election, nevertheless because of their present position within the administration might be able to corrupt the voters causing the possible lessening of the guiding index. The following measures must be applied:

Temporary transfer in order to block ATT personnel and cadre working for the opposition.

Concerning officials elected by the people such as village chiefs, who cannot be replaced, use the officials under government control in order to surround them, escort them closely and use all necessary measures in order to paralyze their opposition activities.

Use documents concerning undesirable activities which might be used as the basis for prosecution concerning all officials close to the opposition in order to apply pressure obliging them to follow us or else to prevent them from daring to work for the opposition.

Local authorities must complete the purging of the ranks of all levels of cadre before the end of June 1971.

## PART FIVE

*Estimates of Requirements to Support The Plan*

(A) Financial support (determined and supplied by the central government.)

(B) Support of personnel and other means. The province chief is responsible for:

Secretly temporarily detaching civil servants and military personnel to serve as campaign cadre.

Using the political warfare group to distribute leaflets and put up posters in all units and in all camps of military families.

Detaching for service in the office of the list representative: 1 secretary/typist, 2 chauffeurs, 1 manager and 4 office security personnel.

Assistance with facilities: cars, telephones, typewriters, duplicating machines, office supplies.

(c) Moral support.

(1) Resolve on a timely basis a number of typical problems, complaints, and injustices in various areas in order to create confidence in the regime. And, if necessary, punish a number of officials who have committed irregularities in order to create a favorable reaction, especially in the villages and in urban wards.

(2) Order all agencies earnestly to serve the people to the proper degree. Try to avoid all pressures and irritations which damage the prestige of the government during the period close to the election.

(3) Carry out a number of typical social welfare tasks in order to satisfy the aspirations of the people and to create sympathy for the regime. For example: digging wells, widening roads, repairing markets, digging tunnels, strengthening dams, etc.

Aside from the various facilities of the government it may be possible to mobilize social groups, student groups, etc.

The central government may be able to supply to the local level additional means in order to carry out such tasks (the plan must be submitted to the central government), in these cases there must be a program and definite schedule for the carrying out of these tasks.

Fixing the schedule for activities.

(1) Establish a special staff immediately upon receiving this document.

(2) The document analyzing the situation of the voters along with all plans must be sent to the central government before June 30, 1971.

(3) The establishment of the covert and overt sections must be completed before June 30, 1971, and the list of special cadre responsible for the districts and the special cadre responsible for inter-village liaison and the chiefs of the village level campaign groups must be submitted to the central government before June 30, 1971.

(4) The proposal for list representatives (official and supplementary) at the province level must be submitted before June 30, 1971. The central government will announce its decision as to whether to accept these persons or not before July 15, 1971.

(5) Study the locations of polling boxes and organization of the polling stations and carry out technical training before July 30, 1971.

(6) Purge the ranks of government cadre before June 30, 1971.

(7) The campaign apparatus must actually begin its activities starting August 1, 1971.

(8) Regular reports:

(A) Once each month:

(1) General situation and election campaign situation.

(2) Activities of groups, religious, political parties, senators, deputies, provincial counselors, related to the presidential election campaign.

(B) Twice each month:

Concerning the situation of campaigning for the voters and the rate at which it is

increasing or decreasing as reported by village level campaign personnel to the district and province.

## PART SEVEN

Note especially:

(1) Order all levels of the government that they cannot promise support for anyone in the forthcoming elections except on order of the province chief.

(2) It is forbidden to copy this document in any form.

Attachments:

An organization table of the campaign apparatus (reproduction forbidden).

This document must be returned to the central government after its use is completed, at the latest after the presidential election on October 3, 1971.

## ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, with respect to the order recognizing Senators this morning, the distinguished Senator from Illinois (Mr. PERCY) be recognized in place of the Senator from Kansas (Mr. DOLE).

The PRESIDENT pro tempore. Without objection, it is so ordered. Under the order previously entered, the Senator from Illinois is recognized for not to exceed 15 minutes.

## U.S. ECONOMIC POLICY

Mr. PERCY. Mr. President, I thank the distinguished acting majority leader.

Mr. President, yesterday the President of the United States addressed a joint session of the Congress on the economic dilemma facing our country. He rightfully called upon the American people to support the actions that are necessary at this time, and he rightfully appealed to Congress to expeditiously move forward with considered action on the balanced program that the administration has presented. It incorporates many ideas that have come to the administration from a variety of sources which are the most balanced, creative, bold, and imaginative programs with respect to the economy that have yet been presented.

Mr. President, I fully support President Nixon's package of economic policy measures. Among the individual actions are some that I would not have favored if taken alone. But as a group I believe they are a forceful, balanced, and hopefully effective response to the combination of economic conditions, both domestic and international, that demand decisive Presidential action. I consider these actions to be creative, bold, and responsive to the critical economic conditions faced by the administration as a result of a decade of essentially unbalanced budgets, and failure to take fundamental steps to correct our steadily worsening international monetary position.

We must now consolidate our gains to date and pursue further progress on both the domestic and international fronts.

Domestically, the main tasks are to end the wage-price spiral, and to lay the groundwork for a new prosperity based on rapid productivity growth and a strong rate of economic growth accom-

panied by price stability and maximum employment.

Strong boosts to economic activity should result both from the job development credit, and the increased purchasing power resulting from personal- and excise-tax reductions. I strongly favor the tax credit, because I believe that it can generate substantial job-creating economic activity.

I very much oppose removal of the tax incentives, to encourage business to expand money and to take capital risks in order to bring the unit cost of production down and to keep our products produced in America competitive with products produced abroad. There is no way to increase employment if we do not keep our products competitive. We know our labor costs are higher than labor costs in the rest of the world. The only way to make up this difference is by investing in capital equipment in order to make American labor that much more productive than in any other country, and there is no better means to make this possible, whether by contribution or capital investment, than to give tax credits through our tax system for so doing.

This, of course, was put in by a Democratic administration and it worked so well that our economy went to levels that never had been equaled prior to that time. We thought it worked so successfully we removed it. That was the mistake we made. I signed the report of the Joint Economic Committee protesting that action when it was taken off. I now support the President, even though it is being restored later than it should have been, but now we should follow through as rapidly as we can.

As I said, a strong boost to economic activity should result both from the job development credit, and the increased purchasing power resulting from personal and excise tax reductions.

I must say that I oppose tax reductions at a time when we have a \$20 to \$30 billion budget deficit. By any standard today we know the budget deficit this year would equal \$28 billion, if not \$30 billion. At a time when we face that kind of deficit it seems irresponsible to cut taxes, but the President found the best way in this overall balance program was to reduce taxes by accelerating the personal deductions already provided for in law.

I am less enthusiastic about cutting tax rates at a time when the Federal deficit on the unified budget basis may well reach more than \$27 billion and when high rates of saving continue. Congress, in the coming weeks, will hear many proposals for reducing taxes. This can be done in a number of ways, apart from merely accelerating personal exemptions. Among them are various proposals for reducing tax rates. It will take a great deal of courage, in the present environment, to resist tax cuts that will be too extensive and too costly to the Treasury. I strongly urge that we use great restraint when we consider the personal taxation proposals.

We must not underestimate the intelligence of our citizens. They will be responsive and responsible when presented with these issues. I believe Americans want to stop inflation. They recognize

that wages must be related to productivity, and that huge Federal deficits contribute to inflation.

Although people like me running for reelection, if I am a candidate in 1972 for reelection, will find it very appealing to go to the people and say, "Let us get these high taxes down," I never want to underestimate the intelligence of our people with respect to reducing taxes at a time when we have a \$28 to \$30 billion deficit in our budget. In the end it will bounce back on the candidate if he says what the people want to hear rather than to give them the economic facts such as the President did in his speech before the joint session of Congress yesterday.

Stimulating real economic growth is an important objective, but ending inflation is the central and most crucial one. It is difficult to believe that we will have broken the back of the inflation—the product of years of mismanagement—in a brief 90 days. We must, therefore, use the weeks remaining until mid-November to develop effective follow-up policies for the ensuing phase II.

I have continually stressed that the fundamental key to U.S. economic health and international competitiveness is productivity, and I joined with a group of my Republican colleagues in August to urge new policies to promote productivity. I suggest, therefore, that phase II policy concentrate on linking wage price restraint with industry productivity and with deliberate efforts to increase that productivity. Productivity councils for each major industry should be established immediately to begin studies of productivity in these industries. These councils would undertake two functions—they would establish guidelines for wage and price performance in those industries, and, much more important for the longer term, they would identify the obstacles to increased productivity in each major industry, and recommend changes that would result in improvements.

The council would be established under the direction of the Secretary of Commerce, using the resources of the Bureau of Domestic Commerce which has direct competence in specific industrial sectors, and the Office of Business Economics. The mandates of the councils would be developed by the Council of Economic Advisers and Cost of Living Council. Staff, including professional economists and others, would be drawn from the Commerce Department and from other departments and agencies when necessary. Business and labor representatives would sit on the councils. The councils would have a life of 6 months. They would be linked with the phase II mechanisms the President establishes to continue wage-price restraint in the period following the freeze.

Industries would be asked voluntarily to implement, through unions and trade associations and other industry organizations, the Productivity Council recommendations for increasing industry productivity. The Joint Economic Committee, at the end of the 6-month period, could conduct a review of these findings and recommend to the legislative committees of Congress any legislative steps necessary to implement its findings.

Internationally, we must now indicate

to the world our terms for reestablishing more normal conditions. My recent discussions with foreign leaders indicated clearly that our economic partners have refrained from retaliation because, simultaneously with floating the dollar and imposing a substantial import surcharge, we took stringent domestic restraining measures.

Mr. President, I was abroad at the time the President made his dramatic announcement. In talking with leaders of business and industry in Asia I found that economically if we had not disciplined ourselves at home and said that we are going to cut the budget, that we are going to cut Federal employment, that we are going to restrain wage and price increases in this country, if we had not done those things we simply could not have gotten away with the border surcharge that has been imposed.

When they saw that we were willing to sacrifice they said, "We can accept the challenge of the economic dilemma the United States has today and at least go along with this border tax which has been imposed."

I believe we have now reached the point where we should state more clearly what monetary and trade measures we think must be taken before we agree to a new monetary system—such as new parities for major currencies—and most important, removal of the import surcharge. An equally important target for quick elimination is the "Buy American" provision of the 10-percent job development tax credit. Statement of our terms would hasten agreement and lessen the possibility that other countries will take unwise steps, such as government export subsidies, to counteract our own moves.

I think we should give top priority to obtaining the following changes:

Reevaluation of currencies at realistic levels, accompanied by changes in IMF rules to permit easier shifts in currency values.

A substantial shifting of the burden of maintaining adequate NATO forces in Europe to our European allies to take into account our new respective economic capabilities.

Elimination of Japan's restrictions on foreign investment, removal of Japan's remaining import quotas, and other discriminatory measures, such as taxes applying to imported American autos.

I propose in addition that we should, as soon as possible, remove the 10-percent surcharge on imports from developing countries. This would be entirely consistent with President Nixon's proposals to grant tariff preferences to the exports of these countries, would help offset the 10-percent cut in foreign aid the President has announced, and would generally strengthen our policy of encouraging economic development through trade, rather than aid.

A fair, free, competitive international marketplace is the natural counterpart of the kind of domestic economic policy measures we are now framing. Revaluation of foreign currencies, combined with stimulation of domestic investment and increased productivity, should materially strengthen U.S. international competitiveness. A stimulus to exports, such as contained in the proposal for Domestic International Sales Corporation—

DISC—will help further. I applaud President Nixon's call in his address yesterday for an open U.S. marketplace free of unnecessary tariff and quota restrictions.

Finally, though economic policy issues must now indeed receive our fullest attention, and take precedence over other legislation, there are other important programs on which we must continue our work as soon as possible. Chief among these in my view are executive reorganization, welfare reform, and revenue sharing. Certainly we can move ahead with consideration of executive reorganization bills, particularly the bills creating new Department of Community Development and Natural Resources, while the Finance Committee is considering tax proposals. As acting ranking Republican member of the Government Operations Committee, I will do everything I can to act on the President's urgent request for action in this field, and I am sure that my colleagues, the chairman of the committee, Senator McCLELLAN, the chairman of the Executive Reorganization Subcommittee, Senator RIBICOFF, and the many cosponsors of this legislation will wish to join in expediting it, as I am sure the Senator from New York (Mr. JAVITS), a ranking Republican member on some committees, will wish.

Mr. President, for over a year, I have urged that the President undertake a series of high level meetings with the leaders of the Nation's labor, agriculture, and business groups, to appeal for assistance in curbing wage and price increases. I believe these groups will respond to appeals to national need and respond to the moral leadership of the President. I will do everything I can to appeal to these groups to cooperate in stabilizing and fundamentally strengthening our economy.

#### ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent again to revise the order for recognition of Senators, and that the distinguished Senator from Kentucky (Mr. COOK) may precede the distinguished Senator from Kansas (Mr. DOLE).

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

Mr. BYRD of West Virginia. Mr. President, I further ask unanimous consent that the order recognizing the distinguished Senator from Wisconsin (Mr. PROXMIER) be vacated.

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

The Senator from Kentucky is recognized for 15 minutes.

Mr. COOK. Mr. President, I thank my colleague from West Virginia.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

#### THE EXCESS PROFITS TAX

Mr. COOK. Mr. President, foremost in the coming work of the Senate and the House of Representatives is consideration of the administration's emergency economic policy, and the programs President Nixon has recommended to implement that policy. Announced on August

15, it is the most extensive and definitive economic program in America since the early 1930's. I have already announced publicly my unequivocal support for the President's program, which I feel is critically needed to prevent a severe setback in our domestic economy, and in the position of the United States in the world economy.

Our economy has been suffering from an intolerable inflationary cycle that has seen prices shoot far ahead of any increases in personal income. These higher prices have also placed U.S. exports at a severe competitive disadvantage abroad, and have given imported products a competitive advantage over our own products domestically. The program proposed by the administration contains strong and effective means of counteracting these adverse trends. Both the domestic and the international actions are obviously necessary, and I commend the President and his advisers for taking such courageous and positive actions.

I also commend the administration for the expediency and efficiency with which it has implemented and operated the emergency measures. Finally, I congratulate the President for the eloquent and inspiring message to the joint session of Congress yesterday. It was certainly a strong message to all Americans and to our world neighbors that the United States is no longer going to play the role of world banker and creditor, and is going to begin to reassert the strengths of her economy.

I was particularly delighted at the careful attention the administration gave to devising a plan which struck directly at some of the major problems in the economy. Where help was most needed it was given—especially in holding down the cost of living and in promoting employment. The investment tax credit, which the Congress must soon consider, will greatly help to stimulate business, while also creating new jobs in construction and in the operation of new equipment. The accelerated increase in personal tax exemptions will give more disposable income to the average American consumer. At the same time, repeal of the 7-percent excise tax on automobiles will make new cars more accessible to the average consumer, and will help to stimulate a vital segment of the economy. All in all, the American people can only benefit by these new approaches.

Mr. President, millions of words have followed in the wake of President Nixon's August 15 speech to the Nation. The new economic program has stimulated considerable support, some outspoken criticism, and many additional suggestions. One of the suggestions that is being recommended very avidly by some public officials and labor leaders is the imposition of a tax on excess corporate profits. I rise today, Mr. President, to voice my objections to this concept interjected into this program.

My primary objection to a tax on excess profits is the resultant loss of incentives for American commercial enterprises. An individual could not be expected to do his best work if that effort were not rewarded.

I wish to mention a chart that appeared in the Washington Post this morning showing the difference between

wage and price increases from 1967 to 1971. It will be noted that wage increases resulted in 1967, 1968, and 1971, and that cost-of-living increases over wage increases resulted in 1969 and 1970.

Mr. President, similarly, American corporations cannot be expected to perform efficiently and progressively if the incremental profit earned by the added efforts do not accrue to their benefit and the benefit of their stockholders. After a certain point, those corporations could only feel that they were being penalized for their initiative. This would obviously be a destructive precedent for the American economy and the American people.

By taxing excess profits, we would be encouraging widespread waste and inefficiency in corporations, including internal financial abuses, such as increased expense accounts and salaries. After the freeze, and a general disregard for economies within our companies. This would be a great detriment to stockholders and to the Federal Government.

From a strict economic argument, however, we must view such a proposal in light of the status of our economy, and the goals of the administration's economic policy. An excess profits tax would remove incentives for the expansion of facilities, the purchase of new equipment, and the development of new products and new markets. Productivity would necessarily remain relatively constant, and the economy would thus reach a plateau of stagnation. New ideas would die on the drawing board, as companies would prefer to stick with established businesses and forgo the risks of new areas which, although potentially lucrative, would not ultimately benefit their balance sheets.

Not only would these factors relegate the American economy to a secondary world status, but the resources needed to provide for a growing and advancing society would disappear. If we desire a status quo economy, and thus a status quo nation, this course would guarantee it. I know, however, that the American people demand, and the world requires, an America greater than this.

During the 20th century the U.S. Treasury has incurred a monumental national debt. Deficit spending has led to a per capita debt of almost \$1,500 and a total national debt of over \$300 billion. Only a corresponding increase in the gross national product has allowed our Government to maintain such a burdensome obligation. If, however, our productivity, and thus the GNP, were to level off, our ability to maintain the current debt levels, indeed even our ability to pay the interest, would be in severe jeopardy. In other words, if we desire to provide better and increasing services for America's citizens, we must continue to encourage and stimulate the economy. For our country and our people to prosper, our economy must prosper.

Another serious ramification of a stagnant GNP is a worsening employment picture. There is ready and visible evidence of this economic fact before us today. Productivity has slowed, corporate profits are down from previous levels, and business in general is only now beginning to recover from a severe slump. Unemployment has increased during this

slump, from relatively full employment to 6.1-percent unemployment. An excess profits tax would certainly aggravate an already serious situation. This body has approved numerous measures in recent months to stimulate employment and to create more jobs. Would it not be totally inconsistent, therefore, to remove business' primary incentive to hire—namely, the profit potential? This appears to be the most extreme fiscal folly. I often wonder how organized labor can demand an excess profits tax, indeed they have even suggested a limit on corporate profits, when the jobs of their union members would slowly evaporate as a result.

There are other very compelling economic factors which have convinced me of the inadvisability of a tax on excess profits. From the standpoint of Federal revenues, the effects could be disastrous. If, indeed, corporations were discouraged by such a tax from maximizing their business and profits, the Federal Government would be depriving itself of an important source of ordinary tax revenue. It would appear much more prudent to me to encourage America's corporations to strive for greater productivity and greater profitability, thereby increasing revenues to the Federal Government.

Another factor is the trend of corporate profits themselves in recent years. Contrary to popular impression, average return on equity among major American corporations has declined during the past few years. Figures from Fortune magazine's annual report on America's 500 largest industrial corporations indicate that the median return on stockholder's equity for all industries fell from 11.3 percent in 1969 to 9.5 percent in 1970, the lowest level since 1963.

Profit margins have also decreased, due to the increased costs of doing business. For the top 500 corporations, the median return on sales was 3.9 percent, the worst year ever in the history of the industrial system in this country according to Fortune.

In some major industries, such as steel, rubber, motor vehicles, and aircraft, margins are at critical levels. Therefore we must answer the crucial question as to whether there are any excess profits to tax.

Finally we must examine if we could even devise an equitable tax in this area. I believe that any tax we might impose on excess profits would be, of necessity, discriminatory. We would be solidifying the major large corporations in the country that now exist, and denying the smaller companies the means of challenging their competitors. General Motors might well be willing to pay a tax on profits in excess of \$2 billion per year, but how could we justify taxing Acme Nut and Bolt Co.'s profits in excess of \$2,000 annually? This case is extreme but it poses the significant question as to how any excess profits tax can be equitable.

It has also been suggested, Mr. President, that one might limit profits to equity. Again, this is fine for a corporation like General Motors, whose equity is in the billions of dollars and might never be reached. It might be fine for a bankrupt Penn Central, whose equity is almost \$7 billion and could never be reached. But what do you do for a corporation whose equity is \$500 million,

and which might make \$50 million in profits? The incentive for that company to improve, the incentive for that company to produce, would be broken, and that company would be destroyed.

A tax based on return on equity penalizes the lightly capitalized firm and favors the company with heavy capital investments. A tax based on return on sales penalized those industries, such as cosmetics, where these ratios are large, while penalizing industries such as the rubber industry, where profit margins are critically low. A tax based on some average of yearly earnings favors those companies who have constant earning trends, and works against the firms in more cyclical industries, such as housing and other construction.

The question of equity is all important, and I believe it is an impossibility in this case. All in all, the arguments seem overwhelming to me that an excess profits tax would mean financial chaos in this country, and would insure a downward trend for America in the world economic community. I urge my colleagues to reject any measure of this sort, and implore those who recommend this action to carefully reconsider this fatal course upon which they would guide the destiny of our country.

I conclude, Mr. President, by saying that our last excess profits tax was during the Korean war, when it was necessary to stymie production in this country, to stymie productivity, so that major resources could be utilized for the war effort. It was done for the exact and express purpose of holding industry down, of not wanting it to grow and not wanting it to flourish, for the benefit of a war effort.

This is the nature of an excess profits tax. Therefore, it is not suitable now—not at a time when productivity in this country should soar.

Mr. PERCY. Mr. President, will the distinguished Senator from Kentucky yield for a comment?

Mr. COOK. I yield.

Mr. PERCY. I commend my distinguished colleague for a very profound and worthwhile statement on this critical point. I would just like to mention two points from experience that would bear out his argument.

First, we have learned, through the years, that when you have a tax rate above 50 percent, you are going to have waste. When management and labor know that almost all of that excess is going to be taxed away anyway, they are going to find things on which to spend. We are instilling waste in the tax system when we get that tax rate at an exorbitant level. That is just human nature, and any one who has operated under such a tax knows it.

Second, I would hope that when the representatives of management and labor meet with the President, they would give consideration, in their talks, to broadening the concept of profit sharing. I have never known any labor unions that wanted to impose exorbitant taxes on a business when those taxes would tax away profits that would be shared with the workers. When an industry like the Chicago & Northwestern Railroad wants to give the whole railroad to the employees and have the employees run

the railroad, it is because they have found it is the best way to give the workers incentive. If that is the best way to run a railroad, I think it might well be the answer to our problem. A sharing of profits would help decrease our unit cost of production, help make American industry competitive in the world markets of today, and help do the job that needs to be done.

I thank the Senator from Kentucky for an excellent statement.

Mr. COOK. I thank the Senator from Illinois. I concur in his statements.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. What is the pleasure of the Senate?

Mr. GRIFFIN. Mr. President, in view of the fact that there is a special order for the Senator from Kansas (Mr. DOLE) and he is not here at the present time, and the Senator from Massachusetts (Mr. BROOKE) would like to be recognized, I ask unanimous consent that the Chair recognize the Senator from Massachusetts (Mr. BROOKE), and that the time he uses be charged against the time allocated for the Senator from Kansas (Mr. DOLE).

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered. The Senator from Massachusetts is recognized.

#### PRESIDENT NIXON'S ECONOMIC PROPOSALS

Mr. BROOKE. Mr. President, I have been greatly encouraged by President Nixon's initiatives to curb inflation while at the same time promoting continued economic recovery.

For too long, this Nation has been caught in the throes of rising inflation and unemployment. Strong measures are needed to curb that inflation and to encourage the expansion of job opportunities.

The President has proposed, and requested the aid of Congress in enacting, tax measures which will stimulate economic growth while increasing the real purchasing power of the wage earners. Most importantly, he has placed primary emphasis on expanded employment opportunity. Coupled with his proposal for a 10-percent surcharge on imports which can expand opportunities for American industry, I believe there is a very good chance that these efforts will succeed.

The wage-price freeze has, so far, received the most public attention. But this is only a temporary measure, designed to place a brake on rising costs and to demonstrate clearly to the American public that certain sacrifices must be made for the long-range good. As one who has long advocated the creation of an advisory wage-price board, I fully support this Presidential initiative and hope that the President in turn will support the recommendation which has been advocated by many of us in Congress for the creation of a continuing Wage and Price Board.

We must now turn our attention to the President's legislative proposals and strive to work with the Executive to create an effective economic policy for this Nation. The shape of "phase II," and of the economy of the future, lies largely

in our hands. I intend to support the President's basic recommendation, and I am hopeful that Congress will do likewise.

Mr. President, I want to point out that the policies which President Nixon proposed in his speech to the joint session yesterday were sound policies which are needed at this time in order to alleviate the crisis condition which faces this Nation.

I am very hopeful that all the Republican Members of the Senate, joined by many of the Democratic Members of the Senate, will back the President's proposals, for I am sure we all are well aware that this Nation is at a crisis and that we need bold initiatives on the part of the Government.

We applaud the initiatives taken by President Nixon. Now is the time for Congress to get behind the President in a united effort to alleviate the deplorable conditions which have plagued us for so many months.

I think that the President, when he came into office, inherited increasing inflation and increasing unemployment. Much of it has been caused by the war in Vietnam. That war is winding to a conclusion. I am hopeful that a date certain for withdrawal will be set soon, so that we can completely get out of Vietnam. But ending the war in Vietnam has meant the return of thousands of Vietnam veterans and has added to the unemployment problem which the Nation faces.

The President had to take the steps he has taken. I think that a grateful nation has shown its support, because 75 percent of the Nation, in the recent polls, support the President in his economic proposals.

Now he has asked Congress to do that which it can do, under its powers, and I am very hopeful that he will get the support he needs. I, for one, intend to give him that support. I am sure that many of my colleagues will give him that support and that together we can work toward bringing this country to a healthy economic condition, based upon sound fiscal and monetary policies.

#### QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged against the distinguished Senator from Kansas (Mr. DOLE).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Kansas is recognized for 8 minutes.

#### PRESIDENT NIXON'S ECONOMIC PROPOSALS

Mr. DOLE. Mr. President, President Nixon yesterday restated the need for the strong economic measures he has

taken, and he again outlined those measures. But he went even further, and I think it is well to keep in mind the other things he said.

First of all—and every American who values freedom should be grateful for this—he assured us that wage and price controls are not a permanent fixture; he will not put the free American economy into a permanent straitjacket.

There are those who say that the President should not have told us this, that he foreclosed his options and guaranteed new problems after the 90-day freeze is off. But, fortunately, President Nixon has great faith in the people. The American people can be trusted, and President Nixon knows it.

At the same time, some seem to have a lack of trust in the people and this causes them to place a high value on controls and secrecy. But the President not only trusts Americans enough to keep them informed; he trusts them to rise to the challenges of our times.

And that really was what his address to the Congress was all about yesterday.

He challenged each of us to face up to the needs of today, to work together to build the kind of economy that means a strong America and a free America and an America that can meet its obligations to its own people and to the world.

A faltering economy would mean we could not be able to meet the Nation's needs or the people's needs or the demands that freedom makes around the world.

A strong economy means a healthy Nation, keeping step with the times and building a better society for every American.

I believe that under the President's leadership Americans will work together for that kind of an economy and for the benefits that will flow from it.

I do not suggest that everything the President says is 100-percent correct. I do not suggest that Congress should not work its will and should not make changes where changes are merited. But I would say that this is the time for bipartisanship in the formulation of solutions to our Nation's difficulties and challenges.

We have goals to meet, as the President said—to help those who cannot help themselves, to feed the hungry, to provide better health care, and better education, to aid the aged, to restore and renew the environment, to provide better jobs and greater opportunity.

And, as the President also said, we cannot do these things without a healthy economy, without the revenues generated by 80 million Americans at work.

We cannot do these things, either, if every plan and program is judged, not on its merits, but on whether it is a political plus or minus.

Politics used to stop at the water's edge; although, with some it now seems to begin there. But politics should also stop at the edge of crisis, whether international or domestic. So I would suggest, as the President did yesterday, that this is an area where bipartisanship can work at its best. It is an area that deserves the consideration of every Member of Congress, everyone in the executive branch—every American. There is no doubt in my

mind that everyone here is concerned with the economy of America, that everyone in this body wants a strong, healthy American economy. Thus, I would suggest that in the days and weeks ahead, that we move forward in a reflection of the spirit of cooperation and bipartisanship demonstrated by the President yesterday. I believe that the American people will give credit where credit is due if the executive and the Congress cooperate in a responsible way.

Of course, we should not stop meaningful debate or hesitate to offer sound alternatives. But we should not react meanly, in a spirit of partisanship, in an effort to hurt the President or to thwart the President whoever he is—John Kennedy or Lyndon Johnson or Richard Nixon.

Instead let us work together, let us seek together the path to prosperity and a sound and balanced economy and to lasting world peace. For make no mistake about it; only an economically healthy America can be a strong America, and only a strong America can build and insure a lasting peace in the world.

If in our days and our times we accomplish these things, the credit will be due not to the President alone but also to us here in the Congress, in both Houses and both parties. The American people will place the credit where it belongs—as they surely will correctly assess the blame should these efforts fail or be obstructed.

The chief beneficiaries of successful policies will be the American people and they, after all, are who we are here to serve. That is how history will judge us, not on how we advance our own ambitions but on how we serve those who sent us.

Mr. President, I ask unanimous consent to have printed in the RECORD the President's speech and executive order of August 15, 1971, the transcript of Secretary of the Treasury John B. Connally's news conference on August 16, 1971, and the President's proclamation of August 15, 1971.

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

#### REMARKS OF THE PRESIDENT ON NATIONAL RADIO AND TELEVISION

Good evening: I have addressed the Nation a number of times over the past two years on the problems of ending a war. Because of the progress we have made toward achieving that goal, this Sunday evening is an appropriate time for us to turn our attention to the challenges of peace.

America today has the best opportunity in this century to achieve two of its greatest ideals: to bring about a full generation of peace, and to create a new prosperity without war.

This not only requires bold leadership ready to take bold action—it calls forth the greatness in a great people.

Prosperity without war requires action on three fronts: We must create more and better jobs; we must stop the rise in the cost of living; we must protect the dollar from the attacks of international money speculators.

We are going to take that action—not timidly, not half-heartedly, and not in piecemeal fashion. We are going to move forward to the new prosperity without war as befits a great people—all together, and along a broad front.

The time has come for a new economic pol-

icy for the United States. Its targets are unemployment, inflation and international speculation. This is how we are going to attack them.

First, on the subject of jobs. We all know why we have an unemployment problem. Two million workers have been released from the Armed Forces and defense plants because of our success in winding down the war in Vietnam. Putting those people back to work is one of the challenges of peace, and we have begun to make progress. Our unemployment rate today is below the average of the four peacetime years of the 1960s.

But we can and must do better than that. The time has come for American industry, which has produced more jobs at higher real wages than any other industrial system in history to embark on a bold program of new investment in production for peace.

To give that system a powerful new stimulus, I shall ask the Congress, when it reconvenes after its summer recess, to consider as its first priority the enactment of the Job Development Act of 1971.

I will propose to provide the strongest short-term incentive in our history to invest in new machinery and equipment that will create new jobs for Americans: A 10 percent Job Development Credit for one year, effective as of today, with a 5 percent credit after August 15, 1972. This tax credit for investment in new equipment will not only generate new jobs; it will raise productivity and it will make our goods more competitive in the years ahead.

Second, I will propose to repeal the 7 percent excise tax on automobiles, effective today. This will mean a reduction in price of about \$200 per car. I shall insist that the American auto industry pass this tax reduction on to the nearly 8 million customers who are buying automobiles this year. Lower prices will mean that more people will be able to afford new cars, and every additional 100,000 cars sold means 25,000 new jobs.

Third, I propose to speed up the personal income tax exemptions scheduled for January 1, 1973 to January 1, 1972—so that taxpayers can deduct an extra \$50 for each exemption one year earlier than planned. This increase in consumer spending power will provide a strong boost to the economy in general and to employment in particular.

The tax reductions I am recommending, together with the broad upturn of the economy which has taken place in the first half of this year, will move us strongly forward toward a goal this nation has not reached since 1956, 15 years ago—prosperity with full employment in peacetime.

Looking to the future, I have directed the Secretary of the Treasury to recommend to the Congress in January new tax proposals for stimulating research and development of new industries and new technologies to help provide the 20 million new jobs that America needs for the young people who will be coming into the job market in the next decade.

To offset the loss of revenue from these tax cuts which directly stimulate new jobs, I have ordered today a \$4.7 billion cut in Federal spending.

Tax cuts to stimulate employment must be matched by spending cuts to restrain inflation. To check the rise in the cost of government, I have ordered a postponement of pay raises and a 5 percent cut in government personnel.

I have ordered a 10 percent cut in foreign economic aid.

In addition, since the Congress has already delayed action on two of the great initiatives of this Administration, I will ask Congress to amend my proposals to postpone the implementation of Revenue Sharing for three months and Welfare Reform for one year.

In this way, I am reordering our budget

priorities to concentrate more on achieving full employment.

The second indispensable element of the new prosperity is to stop the rise in the cost of living.

One of the cruelest legacies of the artificial prosperity produced by war is inflation. Inflation robs every American. The 20 million who are retired and living on fixed incomes are particularly hard hit. Homemakers find it harder than ever to balance the family budget. And 80 million wage-earners have been on a treadmill. In the four war years between 1965 and 1969 your wage increases were completely eaten up by price increases. Your paychecks were higher, but you were no better off.

We have made progress against the rise in the cost of living. From the high point of six percent a year in 1969, the rise in consumer prices has been cut to four percent in the first half of 1971. But just as is the case in our fight against unemployment, we can and we must do better than that.

The time has come for decisive action—action that will break the vicious circle of spiraling prices and costs.

I am today ordering a freeze on all prices and wages throughout the United States for a period of 90 days. In addition, I call upon corporations to extend the wage-price freeze to all dividends.

I have today appointed a Cost of Living Council within the Government. I have directed this Council to work with leaders of labor and business to set up the proper mechanism for achieving continued price and wage stability after the 90-day freeze is over.

Let me emphasize two characteristics of this action: First, it is temporary. To put the strong, vigorous American economy into a permanent straitjacket would lock in unfairness; it would stifle the expansion of our free enterprise system. And second, while the wage-price freeze will be backed by Government sanctions, if necessary, it will not be accompanied by the establishment of a huge price control bureaucracy. I am relying on the voluntary cooperation of all Americans—each one of you—workers, employers, consumers—to make this freeze work.

Working together, we will break the back of inflation, and we will do it without the mandatory wage and price controls that crush economic and personal freedom.

The third indispensable element in building the new prosperity is closely related to creating new jobs and halting inflation. We must protect the position of the American dollar as a pillar of monetary stability around the world.

In the past seven years, there has been an average of one international monetary crisis every year. Who gains from these crises? Not the workingman; not the investors; and not the real producers of wealth. The gainers are international money speculators. Because they thrive on crises, they help to create them.

In recent weeks, the speculators have been waging an all-out war on the American dollar. The strength of a nation's currency is based on the strength of that nation's economy—and the American economy is by far the strongest in the world. Accordingly, I have directed the Secretary of the Treasury to take the action necessary to defend the dollar against the speculators.

I have directed Secretary Connally to suspend temporarily the convertibility of the dollar into gold or other reserve assets, except in amounts and conditions determined to be in the interest of monetary stability and in the best interests of the United States.

Now, what is this action, which is very technical? What does it mean for you?

Let me lay to rest the bugaboo of what is called devaluation.

If you want to buy a foreign car or take a trip abroad, market conditions may cause your dollar to buy slightly less. But if you

are among the overwhelming majority of Americans who buy American-made products in America, your dollar will be worth just as much tomorrow as it is today.

The effect of this action, in other words, will be to stabilize the dollar.

Now, this action will not win us any friends among the international money traders. But our primary concern is with the American workers, and with fair competition around the world.

To our friends abroad, including the many responsible members of the international banking community who are dedicated to stability and the flow of trade, I give this assurance: The United States has always been, and will continue to be, a forward-looking and trustworthy trading partner. In full cooperation with the International Monetary Fund and those who trade with us, we will press for the necessary reforms to set up an urgently needed new international monetary system. Stability and equal treatment is in everybody's best interest. I am determined that the American dollar must never again be a hostage in the hands of the international speculators.

I am taking one further step to protect the dollar, to improve our balance of payments, and to increase sales for Americans. As a temporary measure, I am today imposing an additional tax of 10 percent on goods imported into the United States. This is a better solution for international trade than direct controls on the amount of imports.

This import tax is a temporary action. It isn't directed against any other country. It is an action to make certain that American products will not be at a disadvantage because of unfair exchange rates. When the unfair treatment is ended, the import tax will end as well.

As a result of these actions, the product of American labor will be more competitive, and the unfair edge that some of our foreign competition has had will be removed. That is a major reason why our trade balance has eroded over the past fifteen years.

At the end of World War II the economies of the major industrial nations of Europe and Asia were shattered. To help them get on their feet and to protect their freedom, the United States has provided over the past 25 years \$143 billion in foreign aid. This was the right thing for us to do.

Today, largely with our help, they have regained their vitality. They have become our strong competitors, and we welcome their success. But now that other nations are economically strong, the time has come for them to bear their fair share of the burden of defending freedom around the world. The time has come for exchange rates to be set straight and for the major nations to compete as equals. There is no longer any need for the United States to compete with one hand tied behind her back.

The range of actions I have taken and proposed tonight—on the job front, on the inflation front, on the monetary front—is the most comprehensive New Economic Policy to be undertaken by this nation in four decades.

We are fortunate to live in a nation with an economic system capable of producing for its people the highest standard of living in the world; a system flexible enough to change its ways dramatically when circumstances call for change; and most important—a system resourceful enough to produce prosperity with freedom and opportunity unmatched in the history of nations.

The purposes of the government actions I have announced tonight are to lay the basis for renewed confidence, to make it possible for us to compete fairly with the rest of the world, to open the door to a new prosperity.

But government, with all its powers, does not hold the key to the success of a people. That key, my fellow Americans, is in your hands.

A nation, like a person, has to have a certain inner drive in order to succeed. In economic affairs, that inner drive is called the competitive spirit.

Every action I have taken tonight is designed to nurture and stimulate that competitive spirit; to help us snap out of that self-doubt and self-disparagement that saps our energy and erodes our confidence in ourselves.

Whether this nation stays number one in the world's economy or resigns itself to second, third or fourth place; whether we as a people have faith in ourselves, or lose that faith; whether we hold fast to the strength that makes peace and freedom possible in this world, or lose our grip—all that depends on you, on your competitive spirit, your sense of personal destiny, your pride in your country and in yourself.

We can be certain of this: As the threat of war recedes, the challenge of peaceful competition in the world will greatly increase.

We welcome competition, because America is at her greatest when she is called on to compete.

As there always have been in our history, there will be voices urging us to shrink from that challenge of competition, to build a protective wall around ourselves, to crawl into a shell as the rest of the world moves ahead.

Two hundred years ago a man wrote in his diary these words: "Many thinking people believe America has seen its best days." That was written in 1775, just before the American Revolution, at the dawn of the most exciting era in the history of man. Today we hear the echoes of those voices, preaching a gospel of gloom and defeat, saying that same thing: "We have seen our best days."

I say, let Americans reply: "Our best days lie ahead."

As we move into a generation of peace, as we blaze the trail toward the new prosperity, I say to every American: Let us raise our spirits. Let us raise our sights. Let all of us contribute all we can to the great and good country that has contributed so much to the progress of mankind.

Let us invest in our nation's future; and let us revitalize that faith in ourselves that built a great nation in the past, and will shape the world of the future.

Thank you, and good evening.

#### EXECUTIVE ORDER PROVIDING FOR STABILIZATION OF PRICES, RENTS, WAGES, AND SALARIES

Whereas, in order to stabilize the economy, reduce inflation, and minimize unemployment, it is necessary to stabilize prices, rents, wages, and salaries; and

Whereas, the present balance of payments situation makes it especially urgent to stabilize prices, rents, wages, and salaries in order to improve our competitive position in world trade and to protect the purchasing power of the dollar:

Now, therefore, by virtue of the authority vested in me by the Constitution and statutes of the United States, including the Economic Stabilization Act of 1970 (P.L. 91-379, 84 Stat. 799), as amended, it is hereby ordered as follows:

Section 1. (a) Prices, rents, wages, and salaries shall be stabilized for a period of 90 days from the date hereof at levels not greater than the highest of those pertaining to a substantial volume of actual transactions by each individual, business, firm or other entity of any kind during the 30-day period ending August 14, 1971, for like or similar commodities or services. If no transactions occurred in that period, the ceiling will be the highest price, rent, salary or wage in the nearest preceding 30-day period in which transactions did occur. No person shall charge, assess, or receive, directly or indirectly in any transaction prices or rents in any form higher than those permitted hereunder, and no person shall, directly or

indirectly, pay or agree to pay in any transaction wages or salaries in any form, or to use any means to obtain payment of wages and salaries in any form, higher than those permitted hereunder, whether by retroactive increase or otherwise.

(b) Each person engaged in the business of selling or providing commodities or services shall maintain available for public inspection a record of the highest prices or rents charged for such or similar commodities or services during the 30-day period ending August 14, 1971.

(c) The provisions of sections 1 and 2 hereof shall not apply to the prices charged for raw agricultural products.

Sec. 2. (a) There is hereby established the Cost of Living Council which shall act as an agency of the United States and which is hereinafter referred to as the Council.

(b) The Council shall be composed of the following members: The Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, the Director of the Office of Emergency Preparedness, and the Special Assistant to the President for Consumer Affairs. The Secretary of the Treasury shall serve as Chairman of the Council and the Chairman of the Council of Economic Advisers shall serve as Vice Chairman. The Chairman of the Board of Governors of the Federal Reserve System shall serve as adviser to the Council.

(c) Under the direction of the Chairman of the Council a Special Assistant to the President shall serve as Executive Director of the Council, and the Executive Director is authorized to appoint such personnel as may be necessary to assist the Council in the performance of its functions.

Sec. 3. (a) Except as otherwise provided herein, there are hereby delegated to the Council all of the powers conferred on the President by the Economic Stabilization Act of 1970.

(b) The Council shall develop and recommend to the President additional policies, mechanisms, and procedures to maintain economic growth without inflationary increases in prices, rents, wages, and salaries after the expiration of the 90-day period specified in Section 1 of this Order.

(c) The Council shall consult with representatives of agriculture, industry, labor and the public concerning the development of policies, mechanisms and procedures to maintain economic growth without inflationary increases in prices, rents, wages, and salaries.

(d) In all of its actions the Council will be guided by the need to maintain consistency of price and wage policies with fiscal, monetary, international and other economic policies of the United States.

(e) The Council shall inform the public, agriculture, industry, and labor concerning the need for controlling inflation and shall encourage and promote voluntary action to that end.

Sec. 4. (a) The Council, in carrying out the provisions of this Order, may (i) prescribe definitions for any terms used herein, (i.i) make exceptions or grant exemptions, (i.i.i) issue regulations and orders, and (i.v) take such other actions as it determines to be necessary and appropriate to carry out the purposes of this Order.

(b) The Council may redelegate to any agency, instrumentality or official of the United States any authority under this Order, and may, in administering this Order, utilize the services of any other agencies, Federal or State, as may be available and appropriate.

(c) On request of the Chairman of the Council, each Executive Department or agency is authorized and directed, consistent with law, to furnish the Council with available information which the Council may require in the performance of its functions.

(d) All Executive departments and agencies shall furnish such necessary assistance as may be authorized by section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691).

Sec. 5. The Council may require the maintenance of appropriate records or other evidence which are necessary in carrying out the provisions of this Order, and may require any person to maintain and produce for examination such records or other evidence, in such form as it shall require, concerning prices, rents, wages, and salaries and all related matters. The Council may make such exemptions from any requirement otherwise imposed as are consistent with the purposes of this Order. Any type of record or evidence required under regulations issued under this Order shall be retained for such period as the Council may prescribe.

Sec. 6. The expenses of the Council shall be paid from such funds of the Treasury Department as may be available therefor.

Sec. 7. (a) Whoever willfully violates this Order or any order or regulation issued under authority of this Order shall be fined not more than \$5,000 for each such violation.

(b) The Council shall in its discretion request the Department of Justice to bring actions for injunctions authorized under Section 205 of the Economic Stabilization Act of 1970 whenever it appears to the Council that any person has engaged, is engaged, or is about to engage in any acts or practices constituting a violation of any regulation or order issued pursuant to this Order.

RICHARD NIXON.

THE WHITE HOUSE, August 15, 1971.

#### STATEMENT BY SECRETARY OF THE TREASURY JOHN B. CONNALLY AT THE OPENING OF A NEWS CONFERENCE, AUGUST 16, 1971

Good morning. I have a brief statement that I'd like to read if I might; then I have a brief announcement to make.

As most of you know, the President announced a group of major economic programs last night in his televised speech. There's no doubt that these Administration initiatives will have a significant and favorable impact on most Americans and their economic well being.

I personally believe the President's program contains the most sweeping, courageous and important economic proposals made in the last 40 years in this country. I say that for these reasons:

First, the programs are designed to create more jobs and reduce unemployment in this nation.

Secondly, the Job Development Tax Credits will strongly stimulate the economy and the vitality of this country.

Third, repeal of the automobile excise tax should stimulate car sales by reducing auto prices by approximately \$200 each.

Next, the Wage and Price Freeze will provide a period of stability, to bring inflation under control and to provide additional consumer confidence.

Fourth, the program will give the American worker a chance to increase his productivity because companies will be encouraged to upgrade and modernize their equipment and facilities.

Both industry and labor will become more competitive with other countries and will be better able to maintain our standard of living, both literally and relatively.

Next the temporary import surcharge, coupled with the Job Development Credit will help return our balance of trade and balance of payments to a favorable position. The surcharge will help stem the flow of imports and stimulate the purchase of American goods made by American workmen.

The suspension of gold convertibility constitutes an opportunity for us and our principal trading partners around the world to begin negotiations, studies and explorations of methods of improving the international

monetary exchange system upon which an expanding world trade depends.

And finally, the combined actions will give the nation an opportunity to assess its position, weigh the alternatives, make the decisions and gather the strength to maintain our vitality and the high sense of moral purpose which has always characterized this nation.

At the request of the President I want to announce to you this morning that he will have a meeting at ten o'clock in the morning (Tuesday) with the bipartisan leadership of the Congress and with the additional presence of the Chairmen of the ranking members of the House and Senate Banking and Currency Committees, the Senate Finance Committee, the House Ways and Means Committee, the House and Senate Appropriations Committee.

The President asked me additionally to tell you he had been in conversation with Mr. Wilbur Mills, Chairman of the Ways and Means Committee. They had a very fine telephone conversation, and he authorized me to say that he felt that Mr. Mills was in agreement with the major proposals which the President enunciated on last evening.

#### QUESTIONS AND ANSWERS

Secretary CONNALLY. I will be glad to attempt to answer any questions you may have.

MEMBER OF THE PRESS. Mr. Secretary, I have one or two related questions on the application of the wage freeze.

Would it affect, for example, an individual raise—an individual merit raise?

Secretary CONNALLY. Yes, it will affect all individual raises; it will affect all merit raises; it will affect all raises under contract.

MEMBER OF THE PRESS. All raises without exception?

Cost of living raises?

Secretary CONNALLY. That is correct.

MEMBER OF THE PRESS. Seniority raises?

Secretary CONNALLY. Yes.

MEMBER OF THE PRESS. Experience raises?

Secretary CONNALLY. Yes.

MEMBER OF THE PRESS. All of these are frozen for 90 days?

Secretary CONNALLY. Yes.

MEMBER OF THE PRESS. What about the situation of a Union which is now in negotiation for a new contract? Will it be required not to negotiate?

Secretary CONNALLY. It won't be required not to negotiate, but they will be bound again by the wages that were in effect in the month preceding August 14.

MEMBER OF THE PRESS. They could negotiate for a future raise?

Secretary CONNALLY. They could negotiate for a future raise, beyond the period when the price freeze—the wage price freeze—will end. But even a contract that was entered into six months ago, where a periodic increase fell during the 90-day freeze period, it would not be permitted to go into effect.

MEMBER OF THE PRESS. It would be permitted later to go into effect?

Secretary CONNALLY. Possibly. We don't know, exactly, what the future holds.

MEMBER OF THE PRESS. Mr. Secretary, now that we have a price freeze, too, without—as you say—any large, new bureaucracy to administer it, or enforce it, what should a citizen do if he finds a price going up, anyway? To whom would he turn?

Secretary CONNALLY. Well, we would hope that the American people would understand that the success of this wage/price freeze, in a large part, is going to depend upon their individual compliance. If an American citizen finds that there is a flagrant violation on the part of someone, they can communicate with the Office of Emergency Preparedness that will be assigned the administrative task of monitoring and supervising this wage/price freeze. But I want to, again, call upon all Americans—business; labor; large and small—American businessmen of whatever kind or character, to live up to, to adhere, and to comply with the spirit and the letter

of this freeze. I might at this point make a special plea and a request to all of the American lending institutions with respect to the interest rates they charge. We would certainly expect that they would, also, live up and comply with the spirit of this wage/price freeze, with respect to the interest rates that they charge.

MEMBER OF THE PRESS. Mr. Secretary, isn't this program today an admission that the Administration's policies up to now have failed?

Secretary CONNALLY. Oh, I don't think we viewed it in terms of an admission of anything.

I would characterize it as a new policy, a new economic action, or series of actions, designed to solve the really hard core basic problems that this Nation faces here and abroad.

Now, we again can enumerate those in brief:

We obviously had an unacceptable rate of unemployment. It was too high.

We had an unacceptable rate of inflation.

Now, again, I don't want to be argumentative about it but I can say to you that unemployment has gone down in the last several months.

The rate of inflation in the first six months of this year was less than last year, but it is still too high. It is still unacceptable.

We obviously had an unacceptable situation with respect to our balance-of-trade, where it looked like, for the first time since 1893, we might have a deficit in the balance of trade. This is not acceptable to us. Last year, the balance-of-payments on the official settlement basis was \$10.7 billion—much too high. We looked like we were headed for a similar year, this year. It was not acceptable.

So a combination of events and circumstances culminated in the time that the President felt it was important for him to act; to lay down a whole new series of actions encompassed in one broad economic policy directed toward the solution of these problems.

MEMBER OF THE PRESS. Mr. Secretary, the President said last night that, while the wage/price freeze is voluntary, it will be backed by Government sanctions, if necessary.

My question to you is this:

How do you prevent a black market in goods and services from developing, or, put another way, how do you control, without controlling?

Secretary CONNALLY. Well, in the first place, we don't assume that it is going to be the motive of the American businessman to immediately begin gouging. First, I think we attribute somewhat higher motives to the American people generally than that.

Secondly, there are sanctions in the Act, the Economic Stabilization Act of 1970, which if used, provide for \$5,000 penalties for willful violations. The Justice Department will be immediately authorized to take action, both in the form of injunctive relief, or otherwise, to impose and prosecute those who willfully violate in a flagrant case of this type; where it is obviously the objective to engage in the black market operation.

MEMBER OF THE PRESS. Isn't a \$5,000 fine, Mr. Secretary, something of a slap on the wrist to big business like Steel but a major factor to a small business? So doesn't this hit more directly at the prices of small business than of big business?

Secretary CONNALLY. No, I don't think so, for the simple reason it is inconceivable that a major American corporation would attempt to violate the wage and price freeze. The public reaction would be so immediate and so intense, that no reasonable American business enterprise would want to incur the wrath of the American people to that extent.

MEMBER OF THE PRESS. Mr. Secretary, under what compulsion will lending institutions be to comply with anything under this program?

Secretary CONNALLY. I think they will be

under the compulsion that all Americans are under to adhere to it.

Secondly, they know full well that the President, under the Credit Control Act, can ask the Federal Reserve System to impose controls on credit and interest rates.

Now, the reason it was not done is because we felt that it might be counter-productive. We want to make it abundantly clear, as we have in the past, I think, that we think lending institutions have to assume the responsibility for making available, to this American economy and its needs, money at reasonable rates, so that it will not stifle the expansion, the expansion that is necessary.

Now, we felt that an attempt to control interest might, actually, dry up the source of funds and be counter-productive. There was no attempt to exempt them, from the standpoint of exempting them, as such. It was an action that was deliberately taken because we thought—and we still think—they most certainly will comply with the spirit and letter of this freeze, and that additional money will be available under these circumstances, as opposed to what would be true if we tried to control this.

MEMBER OF THE PRESS. Mr. Secretary, what do you think the practical effect of this will be in terms of devaluation of the dollar?

How much do you expect it to slide?

Secretary CONNALLY. I cannot answer that, and I would not characterize the President's action as a devaluation. I know that many of you do. It is a question of what happens. The President's action, as he took it, does not in itself, in my terms at least, mean a devaluation. It means that it possibly could result in some depreciation, depending on what other nations do.

In my own judgment, the dollar is going to rise, vis-a-vis some currencies in the world. It may decline, vis-a-vis other currencies in the world. But to say that it is a devaluation, I think is a premature judgment. I am not prepared to say what is going to happen in the international money markets, now. There is no question but what it shook them up. (Laughter.)

We can just start with that. But in one sense, the President's object has already been achieved. He said, in effect, that we are going to have to enter into new negotiations, looking toward a more satisfactory arrangement with respect to exchange rates, because we cannot continue to have a declining balance-of-trade and a declining balance-of-payments, at the same time we are providing the military and the security shield for the Free World and at the same time that we lead all the nations in the world in the amount of money we contribute in the form of aid of one type or another to the less developed, or under-developed, nations. We cannot continue to spend that money unless we begin to show a favorable balance-of-trade.

Now, I think most countries understand this. They know the position we are in.

MEMBER OF THE PRESS. Could we have your analysis of what this does for American companies that have branches overseas?

Secretary CONNALLY. I would not attempt to generalize because it depends, I think, too much on what type of operations they have; what financial arrangements they have made. I think it is too problematical for me to try to generalize what effect it would have.

I would simply say this: I think as far as American businesses at home are concerned, and American workmen at home are concerned, that, certainly, these combined actions are going to put them in a more competitive position with their competitors around the world. That is part of what this was designed to do.

MEMBER OF THE PRESS. Mr. Secretary, sir, I note that you made an exception of cotton textiles for paying the 10% increase in duty. What about synthetics and shoes?

Secretary CONNALLY. Cotton textiles was one of those categories. There are two gen-

eral categories that are exempted from the levying of the 10% import surcharge.

First, it is levied only on those dutiable items as they are now defined, and there are a number of things on which duties are not now levied. So we are not broadening the base at all.

Secondly, there will be exempted from the imposition of the 10% import surcharge, those items that are covered under quantitative quotas, and cotton textiles is one of those. It has been a long standing agreement.

Sugar is another, and so forth.

There are a few of those that will not be affected by the 10% import surcharge.

MEMBER OF THE PRESS. Mr. Secretary, is Steel one of those?

INTERPOSING MEMBER OF THE PRESS. Mr. Secretary, when you decided to freeze wages, prices, and rents, did you consider at all freezing profits?

If not, why not?

Secretary CONNALLY. There was no authority to freeze dividends, although as you heard the President say last night, he is calling on American businesses to observe the spirit and letter of it.

Again, we felt that to try to analyze and to make it apply to profits over a 90-day period was not a practical manner of proceeding. We felt that, in controlling prices, the profits of American business have not been that big. As a matter of fact, profits generally, in American businesses, have declined over the last several years to unacceptable levels. Very frankly, we felt that by controlling prices during this freeze period, it would take care of that problem.

MEMBER OF THE PRESS. Mr. Secretary, when will the Council—the Cost of Living Council—or the Office of Emergency Planning, issue wage/price guidelines?

Secretary CONNALLY. Basically, we have issued them, by simply saying that this freeze is all pervasive. This freeze applies to all wages, prices, and rents. Now, there will be a mechanism through which exceptions can be made but, even in saying that, I am reluctant to even say it because I want to make it abundantly clear to the American people that we don't anticipate making any, except in the most extreme and dire cases of hardship and inequity, because this is a 90-day freeze. We know that there will be some hardships; there will be some inequities; but we think, on balance, beyond any question, this is going to inure to the benefit of the American people in many, many ways. And we are going to ask people to bear what sacrifices they have to bear in terms of the inequities that exist, because we cannot—we do not—intend to set up, we could not physically set up; the bureaucracies necessary to administer the program. This is why the President has been so unalterably opposed to the imposition of wage and price controls. This is why he chose the route of going the wage and price freeze for a limited period of time.

MEMBER OF THE PRESS. Mr. Secretary, G.M. and Chrysler have raised new car prices, but little American Motors has not, and Ford has raised them only on two vehicles. All of the car companies have mandatory ignition control and safety regulations.

What happens to the car companies that have not announced price raises?

Secretary CONNALLY. I don't want to get into specific cases here but let me simply say this:

With respect to new car prices, if they were not in effect during the month, and if they did not effect a substantial portion of the trade or transactions during the month preceding August 14, they will be frozen.

MEMBER OF THE PRESS. Mr. Secretary—

Secretary CONNALLY. That same rule would apply to every company, so I don't want to get into specifics now, on all of the companies, because I don't have the fact of when the raises occur, and so forth.

You can apply that criteria against all of them.

MEMBER OF THE PRESS. Mr. Secretary, will retail food prices be frozen, even though the prices of raw agricultural products will not be?

Secretary CONNALLY. Yes.

MEMBER OF THE PRESS. Mr. Secretary, what about denying millions of Americans the lower prices of foreign imports. I think of automobiles; Japanese televisions; the Electronics Industry. Won't this result, really, in an increase in the cost of those items?

Secretary CONNALLY. Yes. The imposition of the 10% import surcharge is going to increase the cost of imported items into the United States. That is precisely the point, to try to provide a means and a time where American Industry and American workmen can regain their competitive spirit and their competitive capabilities.

MEMBER OF THE PRESS. That raises a fundamental question, here. Can the American Industry compete with the world market today, without artificial protection, such as the 10% surcharge?

Secretary CONNALLY. We get into a very detailed discussion here, about what other countries do.

Let me make it abundantly clear, and American business and American labor ought to understand this:

It is the President's position that he is not, by his speech last night, or any future actions that he proposes to take, to build a tariff wall, or a wall of barriers around this American market. What he is going to try to do, as a result of the actions that he has taken, he is going to say to all of the nations of the world that, "We believe in fair trade as well as free trade, and we expect to be treated like we have been treating you."

Now, the truth of the matter is that we basically feel that barriers—administrative and otherwise—have been raised against American products by many countries in the world. It is basically unfair, and part of the negotiations that will inevitably occur as a result of these actions is going to be to try to eliminate those instances and to be sure that all of the nations operate on the same basis; and on that basis, we are willing to compete with any nation in the world, on any commodity.

MEMBER OF THE PRESS. Mr. Secretary, in effect, would it be fair to say you are relying on the voluntary, good instincts of the American people to enforce this wage and price freeze?

Secretary CONNALLY. Yes, that is basically what I said. For those who are not motivated by such instincts, I want to point out that we have injunctive powers, and we have the power to levy fines of \$5,000 per incident; and the Department of Justice will be prepared to exercise those powers if it becomes necessary.

MEMBER OF THE PRESS. Mr. Secretary, does this Order supersede Executive Order 11158, as to the Construction Industry?

Secretary CONNALLY. No. It does not.

MEMBER OF THE PRESS. It does not?

Secretary CONNALLY. No. It does not.

MEMBER OF THE PRESS. Mr. Secretary, a contract between the Bell Telephone System and the Communications Workers of America was ratified at 1:00 o'clock Saturday afternoon by the Union Membership, retroactive two weeks. Will that increase now go into effect?

Secretary CONNALLY. When was it to be effective?

MEMBER OF THE PRESS. It was retroactive two weeks. The contract had expired; it took two weeks to ratify it.

Secretary CONNALLY. This is what I said a moment ago I did not want to get into these fact situations. From what I understand of what you told me, probably so, but unless it was in effect during this prior month, it will not be permitted to go into effect.

MEMBER OF THE PRESS. Mr. Secretary, you mentioned that there would be some hardships for Americans.

Secretary CONNALLY. Yes.

MEMBER OF THE PRESS. Particularly those who are stranded overseas now, with a limited amount of dollars.

What is the Government going to do until the dollar situation stabilizes to help, for example, the \$5.00-a-day college kid overseas?

Secretary CONNALLY. He may find his \$5.00 is worth \$6.00! (Laughter)

You are assuming that just the bottom is going to fall out of the dollar.

Let me remind you that, in terms of the Free World Gross National Product, the United States of America produces 48% of it.

Let me remind you that this is the strongest economy on the face of the earth.

Let me remind you that every country in the world pegs the value of their currencies to the dollar.

Let me remind you that no one kids themselves.

We get into periods of disparity here, and disequilibrium. We have been in one for the last several months, where your short term interest rates drew money out of the United States and created instability in the international monetary field. But to assume that because the President has moved to suspend convertibility of the dollar that the dollar is going to hit rock bottom is, in my judgment, a very great mistake.

It may lose a little bit. Look what happened on the market this morning. In the last report I had, the market on the American Market of the Stock Exchange was up 20 points. They traded over 9 million shares in the first hour. They were up to 17½ the first hour, which is the largest trade ever in the history of the United States. Now, this is nothing in the world but a manifestation: The Bond Market is up; Municipals are up; Treasuries are up, the rates; it is nothing in the world but a manifestation of confidence.

The London Times this morning, in the lead editorial: "United States gets tough, at last."

This is a recognition that the action that the President has taken is not only going to stabilize things at home, but it is going to stabilize the dollar around the world.

MEMBER OF THE PRESS. Mr. Secretary, have you any indication from the foreign central banks what they are going to do?

MEMBER OF THE PRESS (Interposing). Mr. Secretary, will you count the imports as of the 14th, or will you count the imports at the time they are exported from the foreign country?

Secretary CONNALLY. No. It will apply to goods in transit; anything that enters into the United States after the 14th is going to be subject to the surcharge, if it is not exempted otherwise.

MEMBER OF THE PRESS. Have you any indication, Mr. Secretary, from the foreign central banks as to what action they are going to take vis-a-vis this floating dollar?

Secretary CONNALLY. No, I do not. I want to say to those of you who don't already know it that, about midnight last night, Under Secretary Paul Volcker, Under Secretary of the Treasury, left with Governor Dewey Dane of the Federal Reserve to go to London.

A meeting will be held this afternoon with the American Embassy at 4:00 o'clock, with representatives of some of our principal trading partners in London.

Governor Dane will go to Holland, Belgium and, probably, Switzerland, today, or tomorrow, or the next day, I don't know what the itinerary is.

Mr. Volcker might possibly also go to Paris and Bonn.

So our people are there. They are already talking. But so far as the reaction of the central bankers in Europe, frankly, I am unable to tell you what their reaction is.

MEMBER OF THE PRESS. Mr. Secretary, since the price freeze, what is going to happen to the imports now coming in with a 10% tax?

Secretary CONNALLY. They are going to have a tax levied on them.

MEMBER OF THE PRESS. Prices will go up, right?

Secretary CONNALLY. Right.

MEMBER OF THE PRESS. Mr. Secretary, after the initial response of optimism, what is your estimate of the reaction of the international bankers to the United States suspending floating the dollar?

Secretary CONNALLY. Well, I think the reaction is going to be good. They know, as well as we know, that over the past 20 years or, basically since World War II, our reserve assets have been declining; that our liabilities to foreigners, both officially and to individuals, have been increasing; and those lines on the chart cross in 1960, and the situation has been deteriorating since then.

They know that we have problems when we are running a deficit on our balance-of-trade; when we are also doing all of these other things in terms of aid, economic, humanitarian, and military, for other countries around the world; when we are also providing the military shield for the Free World. They know all of this. I think it is going to be pleasing to them. I think they are going to be delighted that the United States has faced up to the facts; faced up to reality; and that we are setting about—the President is setting about—to do something about the basic disequilibrium that exists in our relations with the principal trading partners around the world. It cannot do anything but breed confidence.

MEMBER OF THE PRESS. Mr. Secretary, how was the figure of 5%, in cutting the Federal work force, arrived at?

How much of this is going to have to be achieved by firing workers?

Secretary CONNALLY. The President felt this was a very reasonable percentage of reduction. He felt that every Department, through attrition, could lose this percentage of its employees and not do violence to the quality of service which it provided.

We don't now anticipate that there will be any substantial firings at all. Nearly all of this will come about by attrition.

MEMBER OF AUDIENCE. Mr. Secretary, on the Steel settlement, for the manufacturer who has felt the increase, the 8% increase in prices, as we have, as a manufacturer, we have not had an opportunity to be able to pass this on to our customers.

Is it the President's planning that we would have to freeze our prices for the next 90 days?

Secretary CONNALLY. Who is "we"?

MEMBER OF AUDIENCE. We are a manufacturing company.

Secretary CONNALLY. We will talk to that at some other time!

I am not unmindful of your problem. Let me answer it in this way: I will answer as I have before. If you have not established—if the substantial portion of your transactions occurred at the price in the preceding month prior to August 14—you cannot impose it.

MEMBER OF THE PRESS. Mr. Secretary, won't this action cause profits to accumulate to the very speculators that the President was talking about last night, because anybody who sold the American dollar short will profit by this.

The second part of that question: Won't you be punishing the firms and unions which exercised restraint in the past two or three years, and have not gone into this inflationary cycle, and be rewarding those who got all they possibly could?

Secretary CONNALLY. Are you talking about, strictly, the domestic front now?

MEMBER OF THE PRESS. Both on the domestic and the international.

Won't the International speculators—

Secretary CONNALLY (interposing). Let's break it down. You are talking about apples and oranges, here.

On the International front, speculators are not going to be rewarded. The President took no action whatsoever with respect to the price of gold, and doesn't intend to.

MEMBER OF THE PRESS. If I could follow that point up; if you sold American dollars and got Yen or Marks in the past two or three weeks, expecting the value of the dollar to go down, can you not buy more dollars now?

Secretary CONNALLY. The speculators—this is exactly what the President was talking about: that the speculators were in the markets overseas, and he suspended the convertibility to try to strike at those very speculators. This is precisely the point that partially caused his action.

So far as the American domestic front is concerned, you can always pick at any particular in time—you cannot say that all equity in the United States exists at any particular point in time.

How, I have already acknowledged that there may be some inequities. It is significant that most of the bargaining on the major contracts has taken place and, so far as we know, I don't know of any period of time that you could pick where less inequities, less hardships, would result from the imposition of a wage and price freeze, although that was not a consideration, very frankly, in the establishment of the time.

MEMBER OF THE PRESS. This is assumed, and I would like to clear it up.

How about Steel, which is under a voluntary import limitation to foreign countries. It will be included in the surcharge, is that correct?

Secretary CONNALLY. Right.

MEMBER OF THE PRESS. How about automobiles from Canada?

Secretary CONNALLY. Well, I am responding now as I told you I would not, to specific cases.

I think the surcharge will apply to Steel. It will not to cars from Canada because of a specific bi-lateral agreement that the United States has with Canada with respect to automobiles.

MEMBER OF THE PRESS. Mr. Secretary, how far did you have to fight portions of this program? Did you ever have to lay your job on the line? (Laughter)

Secretary CONNALLY. No. No. No. No. No.

On that point, the answer to that is no, a categorical "No."

Over the last several weeks and months, we discussed a great many things. We marched up the hill and down the hill, on acceptability of this plan, versus this plan, and so forth. There has been a tremendous amount of input in to the President on theory, on practice, on pragmatic solutions to these problems. He has never been willing—and thank heaven, he did not—he has never been willing to act in a piecemeal fashion to solve these various problems. He wanted an interrelated, cohesive program. Finally, notwithstanding the divergent views represented among those who were advising him, when the decisions were made, we were all in agreement.

No. Nobody laid their job on the line. There could not have been a more reasoning, intelligent, objective discussion of trying to lay before him alternatives.

MEMBER OF THE PRESS. Mr. Secretary, in Steel, does this action postpone the 8 percent price increase for 90 days?

Secretary CONNALLY. On Steel?

MEMBER OF THE PRESS. On Steel. It was not in effect the 30 days prior to August 14.

Secretary CONNALLY. If it was not effective, if substantial transactions were not engaged in at that price during the 30 days prior to August 14, it will not go into effect. I don't know the facts on Steel. You have to take all of my responses to these particular products now, you have to take them in the light of my lacking the precise knowledge as to

when these prices went into effect, but if you are correct—

MEMBER OF THE PRESS. If it was not in effect prior to the 14th, it would not go into effect?

Secretary CONNALLY. That is correct.

MEMBER OF THE PRESS. Mr. Secretary, two questions:

First: Will this price freeze affect increases in college tuition that would have taken effect with the beginning of the new semester?

Secretary CONNALLY. I am not going to respond any more to these precise questions. I don't know the answer.

MEMBER OF THE PRESS. Mr. Secretary, a general question:

What do you foresee at the end of the 90 days?

Secretary CONNALLY. I don't know. I don't know.

One of the principal charges that the President has given the Cost-of-Living Council is, during this 90-day period, to talk to Business; to talk to Labor; to talk to every interested group; to Consumers; Agriculture; Members of Congress; everybody else throughout this Country, to try to see what are the best plans for following this 90-day wage and price freeze. What actions do we need to take, if any?

MEMBER OF THE PRESS. Will the Council have hearings, Mr. Secretary?

Secretary CONNALLY. No. There has been no Council meeting. We had one scheduled for 10:00 o'clock this morning and it obviously has been preempted by the announcement that I made earlier about the President's meeting with the leadership. So we scheduled no hearings, and I don't know.

MEMBERS OF THE PRESS. Mr. Secretary, would you please say what you mean when you refer to a wage increase being in effect during the base period. If there were some retroactivity for a part of that period, but it had not gone into the pay checks yet, what is the effect?

Secretary CONNALLY. Well, again, I don't want to try to answer fact situations here that I don't have time to analyze.

Let me try to answer it this way:

Let's assume a contract was entered into and became effective last June, we will say, and let's assume that in the month of September—on a specific date—September 15, there was supposed to be a 15% increase per hour under the terms of that contract. That 15% increase could not become effective.

MEMBER OF THE PRESS. Mr. Secretary, to what extent did speculation enter into the problem of the dollar?

Secretary CONNALLY. I cannot answer that. I don't know. Beyond any question, there was some speculation of considerable proportions but I don't have the evidence. I don't have the proof to say who was doing it or, really, for what purpose. But beyond any question, there was too much money moving in the markets around the world.

MEMBER OF THE PRESS. Mr. Secretary, can you say that the 90-day wage/price freeze will surely end at the end of 90 days; will probably end; or may be dependent?

Secretary CONNALLY. Well, I appreciate your giving me a multiple choice. I have not had any of those since college days but I don't know. I don't know. That is going to be determined by circumstances that occur between now and the end of the 90 days. Let me answer it this way:

The President has not foreclosed any option. He very much hopes that the freeze can end at the end of 90 days. You know his antipathy toward controls over any protracted period of time.

I hope that that will occur, but I don't want to make any categorical statements about what is going to happen because I, frankly, don't know. That is why we have a Council. This is what we are going to devote most of our effort to for the next 90 days; to try to determine what can be done, and

what series of steps, even, can be taken, depending on the circumstances.

MEMBER OF THE PRESS. Will travel, sir, be included—considered—as an import and/or is there a possibility that a tax may be considered on traveling abroad for Americans?

It is a two-part question.

(1) Would foreign travel be considered an import under the 10% levy.

Secretary CONNALLY. No. I don't think so.

MEMBER OF THE PRESS. Where would we put the questions from individuals? Where would we put these questions? To Treasury?

Secretary CONNALLY. Oh, no (laughter). Send them to the Office of Emergency Preparedness.

Seriously, General Lincoln will have the responsibility for the administration of this program. He is trying to gear up, as best as he can, and as quickly as he can. We would hope that we would not have an enormous number of questions. We hope we won't be inundated because our position, I hope, is clear. We intend to make no exceptions, barring an inequity of major, catastrophic proportions, almost; so, for the most part, if people want to satisfy their curiosity, I hope they ask their neighbor instead of writing us because we are not going to be equipped to handle requests from 100 million people.

MEMBER OF THE PRESS. How does this affect controlled rate increases, like the ICC might have?

Secretary CONNALLY. It is going to affect all increases.

MEMBER OF THE PRESS. Is it your hope, Mr. Secretary, that interest rates will remain at their present levels?

Secretary CONNALLY. No. It is my hope that interest rates will come down.

MEMBER OF THE PRESS. Mr. Secretary, if it were offered to you, sir, would you accept the Republican Vice Presidency?

Secretary CONNALLY. Doesn't somebody want to put an end to this press conference?

MEMBER OF THE PRESS. Mr. Secretary, will the taxpayer benefit on his 1971 income, from the tax proposals made last night by the President?

Secretary CONNALLY. Yes. One of the proposals that the President made was to recommend to the Congress that the increased exemption that was scheduled to take place on January 1, 1973, be moved forward to January 1, 1972; so that there will be a total, in January 1, 1972, of \$100 increase in the exemption, and just the moving forward of the \$50 exemption, from '73 to '72, will result in approximately \$1 billion of benefit to the taxpayers of the Country.

MEMBER OF THE PRESS. That will be on '72 income, not on '71 income?

Secretary CONNALLY. I beg your pardon. I misunderstood your question.

MEMBER OF THE PRESS. Will there be any benefit for 1971 income from the tax proposals?

Mr. NOLAN. On the automobile excise tax. Secretary CONNALLY. Yes. The automobile excise tax, most certainly, if the Congress acts favorably on it. We certainly anticipate that it will. This will mean, for the 10 million people who will be buying automobiles, \$200 per car.

MEMBER OF THE PRESS. Is there a possibility, Mr. Secretary, that the President might ask the Congress to cut its recess short, so it can act on some of these recommendations?

Secretary CONNALLY. No, I don't think so. He has asked and proposed that the effective date of these measures—which have to be acted on by the Congress—be effective as of today, or as of yesterday; and I think if the Congress acts favorably on them, they certainly will act with this retroactive feature in them. So that nothing will be lost by the delay in time. Congressmen are scattered all over this Nation, and all over the world. We don't feel there is sufficient urgency, under

these circumstances, to call the Congress back into session.

MEMBER OF THE PRESS. A clarification on auto prices, sir.

Must the auto companies charge 1971 prices for their 1972 model cars?

Secondly, on the excise tax—

Secretary CONNALLY. Wait a minute. Let me answer that one because, again, we are getting into fact situations on particular commodities.

Now, I don't know what the facts are. We will find out. I have seen in the Press that some increases have been announced but unless those prices were in effect to a substantial degree, affecting a substantial portion of the market, prior to August 14, then the increases will not be allowed under the wage and price controls.

MEMBER OF THE PRESS. Even if it is a new product?

Secretary CONNALLY. Even if it is a new product.

MEMBER OF THE PRESS. Mr. Secretary, your Investment Program: Will this affect your proposed administrative changes in depreciation?

Secretary CONNALLY. No, it will not.

MEMBER OF THE PRESS. Mr. Secretary, are there any plans for the United States to intervene to keep the dollar at a narrower band that it might go in the market, either upper or lower?

Secretary CONNALLY. We have no plans to do so. The Secretary of the Treasury has the power to do so, if it is deemed to be in the interest of the United States.

MEMBER OF THE PRESS. You have no plans now, to do so?

Secretary CONNALLY. We have no plans, now, to do so.

MEMBER OF THE PRESS. Mr. Secretary, about a little more than a month-and-a-half ago, at the White House, you defended the President's actions in refusing to go along with a tax cut, in refusing to go along with the Wage and Price Review Board, and you very strongly defended that, and said that was the thing to do, with confidence; that everything was going along fine.

Don't you fear that you are going to create some kind of a credibility gap, with this kind of a change, that will match the credibility gap on the Vietnam War.

Secretary CONNALLY. No, I certainly do not.

In the first place, I said four things on June 27th, or the 29th, in that press conference:

I said we were not going to a Wage/Price Review Board, and we have not.

I said we were not going to Wage and Price Controls, and we have not.

I did say we were not going to ask for any tax increases. I will eat those words, but I will say this: I will have to eat fewer than a lot of other folks I know. (Laughter.)

But of the four items that I laid down, that we were not going to do, we are not doing three of them.

He is asking for increases—changes in the tax—simply because it is part of a package. Now, I don't think there is any credibility gap. I think we all do a disservice when people in high administrative positions in this Government enunciate a new policy, or change of policy—for heaven's sake, there is a saying that there is nothing constant except change! The American people would think they had a dot for President if they had one that they thought would take a position, and never change it.

I said to the American people on Face the Nation a couple of weeks ago, that a President who was bold enough to pull off the China policy and the China move, is going to be bold, equally bold, and courageous, in the administration of policies affecting the domestic economy.

Isn't that substantially what I said, Mr. Schorr?

Mr. SCHORR. That is substantially what you said in the course of saying you expected no change in policy!

Secretary CONNALLY. I agree with that. Let me address myself to that, because this does have serious connotations.

What has the President done here? Could we have, two weeks ago, talked about—or three weeks ago, or six weeks ago—talked about the imposition of a wage/price freeze on the American economy?

No! Certainly not! You could not have done it then.

MEMBER OF THE PRESS. The Democrats were recommending it.

Secretary CONNALLY. Well, they didn't have to act. When you are out of Office; when you have no responsibility for decisions, you can be a Statesman and say lots of things.

MEMBER OF THE PRESS. Were you recommending that two weeks ago?

Secretary CONNALLY. Let me pursue this.

If you had talked about the imposition of a wage/price freeze, what do you think would have happened? Everybody in this country would have rushed to raise their prices; increase wages. You would have destroyed—it would have been a counter-productive move of major proportions.

Now, when we did not announce to the world that we were going to, at some future date, suspend the convertibility of the dollar, of course, we could not do that. Of course we could not talk about it; we could not leak it; we could not hint it. If we had, it would have been disastrous in the markets of the world. Billions of tens of billions, of dollars would have changed hands.

So, because an Administration changes its policies, or enunciates a new one, where it contains elements such as these, both in the International and the Domestic front, that require absolute secrecy, I think it is basically unfair to say, "Well, you misled us."

MEMBER OF THE PRESS. Are you saying that you had these things in mind?

Secretary CONNALLY. We certainly were talking about them.

MEMBER OF THE PRESS. Mr. Secretary, you said yesterday that you did not expect these measures when you went on vacation, which was only last week.

Secretary CONNALLY. I believe the question was: Did I expect them—

MEMBER OF THE PRESS. Right.

Secretary CONNALLY. To be announced last night.

I believe that was the question.

In any event, I did not expect them to be announced last evening. I was not in the least surprised that they did occur, within some time frame. If I had thought they were that imminent, I would not have been able to enjoy the one day at home.

MEMBER OF THE PRESS. Ninety days from now, where do you want to see the key economic indicators in order for you to be able to say that this program was a success: Industrial production, unemployment, and so forth.

Secretary CONNALLY. I would not want to put any percentages—

MEMBER OF THE PRESS. What sort of progress would you like to see?

Secretary CONNALLY. Or figures. Obviously, I would like to see more jobs created. I would like to see more people hired to meet what I believe are going to be the additional demands of Consumers.

MEMBER OF THE PRESS. Could you quantify that?

Secretary CONNALLY. I would like to see more orders for machine tool goods, in particular.

I would like to see more orders for dealers for automobiles and the things that basically affect the framework of the economic base of America.

MEMBER OF THE PRESS. Could you put some numbers on that, sir?

Secretary CONNALLY. No. No. I don't want to put any numbers on it. I think it is too early.

MEMBER OF THE PRESS. Did you consult with the Automobile Industry, particularly Mr. Roche at General Motors, prior to the public announcement of this program?

Secretary CONNALLY. No. Did we consult with him, in what connection?

MEMBER OF THE PRESS. Did the Administration advise him of what these plans were?

Secretary CONNALLY. No. No. I talked to Mr. Roche myself about the details of their pricing, to try to get some facts with respect to the Industry, but beyond that, we did not tell him what was in the program.

MEMBER OF THE PRESS. Why did the Administration have to act so much more quickly than you had anticipated last week?

Secretary CONNALLY. It was a culmination, I think, of a series of events. I don't know that you could assign any particular cause to it. As I have said, the economy was expanding; but it was not expanding as rapidly as the President really wished it to expand. The job creation was increasing, but not sufficiently to reduce unemployment at the rate he had hoped. We were making progress against inflation—4% in the first six months, versus 5.5% last year—but it still was not good enough.

Some of the indicators led us to believe that it might even worsen in the last part of the year. We could not be sure. I think if you had to assign a proximate cause in terms of the tort language of the lawyers, if you had to assign a proximate cause to it, it would be the deterioration of the balance-of-trade figures; the International monetary situation, where there was a high degree of instability and, in my judgment, considerable speculation.

MEMBER OF THE PRESS. What is the balance-of-trade deficit?

INTERPOSING QUESTION BY ANOTHER MEMBER OF THE PRESS. Mr. Secretary, when you say this does not supersede the Construction Industry, do you mean this does not apply to the Construction Industry at all?

Secretary CONNALLY. It will apply, but it will not mean the disbanding of the Order with respect to the Construction Industry. That was my response.

MEMBER OF THE PRESS. So the Construction Industry Stabilization Board would use the criteria set up by this Executive Board?

Secretary CONNALLY. Oh, they will have to be under the same rules as everyone else.

MEMBER OF THE PRESS. Mr. Secretary, by reducing the Government spending at the same time you cut taxes, don't you blunt the economic impact of the program considerably?

Secretary CONNALLY. No. I don't think so, simply because we tried to eliminate Federal spending in the areas that were least productive from the standpoint of job creation and economic expansion. On the contrary, the President's very strong view is that the Government cannot hire everybody that wants, or needs, work in this Country; that we have to depend upon the private sector to do it. So that the stimulation that is inherent in the various provisions of this program, the economic stimulation, ought to be of sufficient magnitude to far outweigh the reduction of Federal spending.

On the other hand, he felt that it was, also, a part of this entire package to say to the American people that we were committed to fiscal restraint and fiscal responsibility, and that even though he called for a 5% cut in Federal employment, notwithstanding that, we are also—well, let me give you an example. Let me just give you a comparison:

For every 100,000 new cars that are sold, it means 25,000 jobs. It is not inconceivable that we will increase the sale of cars through the elimination of the excise tax of 10% surcharge, the Investment Tax Credit. It is not inconceivable that we will have half-a-million more cars sold next year than this year.

If, indeed, you do, you will provide jobs for 125,000 people by that one thing alone. So that the way that he had to do this was the obvious loss, in terms of the number of people employed by the Federal government, yes. When you cut the number by 5%, you affect some people who want to leave, for whatever reason, because this is going to come by attrition, you affect it adversely. But when you stimulate; when you take the actions that he has to rebuild the confidence, to stimulate this economy in so many ways; when you put so many dollars back in the pocket of the individual Americans, he felt those moves far outweigh the others.

MEMBER OF THE PRESS. Following up on that point, Mr. Secretary—

MEMBER OF THE PRESS (intervening). Mr. Secretary, 1933 was one of the historic turning points in the Government getting involved in managing the economy. In the light of what you just said, do you now feel that this is another one of those historic turning points; that, hereafter, the Government will have to continue playing an increasingly greater role in the economy?

Secretary CONNALLY. Well, we would hope not. We would hope not. There are people in this Country who call for mandatory control on wages and prices.

Dr. Galbraith is the leading disciple of this theory. This Administration is committed to the opposite concept: That the progress of this Nation, as a Democracy; the success of this system, as conceived, has been the ingenuity, the imagination, the vitality, of the private sector of this Economy. The very thing that we are trying to emphasize here is that the President wants to make abundantly clear that he is not willing to supplant the private initiative; the private vigor and vitality; with Government, and the dead hand of Government. It is just the reverse of what I understood your question to be.

MEMBER OF THE PRESS. Governor Connally, you said earlier that the U.S. is facing up to reality.

The Senate Democratic Leader Mansfield said, "Better late than never."

Why did it take the President so long to face up to reality?

Secretary CONNALLY. You know, conditions change; circumstances change. What was reality six months ago is not reality today. What is reality today, will not be reality tomorrow. It will be history.

So that any President must respond to the circumstances that exist at the time of the actions that he takes.

MEMBER OF THE PRESS. Mr. Secretary, you did not give a specific answer earlier on the possibility of retroactive wages.

Do you expect an Administrative position on this before the 90 days are over?

Secretary CONNALLY. I would not want to try to anticipate what the Council will do during the next 90 days.

MEMBER OF THE PRESS. One final follow-up question, Mr. Secretary.

Why was the Automobile Industry picked out for the \$200 cut in the excise tax; plus, they are certainly going to take advantage of the 10% surcharge on these foreign cars coming in, when it is a pretty healthy Industry. They are having a good year. The only real price competition in this Country, any more, has come from foreign cars.

Secretary CONNALLY. I don't believe Ford, and General Motors, and American Motors, and Chrysler would agree that they don't compete with one another. But they were not picked out. It just so happens that the automobile excise tax—outside of the Telephone tax—is about the only excise tax of this kind left.

It is an inequitable tax. It was imposed in 1917; it varied up and down many times since then, but this is a very basic Industry. The manufacturing that it represents is a very basic Industry in America. It has an impact

on this whole Economy, particularly on the Steel Industry, which is an even more basic Industry.

It is, I think, estimated—and reliably so—that one out of six people who work in America are directly, or indirectly, affected by the Automotive Industry. So it is a very basic industry. But that was not—there was no attempt to do something particular, or special, for the Automobile Industry beyond this general concept, and it was an area where we felt that, in the final analysis, it is an inequitable tax, imposed upon an industry.

If you just want to go out and pick excise taxes to apply, you could apply them to a whole lot of people. This is, basically, an inequitable tax. It has just been allowed in the light of circumstances that existed. We did not know of any better way—the President did not know of any better way—to give back to 10 million people, who are going to buy a basic commodity produced in this Country, about \$200 each, for those who buy a car. I think it is going to have a tremendous impact.

MEMBER OF THE PRESS. Thank you Mr. Secretary.

(Whereupon, at 1:00 o'clock, p.m., the press conference was concluded.)

#### IMPOSITION OF SUPPLEMENTAL DUTY FOR BALANCE OF PAYMENTS PURPOSES

(A Proclamation by the President of the United States of America)

Whereas, there has been a prolonged decline in the international monetary reserves of the United States, and our trade and international competitive position is seriously threatened and, as a result, our continued ability to assure our security could be impaired;

Whereas, the balance of payments position of the United States requires the imposition of a surcharge on dutiable imports;

Whereas, pursuant to the authority vested in him by the Constitution and the statutes, including, but not limited to, the Tariff Act of 1930, as amended (hereinafter referred to as "the Tariff Act"), and the Trade Expansion Act of 1962 (hereinafter referred to as "the TEA"), the President entered into, and proclaimed tariff rates under, trade agreements with foreign countries;

Whereas, under the Tariff Act, the TEA, and other provisions of law, the President may, at any time, modify or terminate, in whole or in part, any proclamation made under his authority;

Now, therefore, I, Richard Nixon, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including, but not limited to, the Tariff Act, and the TEA, respectively, do proclaim as follows:

A. I hereby declare a national emergency during which I call upon the public and private sector to make the efforts necessary to strengthen the international economic position of the United States.

B. (1) I hereby terminate in part for such period as may be necessary and modify prior Presidential Proclamations which carry out trade agreements insofar as such proclamations are inconsistent with, or proclaim duties different from, those made effective pursuant to the terms of this Proclamation.

(2) Such proclamations are suspended only insofar as is required to assess a surcharge in the form of a supplemental duty amounting to 10 percent ad valorem. Such supplemental duty shall be imposed on all dutiable articles imported into the customs territory of the United States from outside thereof, which are entered, or withdrawn from warehouse, for consumption after 12:01 a.m., August 16, 1971, provided, however, that if the imposition of an additional duty of 10 percent ad valorem would cause the total duty or charge payable to exceed the total duty or charge payable at the rate prescribed in column 2 of the Tariff Schedules of the

United States, then the column 2 rate shall apply.

C. To implement section B of this Proclamation, the following new subpart shall be inserted after subpart B of part 2 of the Appendix to the Tariff Schedules of the United States:

**SUBPART C—TEMPORARY MODIFICATIONS FOR BALANCE OF PAYMENTS PURPOSES**

*Subpart C headnotes:*

1. This subpart contains modifications of the provisions of the tariff schedules proclaimed by the President in Proclamation 4074.

2. *Additional duties imposed.*—The duties provided for in this subpart are cumulative duties which apply in addition to the duties otherwise imposed on the articles involved. The provisions for these duties are effective with respect to articles entered on and after 12:01 a.m., August 16, 1971, and shall continue in effect until modified or terminated by the President or by the Secretary of the Treasury (hereinafter referred to as the Secretary) in accordance with headnote 4 of this subpart.

3. *Limitation on additional duties.*—The additional 10 percent rate of duty specified in rate of duty column numbered 1 of item 948.00 shall in no event exceed that rate which, when added to the column numbered 1 rate imposed on the imported article under the appropriate item in schedules 1 through 7 of these schedules, would result in an aggregated rate in excess of the rate provided for such article in rate of duty column numbered 2.

4. For the purposes of this subpart—  
(a) *Delegation of authority to Secretary.*—The Secretary may from time to time take action to reduce, eliminate or reimpose the rate of additional duty herein or to establish exemption therefrom, either generally or with respect to an article which he may specify either generally or as the product of a particular country, if he determines that such action is consistent with safeguarding the balance of payments position of the United States.

(b) *Publication of Secretary's actions.*—All actions taken by the Secretary hereunder shall be in the form of modifications of this subpart published in the Federal Register. Any action reimposing the additional duties on an article exempted therefrom by the Secretary shall be effective only with respect to articles entered on and after the date of publication of the action in the Federal Register.

(c) *Authority to prescribe rules and regulations.*—The Secretary is authorized to prescribe such rules and regulations as he determines to be necessary or appropriate to carry out the provisions of this subpart.

5. *Articles exempt from the additional duties.*—In accordance with determinations made by the Secretary in accordance with headnote 4(a), the following described articles are exempt from the provisions of this subpart:

Item	Article	Rates of duty	
		1	2
948.00	Articles, except as exempted under headnote 5 of this subpart, which are not free of duty under these schedules and which are the subject of tariff concessions granted by the United States in trade agreements...	10% ad val. (see headnote 3 of this subpart).	No change.

D. This Proclamation shall be effective 12:01 a.m., August 16, 1971.

In witness whereof, I have hereunto set my hand this fifteenth day of August in the year of our Lord nineteen hundred and seventy-one, and of the Independence of the United States of America the one hundred and ninety-sixth.

RICHARD NIXON.

Mr. GRIFFIN. Mr. President, in joint session yesterday, the Congress heard President Nixon's eloquent call for cooperation in achieving the great goal of "a new prosperity without war and without inflation."

Upon our return on Wednesday from the summer recess, I spoke about the President's new economic program which he had announced on August 15, and I urged prompt enactment of the tax proposals which he has now laid before Congress. I am glad that other Senators today have voiced their support of the President's program.

As the distinguished Senator from Kansas has already emphasized, this is a time for bipartisan cooperation "in meeting the challenge of peace."

This is a time for economic statesmanship of the highest order.

This is not a time for partisan, political rhetoric.

The Nation's overriding need today is for unity, for a coordinated effort from all who serve in Congress, from the leaders of labor and business, as well as leaders in agriculture and other segments of our society to work together and to breathe new life into the economy.

We need a national mobilization for economic recovery, and President Nixon has provided the initiative and the leadership to spark that national mobilization for economic recovery.

He is meeting today with leaders of organized labor at the White House and, as he told us yesterday, he has invited "representatives of the Congress, of business, of labor and of agriculture to meet within the next few days for the purpose of helping plan the next phase."

All the leaders he invited have accepted. The President has accepted a suggestion made by our distinguished majority leader, Mr. MANSFIELD, that the President work closely with the chairmen and the ranking members of the major committees of the House and Senate having jurisdiction over economic affairs.

It is the intention of the majority leader, as I understand it, that the shaping of any economic program, beyond the initial 90-day freeze, be a bipartisan undertaking, above and beyond the partisan political battlefield.

I fervently hope that will be the case, and that President Nixon will have the kind of bipartisan cooperation and support in Congress that the people and the Nation have a right to expect.

**SENATOR MATHIAS' VIEWS ON OUR ECONOMIC PROGRAM**

Mr. GRIFFIN. Mr. President, the senior Senator from Maryland (Mr. MATHIAS) had hoped to be here today to participate in a colloquy with other Senators concerning President Nixon's economic program. However, it was nec-

essary for him to be absent in order to address a chamber of commerce meeting at Frederick, Md., where, incidentally, he will be discussing the President's economic program.

In the remarks the senior Senator from Maryland had prepared for delivery, he makes several suggestions on what should be done as the Nation moves beyond the initial 90-day wage-price freeze. As Members of the Senate know, the senior Senator from Maryland on numerous occasions this year has contributed significantly to the national dialog concerning our economic situation.

At the request of the senior Senator from Maryland, I ask unanimous consent that there be printed in the RECORD the text of a statement he issued from Maryland on August 16, following the President's announcement of his new economic policy, as well as the text of a recent report by the senior Senator from Maryland to his constituents in which he discussed this subject, along with the remarks he will be making at Frederick, Md., today.

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

**SENATOR MATHIAS' STATEMENT OF AUGUST 16**

Over a period of time I have suggested an economic program to deal with what is, in fact, a war economy. I had hoped that by taking early steps more drastic action could be avoided. However, in the economic situation that America now finds itself, both at home and abroad, strong and decisive action is required. While I regret that actions such as freezing wages, postponing welfare reform, and delaying revenue sharing were necessary, I support the principles of President Nixon's new economic policy, and I urge all Marylanders to band together behind the President's program to build a new prosperity without war. All Americans will most especially welcome the prospect of increased income tax exemptions, the new incentives to competitive productivity through additional research and development, and the suspension of the automatic conversion of dollars into gold.

The economic problems of today had their source in the years 1965 and 1966, when our nation became heavily involved in war while trying to live at home as if we had both peace and prosperity. Those days of guns and butter have led to an economy characterized by high inflation, a very large sector based on short-term military needs and deterioration of international confidence in the dollar. Immediate action by the President was necessary, and last night the President took such action.

Marylanders well know that the defense and aerospace sector of our economy has been declining in recent months. America must continue to be second to none in research and development for both defense and civilian purposes. The President's new economic policy, which includes incentives to foster new investment in the machinery of production and the creation of new jobs, should lead to the useful employment of skilled Maryland workers recently laid off and should create new jobs for additional Marylanders.

The President's program includes measures to deal with the evils of inflation which hurt most those who can least afford it—workers, the unemployed, the poor, and the elderly. I welcome presidential action aimed at halting the run-away inflation which has plagued us for seven years.

The President further acted to restore international confidence in the dollar, in

America, and in the international economic system itself. I welcome those measures aimed at bolstering the dollar, and especially the suspension of the automatic conversion of dollars into gold, a practice which until now has kept the dollar prey to international money speculators.

The President's decisive response to the changing economic challenges we confront and his outline of such a comprehensive economic program will contribute to America's surmounting any crisis of confidence at home or abroad.

#### SENATOR MATHIAS' WEEKLY REPORT TO HIS CONSTITUENTS

*Launching a new economic policy.*—During the recent congressional recess, I have had an opportunity to talk with many hundreds of Americans who are concerned about our country, our government and our economy. People in every walk of life are worried about the cost of living. A wire fence of the kind commonly used on Maryland farms now costs twice what it did a few years ago. The basic necessities of life, including food, cost much more each year than it did the year before. People are also worried about what this means in terms of America's position in the world. How can we go on trading our goods when they cost so much more than the goods of other nations? In such a situation, how can other nations afford to buy things made in the U.S.A.?

I have urged for many months that the government take positive steps to control the cost of living, to stabilize prices and to invigorate the economy. I am pleased that the President decided to utilize some of the powers given to him by the Congress to help get our economy back on a stable and positive course.

This does not mean, of course, that the actions that the President took on an emergency basis while the Congress was in recess will necessarily be the full economic package decided upon by the whole government. There are judicial questions, legislative questions and administrative questions to be answered as we go down on this new road.

It is a sad irony that, at a time when we are winding down the war in Vietnam and can look forward to peace, we have had to put our economy on a war-time footing. But, perhaps it is a useful lesson in economics. It illustrates for us that nations, like ordinary men, have to make the hard choices and to do the hard things that life forces upon us. There is no escape from the kind of hard economic choices which should have been taken five or six years ago and weren't.

We in the Congress will be debating the various steps that we must take to perform our role in the construction of a new economic policy for America. I thoroughly agree that the time has come for this debate and for these decisions. I look forward to taking part in helping to create a positive, forceful and successful economic policy for the American people so that we can support our families decently while we work and so that the dollar put away for our old age will buy us a dollar's worth of security. All of these things can be done if the American people pull together in this effort. I am confident we will do this and we will create the new prosperity without war which President Nixon has described.

#### EXCERPTS FROM SENATOR MATHIAS' SPEECH TO THE FREDERICK, Md., CHAMBER OF COMMERCE

1. *Establishment of a Prices and Incomes Commission.*—If our economy were allowed to go from absolute restraint to absolute freedom, Americans would immediately lose the benefits achieved by their 90 days of sacrifice. On June 21 of this year I introduced legislation to create a Prices and Incomes Commission which would be ideally suited to help guide the economy through this difficult

period of adjustment. The commission would issue voluntary guidelines on wages, prices, interest rates and dividends. The commission could, if necessary, back up its guidelines with a variety of actions including controls on government procurement, loans and loan guarantees. The commission would be expected to report regularly on the status of the economy and on when the commission itself might become obsolete.

2. *Removal of the 10 per cent import surcharge.*—We must continue to encourage the free trade which has helped build this country and has contributed so substantially to the prosperity of this great state. As the President pointed out, we must "let the challenge of competition give a new lift to the American spirit . . . We cannot remain a great nation if we build a permanent wall of tariffs and quotas around the United States." I agree entirely with this view and strongly urge that the 10 per cent import surcharge be confined to the initial 90-day period set forth by the President.

The American competitive genius would wither and die behind a tariff barrier. A long-term higher tariff could cripple the Port of Baltimore and could mean higher prices for Maryland consumers. If the tariff is removed, however, when the international situation is stabilized, then all Marylanders should applaud the President's leadership.

3. *Convening international trade conference.*—We must look beyond the immediate period and seek to establish the necessary enduring ground rules for this new era. I therefore propose that the United States call an international trade conference. This conference should take place as soon as the current monetary situation is clarified. The members of the International Monetary Fund will meet in Washington at the end of this month and their deliberations will hopefully yield a degree of stabilization in the world's monetary situation. The international trade conference should be convened as soon thereafter as feasible but certainly no more than six months later. It should discuss the total gamut of current trade problems. This conference would help resolve the many violations of the General Agreement on Tariffs and Trade and other trade agreements that have occurred with increasing frequency in recent years. And, most important, it would help equalize the rules of world trade so that America need not further compete, as the President so aptly stated, "with one hand tied behind its back."

As the monetary situation is clarified, America should take the initiative in convening an international conference on trade in order to establish the kind of ground rules necessary to enable world trade to flourish in the coming decades.

4. *Greater emphasis on economic conversion.*—Not only must we spend less, but we must spend more wisely. If we do, then less will buy more. We can spend less by accelerating our withdrawal from Vietnam and by reducing the number of men in the Armed Forces. We can spend more wisely by reapplying some of these funds to research and development for both civilian and defense needs. New technologies will create new jobs and new benefits for all. . . . On July 7, I introduced legislation to restore the income tax credit for business investment in new capital equipment—legislation which is vital if employers are going to be able to meet the challenge of providing needed jobs as quickly as possible. Last March 11, I sponsored major economic conversion legislation designed to meet problems such as those we face today. This bill would provide assistance to industries, workers and communities affected by reductions in defense and space spending and require the maintenance of up to date conversion plans by major defense and space contractors. . . . Just one example of a wise shift of resources could be close at hand. If the government would act on my

proposal pending for many long months to convert Fort Detrick from a marginal defense installation to the first rate cancer research institution which it is ideally suited to become, then every American might be freed from the fear of this dread disease.

5. *Greater progress and equity at home.*—The success of the new economic policies will depend on a fair and equitable distribution of economic benefits and burdens among all Americans. We must bend over backwards to assure that the 90-day freeze and the later general guidelines are applied evenly and without favoritism. Furthermore, Congress must redouble its efforts to pass before Christmas two essential programs: welfare reform and general revenue sharing, both of which I co-sponsored. These two programs will help all economic groups and all regions of our country to share the rewards of our new prosperity as well as the current sacrifices. . . . Along this line, I hope that the auto companies will use a substantial part of the profits they reap from added sales of new cars as a result of the repeal of the excess profits tax to speed their development of quieter, safer, less polluting automobiles.

#### TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, there will now be a period for the transaction of routine morning business, not to exceed 15 minutes, with statements therein limited to 3 minutes.

Is there any morning business? If not, morning business is concluded.

#### MILITARY PROCUREMENT APPROPRIATION AUTHORIZATIONS, 1972

The PRESIDENT pro tempore. Under the order previously entered, the Senate will now resume consideration of H.R. 8687, the military appropriation authorizations, 1972, which the clerk will state.

The legislative clerk read as follows:

H.R. 8687, to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

#### QUORUM CALL

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

The PRESIDING OFFICER (Mr. TUNNEY). 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.

#### TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, there was to have been a period for the transaction of routine morning business for not to exceed 15 minutes. The Chair quickly closed the period for the transaction of routine morning business—and quite properly—apparently because no Senators present sought rec-

ognition. I was in the reception room talking with a constituent.

In view of the fact that there is still some routine morning business to be transacted, I ask unanimous consent that there again be a period for the transaction of routine morning business for not to exceed 15 minutes with statements therein limited to 3 minutes and that the unfinished business be temporarily set aside until the close of that period.

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

Mr. PERCY. Mr. President, I thank the distinguished acting majority leader. I was standing by for the morning hour and it just passed me by.

#### TRIBUTE TO THE CHICAGO SYMPHONY ORCHESTRA

Mr. PERCY. Mr. President, I would like to comment on the tour being made of European capitals by the Chicago Symphony Orchestra. This distinguished body of musicians, accompanied by some of our leading citizens of Chicago, has undertaken for the first time to go abroad.

The Chicago Symphony Orchestra has been considered by many eminent critics throughout the years as one of the most distinguished symphony orchestras in the United States. I have followed its progress with great interest. Having attended its concerts through the years, I can testify to its excellence and its record of performance.

To have this distinguished body of musicians abroad to share its unique abilities with European audiences is a source of great pride to me. I know that many of us in this body feel that cultural exchanges with our friends abroad is a very important part of our effort to promote international understanding.

I commend every member of the Chicago Symphony Orchestra, the eminent conductor, Georg Solti, and the distinguished citizens of Chicago, headed by Mrs. J. Harris Ward, who have made the trip possible. I also compliment Gov. Richard Ogilvie and Mayor Richard Daley, both of whom had the foresight to back this successful endeavor in international diplomacy.

Mr. President, in a recent editorial, the Chicago Daily News noted the remarkable acclaim which has greeted the Chicago Symphony in Europe. I ask unanimous consent that this editorial be printed in the RECORD at this point.

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

#### BRAVISSIMO FOR SYMPHONY

The acclaim given the Chicago Symphony Orchestra's triumphant performances at the Edinburgh festival is music to Chicago ears. The Scottish audiences responded with thunderous ovations, and some of Europe's most demanding critics came forth with reviews that border on rhapsodizing: "Second to none of the world's greatest orchestras," said one; "the United States' most accomplished orchestra," wrote another, "a superbly disciplined yet fully flexible ensemble," said a third.

Chicagoans knew the heights of excellence the symphony had attained under conductor Georg Solti before it left on its first European

tour, but opinions here might be influenced by hometown pride. These lavish out-of-town notices can be accepted as an accurate gauge of just how superb our traveling musicians are.

And not only are they doing themselves proud, they are helping spread a different kind of word about Chicago, a city that ordinarily gets too few kind words abroad.

#### ORDER FOR RECOGNITION OF SENATOR MONTOYA ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the recognition of the two leaders under the standing order, the distinguished Senator from New Mexico (Mr. MONTOYA) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER (Mr. SPONGE). 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. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. Is there further morning business?

#### ECONOMIC OPPORTUNITY AMENDMENTS OF 1971

Mr. GRIFFIN. Mr. President, the distinguished Senator from Kentucky (Mr. COOPER) was unavoidably absent yesterday and he would like to have participated in the debate on the OEO bill.

I ask unanimous consent to have printed in the RECORD a statement by the Senator from Kentucky (Mr. COOPER) on that subject.

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

#### ECONOMIC OPPORTUNITY AMENDMENTS OF 1971

(Statement of Senator COOPER)

Mr. President, the Senate has approved a most significant and far reaching proposal—the comprehensive child development program. It is a worthy and proper goal of this nation to provide for the health and early development of its greatest resource and its best hope for the future—its children.

I represent a rural state and in the eastern part of Kentucky, which is in the Appalachian region, there are, unfortunately, isolated and disadvantaged areas. Having lived on the fringe of the area during my lifetime, I have seen the need for and the benefits to be gained from education programs at work in early childhood.

Over a year ago I learned about the work of the pre-school program for rural Appalachian children initiated under the Appalachian Education Laboratory. This laboratory is one of ten regional education laboratories involved in early childhood education established under the Elementary and Secondary Education Act. I was impressed by the possibilities of the program as outlined

by one of its originators, Mrs. Katherine Koritzinsky.

The program is composed of three phases: television lessons, home visitations with the parents and a mobile classroom which goes to the children. Many of these activities are carried out by paraprofessionals selected from parents in the area and trained by the Laboratory. This is only one of the early childhood programs being developed around the country, but I mention it because I believe this approach holds promise for other rural areas of the country and urban areas as well where the lack of concentrated resources militate against the effectiveness of a more conventional program.

I support the purpose of the early childhood development program to begin the education of the child during the first five years. Such a program is required if this country is to give to all children—rural, urban, minority and the children of poverty—a chance for a better education, better health and a better opportunity for life.

The means to achieve this are available. What is needed is a comprehensive approach to the problem and a dedication of sufficient resources to accomplish this task. It is essential that the education of the children to be reached by this program begin at an early age. I am hopeful that the Congress will respond and enact an early childhood program during this session.

#### ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY, SEPTEMBER 13, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the recognition of the able Senator from New Mexico (Mr. MONTOYA), there be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

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

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

##### REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT ACTIONS

A letter from the Chief of Naval Material, Washington, D.C., transmitting, pursuant to law, a report on research and development procurement actions of \$50,000 and over, for the period July 1, 1970, through June 30, 1971 (with an accompanying report); to the Committee on Armed Services.

##### REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Economies Available by Eliminating Unnecessary Telephone Equipment," General Services Administration, dated September 9, 1971 (with an accompanying report); to the Committee on Government Operations.

#### PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A petition of the Delaware Tiao-Yu Tai Committee, concerning sovereignty over the Tiao-Yu Islands; to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EAGLETON, from the Committee on the District of Columbia, without amendment:

S. 2495. A bill to amend the District of Columbia Election Act, and for other purposes (Rept. No. 92-361).

## ANNUAL REPORT OF THE SUBCOMMITTEE ON SEPARATION OF POWERS (S. REPT. NO. 92-360)

Mr. ERVIN, Mr. President, on behalf of the Committee on the Judiciary, I ask unanimous consent to file the annual report of the Subcommittee on Separation of Powers pursuant to Senate Resolution 347, 91st Congress, second session.

The PRESIDING OFFICER. The report will be received and printed.

## EXECUTIVE REPORT OF A COMMITTEE

Mr. STENNIS, Mr. President, as in executive session, from the Committee on Armed Services I report favorably the nominations of seven flag and general officers in the Army, Air Force, and Navy. I ask that these names be placed on the Executive Calendar.

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

The nominations, ordered placed on the Executive Calendar, are as follows:

Vice Adm. John A. Tyree, Jr., U.S. Navy, and Vice Adm. James W. O'Grady, U.S. Navy, for appointment to the grade of vice admiral, when retired;

Gen. Joseph R. Holzapple (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list, in the grade of general;

Lt. Gen. David C. Jones (major general, Regular Air Force), U.S. Air Force, to be assigned to a position of importance and responsibility designated by the President, in the grade of general;

Maj. Gen. William V. McBride (major general, Regular Air Force), U.S. Air Force, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Lt. Gen. George Vernon Underwood, Jr., Army of the United States (major general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of general; and

Maj. Gen. Gerald W. Johnson, Regular Air Force, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general.

Mr. STENNIS, Mr. President, in addition I report favorably 353 appointments in the Navy in the grade of lieutenant commander and below and 291 appointments in the Army in the grade of major and below. Since these names have already appeared in the CONGRESSIONAL RECORD in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations, ordered to lie on the desk, are as follows:

Howard T. Prince, and sundry other persons, for promotion in the Navy and Army.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bill was introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. NELSON:

S. 2503. A bill for the relief of Francisca Gamino Lopez. Referred to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2463

At the request of Mr. COOK, the Senator from Montana (Mr. METCALF), and the Senator from Arizona (Mr. GOLDWATER) were added as cosponsors of S. 2463, a bill to permit certain employees to work a 4-day, 40-hour week, and for other purposes.

SENATE JOINT RESOLUTION 117

At the request of Mr. McINTYRE, the Senator from Arizona (Mr. GOLDWATER) was added as a cosponsor of Senate Joint Resolution 117, requesting the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day."

## WITHDRAWAL OF COSPONSORS

Mr. BYRD of West Virginia, Mr. President, due to a clerical error, the name of the Senator from Washington (Mr. MAGNUSON) was mistakenly added to the list of those Senators wishing to be added as a cosponsor of S. 1775, a bill to create a National Agricultural Bargaining Board, and for other purposes.

I ask unanimous consent that his name be removed from the list of those Senators cosponsoring S. 1775.

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

S. 2369

At the request of Mr. FANNIN, the name of the Senator from North Carolina (Mr. ERVIN) was withdrawn as a cosponsor of S. 2369, a bill to amend the national emergency provisions of the Labor-Management Relations Act of 1947 so as to provide for dissolution of injunctions thereunder only upon settlement of disputes.

## ANNOUNCEMENT OF HEARINGS ON INDIAN LEGISLATIVE PROPOSALS

Mr. JACKSON, Mr. President, I wish to announce to Members of the Senate, the Indian people and other interested persons two forthcoming hearings on Indian legislative proposals.

On September 15, the Subcommittee on Indian Affairs will consider S. 1120 and S. 2042. Both of these measures provide for the apportionment and distribution of judgments awarded to the Shoshone Nation of Indians as a result of litigation before the Indian Claims Commission. The recipients of this award have awaited settlement for many years and have many individual and collective uses for the funds. Tribal and administration witnesses are expected to testify on these proposals.

On September 20 the full committee

will consider S. 2482, to authorize financial support for improvements in Indian education, and for other purposes. S. 2482 originally appeared as title IV of S. 659, the omnibus education bill of 1971, and is concerned with educational needs of the American Indian and Alaska Native children. During Senate deliberations on S. 659 on August 6 under a unanimous-consent agreement title IV was stricken from S. 659 and reintroduced by Senator PELL, myself, and others and jointly referred to the Committees on Labor and Public Welfare and Interior and Insular Affairs with a commitment to report it back to the Senate no later than October 1.

Major witnesses to be heard at this hearing will include representatives from national Indian organizations and education associations.

Both hearings will begin at 10:00 a.m. and will be held in room 3110 New Senate Office Building.

## NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. BYRD of West Virginia, Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Robert A. Morse, of New York, to be U.S. attorney for the eastern district of New York, vice Edward R. Neaheer.

On behalf of the Committee on the Judiciary, and at the request of the distinguished chairman, Mr. EASTLAND, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Friday, September 17, 1971, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

## ANNOUNCEMENT OF HEARINGS BY DISTRICT OF COLUMBIA COMMITTEE

Mr. EAGLETON, Mr. President, I wish to announce that the Senate Committee on the District of Columbia, at 10 a.m., Thursday, September 16, in room 6226 New Senate Office Building, will hold a public hearing on H.R. 9580, a bill to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain motor vehicles. Persons wishing to testify on this legislation should notify Robert Harris, staff director of the committee, before noon on Tuesday, September 14.

## ANNOUNCEMENT OF HEARINGS ON FREEDOM OF THE PRESS

Mr. ERVIN, Mr. President, I wish to announce that the Senate Subcommittee on Constitutional Rights has scheduled hearings for September and October 1971 on the state of the free press in the United States. These hearings have been organized as part of a subcommittee study of the meaning of the first

amendment's prohibition against abridgment of freedom of the press in modern America. The hearings will begin on September 28, and will continue over the next few weeks. If necessary, additional hearing dates will be scheduled thereafter.

The subcommittee's study and hearings are prompted in part by recent developments which have caused many Americans to question the vitality and significance of the Constitution's free press guarantee. The increased subpoenaing of journalists by grand juries and congressional committees, efforts to secure injunctions against certain newspaper publications, the use of assumed press credentials for investigative "coverers," and new fears about Government control and regulation of the broadcast media have brought into sharp relief existing concern about the relationship between Government and the press.

The purpose of the subcommittee's hearings is to examine the constitutional issues and to explore the practical problems surrounding the application of first amendment "free press" principles in contemporary America.

By focusing attention upon the history of the first amendment and its original rationale, we hope to develop a new understanding of its present-day importance to a free society.

On the basis of testimony from representatives of news organizations and the working press, we intend to define more clearly the problems which the "free press" in America today.

From Government officials we will inquire about the nature, the scope, and the reasons for whatever Government control and regulation of the printed and broadcast press now exist.

And, finally, from witnesses with special experience and background in this area, we will hear proposals for altering relationships between Government and the press and other suggestions purporting to secure more completely that freedom of the press which has been so critical to the freedom of our Nation.

Among other matters, the subcommittee will be considering S. 1311, a bill which would grant to newsmen a statutory "privilege" against the compulsory disclosure of confidential information and sources of information. Introduced in this Congress by Senator JAMES B. PEARSON, of Kansas, this bill has been referred to the Subcommittee on Constitutional Rights and has provoked considerable comment from members of the press and press associations. As of this time, 12 other Senators have joined Senator PEARSON in sponsoring this legislation.

Of particular interest to the subcommittee is the issue of the application of first amendment principles to the broadcast press. This issue has emerged as one of the most troublesome constitutional and practical problems of our day. To promote the most efficient use of the air waves "in the public interest," Government has become involved in regulating the broadcast media in a manner which many Americans believe to be a violation of the first amendment "free press" principles. Some journalists have expressed fear that the existence of such

Government regulatory authority in combination with criticism of the media by certain Government officials poses a threat to freedom of the press.

Other citizens believe strongly that the monopolistic tendencies in the broadcast industry have placed too much power in the hands of too few people in determining the kind and quality of programming presented to the public on the public's airwaves. They call for more Government regulation.

In addition to serving as a forum for an analysis of these and other important matters concerning the state of the free press in America, I am hopeful that the subcommittee hearings will ultimately engender a new appreciation for the central importance of a free and untrammelled press to a free society. I am concerned that many Americans, including some Government officials and members of the press, have forgotten the central issue. It sometimes appears that some Government officials assume that the role of the press is to present news about Government policies and actions only in the best possible light. And, it sometimes appears that some members of the press unjustifiably interpret any official response to their criticism, other than acquiescence, as a threat to their freedom to criticize. It is my belief that robust criticism of Government by the press and the consequent skepticism of the press on the part of Government are the necessary ingredients of the relationship between the press and the Government in a truly free society.

Assisting the subcommittee in its hearings will be representatives from a variety of news organizations, publisher associations, broadcast institutions, the working press, Government departments and agencies, and persons with special experience and background in this area. I shall make a further announcement as to witness schedule at a later time.

For further information, please contact the Subcommittee on Constitutional Rights' office, room 102B, Old Senate Office Building.

#### NOTICE OF HEARINGS ON THE COMMODITY DISTRIBUTION PROGRAM

Mr. PERCY. Mr. President, I wish to announce that the Select Committee on Nutrition and Human Needs has scheduled a series of hearings on the Commodity Distribution Program of the U.S. Department of Agriculture. The hearings, of which I will be chairman, will be held on the following dates and places:

Wednesday, September 15, 9:30 a.m., room 1114, New Senate Office Building.

Thursday, September 16, 10 a.m., room 1114, New Senate Office Building.

Wednesday, September 22, 10 a.m., room 3302, New Senate Office Building.

Thursday, September 23, 10 a.m., room 3302, New Senate Office Building.

#### ADDITIONAL STATEMENTS

##### FURTHER EVIDENCE OF THE FARMERS' PLIGHT

Mr. SYMINGTON. Mr. President, when back in Missouri last month, I was

told by an outstanding agricultural constituent, a farmer near the town of Centralia, that he was about to give up farming because, under present conditions and policies, despite his lifelong efforts, along with those of his family, he just could not make a go of it.

I ask unanimous consent that the confirming letter of this Missouri farmer to me, dated August 21, be printed in the RECORD upon the completion of these few remarks.

As Congress examines many bills, some worthy, some not so worthy, all designed to improve the lot of urban and suburban citizens of this country and, as we also consider billions of additional dollars to be lent or given to people of other lands, I would earnestly hope that we would also give earnest consideration to the efficient agricultural families who face the necessity of leaving their land.

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

CENTRALIA, MO.,

August 21, 1971.

DEAR MR. SYMINGTON: In reply to your letter of August 10, 1971, confirming our conversation at the MFA Convention at Columbia, Mo., I want to restate my problems as an average Missouri farmer.

My wife and I were married in 1941 and started farming on mostly borrowed capital and since that time have bought and paid for 550 acres, and we (my son and I, now 28), in addition to owned land, now rent an additional 570 acres of corn and bean land and 250 acres of pasture land, and now find it harder to hold our investment together than it was to buy and pay for it in the first place.

In 1948 I sold my corn crop in the ear in the crib for \$2.65 per bushel and this fall I will be lucky to get \$1.00 at harvest time.

We bought a 4020 John Deere tractor last spring and will have to buy another next spring and the dealer tells us that with the anticipated price increase due to the steel price increase, the next tractor (same model) will be approximately \$1,100 higher (in one year's time) and as you know corn has gone down in price from 35¢ to 40¢ per bushel in the last several weeks, and it is the same story clear across the board for the farmer.

Just why is the farmer supposed to be satisfied with less than 100% of parity, plus interest on his investment. Thanking you for anything you can do to help make the lot of the farmer a little more bearable.

Sincerely,

LEE SCHUNEMEYER.

#### THE WAGE-PRICE FREEZE

Mr. MCGEE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial concerning the wage-price freeze, published in the New York Times of September 2, 1971.

Historically, it has been the unfortunate policy of some Chief Executives to squeeze economy programs and austerity budgets out of Federal employees. They are invariably the first to be asked or required to tighten their belt. There is no group more dedicated than our 3 million civilian employees in the executive branch, and I know from personal experience with thousands of them that they are ready and willing to help to secure the Nation's economy. But for the President to impose a wage-price freeze for 90 days one month, announce that he will not renew it the next month, and in

between times act to deny equitable pay increases for civilian and military employees and servicemen for a period of 7 months beyond the end of the wage-price controls is simply inequitable. Whatever unity among all our people there might have been surfacing to stabilize the economy is severely jeopardized by such action. As the Times editorial so aptly summarized the situation:

No stabilization program can operate with hairline perfection, but no single group of workers should be expected to carry a major share of the sacrifices required for the total good.

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

#### FREEZING OUT FEDERAL EMPLOYEES

The Administration has given repeated signs in recent days of awareness that it must move with all practical speed to evolve a more flexible stabilization program to control wages and prices after the present ninety-day freeze. A major aim of this "Phase Two" program will be to erase manifest inequities of the kind that are inevitable under a total freeze.

Unfortunately, even before the dimmest outlines of this program have emerged, President Nixon has put Federal employees under a much more extended freeze than other Americans will have to suffer. We have little sympathy with the notion that any group of public employees—state, local or Federal—should be exempt from the general freeze. But neither do we see any justification for putting them under special handicaps of the type involved in the President's proposal that Federal workers be denied promised pay increases after the freeze.

Only a few months have passed since the Administration and Congress cooperated to perfect the system under which the wages of all Federal employees are supposed to be kept in balance with those paid for comparable jobs in private industry. That is a proper standard to apply to workers legally deprived of any right to strike, a standard designed to assure equity to taxpayers and public employees alike.

Now the President plans to impose a freeze for a least six months on all the increases scheduled to be paid under that "catch-up" principle—white-collar, blue-collar and military. In addition, he plans to squeeze out 100,000 Federal employees as a budget-cutting measure. And he hints that he may hold up the next round of pay increases when they come due a year from now.

It is all very well for the President to say the Federal Government must set an example in austerity. That example should be in equality of sacrifice. When new rules are worked out for stabilizing future pay policy in line with national needs, those rules should apply to public and private employees on some common basis. No stabilization program can operate with hairline perfection, but no single group of workers should be expected to carry a major share of the sacrifices required for the total good.

#### YOUTH PRIDE, INC.

Mr. BROOKE. Mr. President, for the last 4 years, a very innovative and successful program has been operating in the Washington community. Youth Pride, Inc., was conceived by and for the young people of this city, to redirect their attitudes and to encourage them in worthwhile and fulfilling endeavors.

For many young people of this city, Pride has achieved these goals. It has aided more than 800 young men, bring-

ing them up the ladder from urban sanitation to automotive mechanics and building maintenance. It has established subsidiary organizations—service stations, a real estate company, and landscaping and maintenance concerns. Throughout, Pride's efforts have been directed to education, self-improvement, and community service. This emphasis has enabled Pride to progress in a very short time from a few dozen dudes on rat patrol to a corporation which is presently in the top 1 percent of black businesses in the Nation in terms of number of employees and gross annual receipts.

I am pleased to salute Youth Pride, Inc., and its most able and dedicated director, Marion Barry. And I ask unanimous consent that a report explaining the organization's achievements in more detail be printed at this point in the RECORD.

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

#### YOUTH PRIDE, INC.

Youth Pride, Inc. was conceived, designed by, and directed towards inner-city Blacks. The program began in August of 1967, and is now into its fourth contract with the U.S. Department of Labor.

Since its beginning, Pride has begun to create a new kind of life for the 800 dudes in the organization. Its purpose is strengthening lives through effective skills training, positive racial identification and self awareness, and functional and relevant basic education. Its direction is a total man, a self-sufficient man.

Pride makes the impossible a reality by using a unique hybrid-type concept in management which is composed of the haves and the have-nots. It distinguishes itself by a special blend of double barreled manpower and economic development; and the knowledge and experience derived therefrom is used to attack "the status quo," "business as usual", and the "self-hate" philosophies of the present bleak moment. It creates a hunch of the future in the present and thereby sets the tone and the style of the future which is so strongly anticipated and desired by the members and friends of the Black community.

Pride's offering of constructive alternatives to hatred, violence and chaos is reaching the truly hard-core, the dropouts, the rejects, the drug addicts, and the jailed. These brothers are learning the value of working and building together. Never before has such responsibility in supervision and consideration in decision-making been allowed. Never before has such growth in character and creativity in organization been realized in the inner-city.

Pride has not taken the dude off the street, but has brought the street with him. An imaginative use of the equation of an economic development thrust hooked to a manpower base, provides financial independence and social dignity in addition to Black ownership.

While blue ribbon commissions, "ghetto" specialists, and urbanologists wearily theorize and grope in frustration, Pride is doing it. Pride treads continually on ground not trod upon before.

Pride has uniquely organized and operated its skills training work in five levels of training, called "multi-level way stations." An unskilled dude who comes to Pride is first put into the neighborhood sanitation unit. The work at this training level is cleaning streets and alleys, vacant lots, and properties; the training in this level focuses on the development of good work habits. Regular attend-

ance, positive attitudes, the ability to take orders, and the dignity that work and self-sufficiency brings to an individual are some of the things that are taught at this entry level.

From neighborhood sanitation, the trainees graduate into either the rodent control unit or the in-house maintenance unit. At these levels, the trainees have passed the basic orientation and education to the world of work, and are now ready for the learning of some basic skills on their road to employability. In rodent control, the trainees learn the facts and habits of rats and how to bait for them. They also learn to relate to the community as they educate and train the residents of the inner-city to prevent the spread of rodents and to recognize and bait the various rodent habitats. In in-house maintenance, the dudes learn the various aspects of interior building maintenance and repair.

From the rodent control and in-house maintenance training units, the trainees graduate into either the public housing maintenance and repair unit or the automotive service and repair unit. These two units are the most advanced levels of training within Pride. In the public housing maintenance and repair unit, the trainees are taught basic property maintenance and repair while working at some of the National Capital Housing Authority properties. Areas covered include plastering, painting, carpentry, roofing, plumbing, electrical repair, gardening and lawn maintenance, and masonry. From this training level, graduated trainees are either placed directly on jobs in the area of property maintenance and repair (which is true in the majority of cases), or placed in apprenticeship programs in a given area of specialty (as a trainee gets interested in a given work area and chooses to concentrate there).

In the Automotive service and repair unit, the trainees are taught basic automotive maintenance and repair. One section of this unit concentrates on training men to be service station attendants, and uses an on-the-job training facility which is itself a service station operation. The other section of this unit concentrates on training men to be automotive mechanics and repairmen, and teaches basic automotive repair. From this training level, graduated trainees are placed in jobs where they can use their learned skills, usually as station attendants or automotive mechanics.

As may have been surmised by this point, each training level in addition to being a training unit, is also a service entity. While the dudes are training, they are also providing a service to the community, as in neighborhood sanitation, or rodent control, or public housing maintenance and repair. Pride has effectively combined the training aspect to the service aspect, so that all benefit from its efforts.

While the heart of the Pride program is manpower training and reclaiming, in order to do this job effectively several other jobs must be done at the same time. Since Pride attempts to deal with the total man, a number of supportive services have been established to relate to the dudes' problems. In order to deal with basic reading and math deficiencies which most dudes have when they come to the organization, Pride has established an elaborated remedial education unit which works with the trainees on a regular basis to improve their academic skills. Beyond that, the education unit has developed a continuing educational program and a higher education program (in conjunction with American University and Catholic University) in order to aid those trainees that have mastered the basics, but want to continue their education beyond functional literacy.

In order to deal with the health problems of the trainees, Pride has established a health

unit which has relationships and contracts with a network of doctors throughout the city. There is a full-time nurse employed by Pride to deal with the routine health problems as they arise, and to refer those situations she cannot handle to doctors who can. Due to the magnitude of drug addiction among inner-city youth, a large part of the health unit's work is working with Project Reach, a Pride unit established to aid and rehabilitate the dudes that are on drugs and to educate the dudes and their families and friends that are not, as to the demonic qualities of drug addiction. Pride has attacked the problems of drug addiction "head-on" among its trainees, requiring and challenging them to break their habit and aiding and supporting them as they go through the agony of kicking the habit.

Other supportive services provided by Pride include legal services, family counseling and aid, recreational services, and orientation toward self-awareness and community problems. In each of these areas, Pride has organized a network of professionals and community people who can relate on a referral or consultant basis in the area of their specialty, and thus provide the trainees with the kind of services they need to overcome their problems.

A final area of Pride's overall program, which should be spoken to in more detail, is its thrust toward economic development in the Black community. For Pride has sought not just to train dudes and place them in jobs throughout the metropolitan area; but rather to establish businesses that are owned and operated by the trainees that have graduated from the Pride training program. Thus, the principals of Pride, Inc. have created and established Pride Economic Enterprises, Inc. (PEE). PEE was incorporated in March of 1968, and is designed to provide an outlet into which some of the graduated trainees move after completion of their training. To date, PEE has established a landscaping and gardening operation, a painting and maintenance operation, three operating service stations, and a housing and real estate operation.

PEE has suffered some setbacks because of the combination of the economic recession which the entire country is going through, and the special set of difficulties caused by Pride's trying to run businesses with trainees who are themselves still learning and who have not had the experience which most other businessmen have had. But the corporation is alive and doing well—presently in the top 1% of Black businesses nationally, both in terms of number of employees and gross annual receipts. If present plans for expansion bear fruit, PEE will grow even more in the next year.

In summary, the Pride program is one of the most creative and imaginative programs in the D.C. inner-city. Community support and enthusiasm for the program has remained high throughout Pride's entire existence. It combines the professionals and the dudes in a manpower training and economic development program which is not outdone in accomplishments throughout the country. Pride is doing it.

#### THE EXPORTATION OF AMERICAN JOBS

Mr. FANNIN. Mr. President, I have made numerous statements on the floor of the Senate concerning the exporting of American jobs. My statements have been critical of union officials who have forced companies and entire industries to flee overseas. I also have criticized company and industry leaders who are all too willing to switch rather than fight—those who readily abandon their

American plants for the allure of low-cost foreign labor.

Mine has not been a blanket indictment. There are some responsible union leaders who understand the need to keep wages in line with productivity so that their members will continue to have jobs.

There are many companies that have acted responsibly. And this includes "multinationals" which have come under heavy attack recently.

It is a fact of life that many American made goods produced by high-cost labor cannot compete in foreign markets. Because of this, American firms have established plants abroad to produce goods primarily for foreign markets.

One of the "multinationals" that has done this is Goodyear Tire & Rubber Co. An article in the company publication, "The Wingfoot Clan," explains the Goodyear objectives. The article also points out the growing threat of tire imports to our domestic tire producers.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

#### GOODYEAR DOES NOT EXPORT JOBS WHEN IT BUILDS PLANTS OVERSEAS

At the AFL-CIO Conference on Jobs in Washington much was said about the exporting of jobs, licenses, technology and patents.

"The impact of the trade job loss is felt by virtually every American worker, teen-agers, blacks, urban and rural dwellers, union workers and non-union workers alike," said Paul Jennings, president of the electrical workers union.

The president of the steelworkers union, I. W. Abel, was critical of American-based multinational companies that produce goods in cheap-labor areas for sale in the U.S.

George Meany, president of the AFL-CIO, said one of the purposes of the job conference was to "consider the export of jobs by multinational corporations that close plants in America and go abroad and produce products with foreign labor under American management, American technique, American know-how, American financing and then they take the product and bring it back to America to sell at American prices."

Meany said the net result is the permanent loss of jobs for people in the States.

The *United Rubber Worker* newspaper has described the "exporting of jobs" and has stated that "multinational corporations are moving 'work' out of the country."

The claim that multinational corporations are exporting jobs is an unfair one, it seems to us.

Let's consider the situation at Goodyear, a multinational corporation with operations all over the Free World.

Goodyear builds and expands overseas only if the market potential and return on investments are promising. If we didn't put up a plant then a competitor probably would.

We can't compete in foreign markets through exports from the United States. Wage differentials, tariffs, other import restrictions and transportation costs make it impossible for U.S. manufactured tires to compete. So, our alternatives are to establish factories abroad or give up foreign markets.

Only a limited number of Goodyear-made tires overseas are imported to the U.S. These generally are special, small sizes required for replacement sales for foreign-made cars sold here where the volume is too low to sup-

port local production. These Goodyear-made imported tires help to meet the acute shortages of various sizes and provide our dealers with a complete line to service owners of foreign cars.

Our plants abroad actually increase Goodyear jobs in the United States. Those plants often utilize materials produced by Goodyearites in the United States, machinery made by Goodyearites in the United States and always technical and management support from Goodyearites in the United States. The jobs required to produce those materials, machinery and technical-management support wouldn't exist if Goodyear were shut out of foreign markets.

When Goodyear has gone abroad to build a plant, the objective has been to sell abroad, not here. We have not moved "work" out of the country; we have not exported jobs.

Job losses in the U.S. tire industry are being caused by the ever-increasing rate of imported foreign-made tires. These are tires mostly from Italy, France and Japan, made by foreign-owned companies and not by Goodyear plants in those countries.

For example, Japanese companies are now the number one importer of truck tires into the U.S. and the fastest growing importer of auto tires—up 195 per cent this year from 1970.

A French company, Michelin, the number one importer of passenger tires to the United States, is building a \$100-million plant in Nova Scotia with Canadian subsidies, primarily to produce truck tires for the U.S. market.

As we have pointed out in *The Wingfoot Clan* in the past, foreign tires have captured more than 9 per cent of the U.S. market. The extent of their success is shown by the fact that foreign tires had less than 3 per cent of the market five years ago.

Auto and truck tire imports in 1970 (including tires on imported vehicles) totaled 19.4-million units, more than four times the number of units that domestic tire makers exported. The import total represents approximately 8,900 jobs lost for the U.S. rubber products industry.

Tires are being imported into the U.S. at an ever-increasing rate because they can be sold here at competitive prices. President Nixon's recent order imposing a 10 per cent surcharge on imports may slow the number of tires coming into the U.S., but the effect of the surcharge is yet to be seen.

The greater gains abroad in output per worker have enabled foreign tire makers to capitalize on their lower labor costs. Tire industry wages and benefits in the U.S. are in excess of \$6 per hour compared with overseas wages of \$1 to \$3 per hour.

It is true that wages in other countries are increasing, but productivity is going up right along with them. In Japan—between 1963 and 1969—wages increased 100 per cent and productivity increased at the same rate. During the same period, U.S. wages increased 30 per cent, but productivity showed only an 18 per cent gain.

Goodyear is not exporting jobs, but jobs are being lost in the U.S. rubber products industry because of the import squeeze. And, unless great productivity can be achieved at plant levels, the situation will not improve.

#### EXTENSION OF THE DRAFT

Mr. HART. Mr. President, next Monday the Senate will open debate on the conference report on the bill to extend the draft.

The question of extending the draft has been settled by a majority of both Houses of Congress voting in favor of a 2-year extension.

If the question concerned only the draft, I am not certain that a lengthy debate on the conference report would be merited. And I say that as one who voted against extending the draft.

However, the draft is not the only question.

The bill also includes pay raises for the military, and the Mansfield amendment, which, as approved by the Senate, would establish as our national policy a time certain by which withdrawal of U.S. forces from Southeast Asia would be completed.

In my view, the compromise reached by House-Senate conferees on both these items is unsatisfactory—so unsatisfactory that even standing separately, each provides ample reason to vote against the conference report.

While I will have more to say about the Mansfield amendment at a later date, I will limit my remarks today to one aspect of the question of pay raises for military personnel.

As I understand the situation, the conferees reduced the pay package by about \$300 million, taking most of that amount out of raises approved for personnel in the lower ranks.

Not only does this compromise work against developing an all-volunteer army in future, it also continues present hardships on many of our enlisted men, particularly those serving abroad.

Recently, I received a letter from A1c David R. Hawke, which pointed out the adverse effect the wage freeze, in the face of changing dollar values and rising prices, had on young servicemen stationed in Europe.

I ask unanimous consent that Airman Hawke's letter be printed at this point in the RECORD, for while it deals with the wage freeze, it also bears directly on the difficulties young servicemen have in making ends meet while serving their country abroad.

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

AUGUST 24, 1971.

DEAR SIR: I am writing in regard to a matter which I believe should be brought to the attention of the senate, in regard to the President's "90 day" price freeze and how it has adversely affected the young servicemen, both married and unmarried here in Europe.

My main concern is "Over 2 years" longevity pay and its suspension under the Price Freeze Act. Longevity pay is neither a raise as such nor an allowance, it's part of your basic pay and as much entitled to you as BAQ, "Basic Allowance for Quarters" is for married personnel.

Also for 1st term airmen, and particularly married airmen in the pay-grades of E-2—E-4 it is a very substantial increase and assistance. He may have frozen stateside rent, food, utilities or clothing prices, but it doesn't help the 1st term struggling airmen living on the economy here in Germany. Also with the dollar losing conversion value to the Mark, prices are rising constantly.

With the suspension of longevity pay, the young airmen is doubly hurt. It's as much a change in job status as a promotion is, and as much as increase in pay. For an E-3 who is married, and living in Germany on the economy, it's a definite struggle. His total pay with one dependent, a wife, is \$245 a month. Out of this at least \$70 for groceries,

\$85 for rent, then utilities, car and insurance payments or upkeep on a car. The \$72 for "Over 2 years" pay is a definite welcome, and helps greatly to ease a deplorable financial situation.

It would be deeply appreciated if you would bring this to the attention of your peers.

I'm only asking for what is entitled to us, not a raise, or allowance, but part of our basic pay which is being withheld, restored to us who become eligible during the 90 day period.

Personally, I don't become eligible until Dec. 18, so this is not a selfish concern.

I and all lower ranked airmen would appreciate your help.

Sincerely,

A1c DAVID R. HAWKE.

Mr. HART. Mr. President, on January 29, CBS Evening News ran a segment on living conditions among married draftees living in West Germany.

The conclusion of CBS Reporter John Sheahan was:

The poorest of the poor here in West Germany are Americans, young men in the United States Army, and they're poor because they're here serving their country.

I ask unanimous consent that the transcript of that news story be printed at this point in the RECORD.

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

CBS EVENING NEWS WITH WALTER CRONKITE:  
ROGER MUDD IN NEW YORK

MUDD. For years, the Army's policy regarding married draftees who are sent overseas is not to provide expenses for their families to join them. This is because a draftee is a short-termer, relatively speaking, and the Army does not consider his stay in an overseas zone to be long enough to warrant the expense. So if a married draftee wants his family to join him, he must pay the bills himself, and the going can get rough. John Sheahan reports from West Germany.

SHEAHAN. The poorest of the poor here in West Germany are Americans, young men in the United States Army, and they're poor because they're here serving their country. Sergeants and officers get along all right; their wives and families are brought to Europe at government expense. The impoverished are men below the rank of sergeant. They have to pay their families' fares across the Atlantic, and get along without government housing. There's no one to protect them from gouging German landlords.

Sp/4. DAVID PEPPE. I don't think—I don't see why a major's wife, or a colonel's wife, or even, you know, an E-7 or an E-8 or E-6s wife is more important than mine. I feel that I was drafted, and I was married when I was drafted, and I don't think there's any reason for me not to be with my wife, unless of course I was in a war zone.

SHEAHAN. We visited Specialist Fourth Class David Pepple and his wife Gayle. He earns \$231 a month and pays \$85 for this apartment. That's about twice the rent a German would pay. Their apartment is unheated except for an oil-fired space heater in the kitchen. The landlord's cesspool is full, so now the sewage is just pumped out into the backyard.

PEPPE. In the summer time it's impossible to even open up the windows to get any air in the house, because all the air is very foul.

Mrs. GAYLE PEPPE. I used to be a social worker, and I couldn't understand how people could be so bitter about the way they lived, and now I can really understand.

SHEAHAN. Inflation and the revaluation of the German mark have combined to knock 10 to 15 percent out of the buying power of

the dollar here in the last 15 months. Things would be better if their wives could work, but because of the language barrier the only jobs available are connected with the Army itself, and for most wives those jobs are not available.

Who gets those jobs?

WOMAN. The Germans.

PEPPE. There are—there are—in the hospital, I can speak for the hospital, there are secretaries, and all the secretaries, to my knowledge, are either local nationals or have been brought in from other countries. There are some from Ireland, and some from England, and some other countries, but it seems to me that, you know, the United States is so worried about the gold flow, and they have signs in the commissaries, you know, buy American beer, stop the gold flow, and it seems very ironical, the American people are paying out money and to hire local nationals when our wives are just sitting at home and cannot find jobs.

SHEAHAN. Some GIs have discussed their desperate poverty with Army psychiatrist Major Steve Simring.

SIMRING. I think that people who want work and want to make it should be provided the opportunity to, and I'd certainly like to see more jobs available for dependent wives of American citizens. If the German government won't provide them I think our government should. I'd certainly like to see the implementation of welfare, public assistance, here, on the same basis as it is in the States, because it seems to me that if someone has the right to get welfare in the States, he should here, and likewise, I'd like to see food stamps be brought here to Germany.

SHEAHAN. Nineteen-year-old Army wife Linda asked us to give her a ride home from the military hospital. Doctors told her her nine-week-old baby Mike had pneumonia, but the baby was not admitted. She was told to take him home again. When we got to Linda's apartment we found her home was one of the worst we had seen.

It's good that you were able to borrow—borrow a vaporizer. What did they tell you at the hospital?

LINDA. Well, the doctor in emergency told me—first of all he asked me if I had a vaporizer, and I had no vaporizer. So he told me to put—turn on the hot water, and I told him we didn't have hot water. And next he told me to put him in the shower and put him near the shower and turn on the hot water so there'd be steam. I told him we didn't have any shower. And so he told me to put him in a bathtub with warm water. We don't have a bathtub. And then he said move his bed next to the heater. And I told him we don't have one, and he said a register, and I said we don't have a register. And I told him we had oil heat, and he said where do you live, you know, and I told him we lived in German housing. He couldn't believe it.

SHEAHAN. It's notable that no one we've talked with has objected to being in the Army or to being drafted. They're proud to serve their country. What they do object to is being poor. And they're disillusioned—they feel that somehow their country has let them down.

(John Sheahan, CBS NEWS, Nuremberg.)

Mr. HART. Mr. President, subsequent to receiving the transcript, I asked the Department of Defense to comment on the report.

I ask unanimous consent that the text of my letters and the answers from Pentagon officials be printed at this point in the RECORD.

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

FEBRUARY 9, 1971.

Secretary MELVIN LAIRD,  
Department of Defense,  
The Pentagon,  
Washington, D.C.

DEAR SECRETARY LAIRD: Enclosed is a transcript of a portion of the January 29, 1971, CBS Evening News with Walter Cronkite.

The segment was concerned with reports about poor living conditions experienced by draftees in Europe.

It would be appreciated greatly if you would comment on the accuracy of the report, particularly as to the case of the nine week old baby who had pneumonia but was not admitted to the army hospital.

If the reports of the living conditions are accurate, I would appreciate additional information on what is being done to correct what can only be described as shocking treatment of American citizens.

With best wishes,  
Sincerely,

ASSISTANT SECRETARY OF DEFENSE,  
Washington, D.C., February 22, 1971.

HON. PHILIP A. HART,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR HART: This is in reply to your letter of February 9, 1971 regarding problems of junior enlisted members of the Armed Forces with dependents in Germany, as reported on a CBS-TV news broadcast on January 29, 1971.

Because of the large number of inquiries received on this matter, a fact sheet has been prepared. A copy is enclosed for your information.

Your interest in matters affecting members of the Armed Forces is appreciated.

Sincerely,

LEO E. BENADE,  
Major General, USA, Deputy Assistant  
Secretary of Defense.

PROBLEMS OF JUNIOR ENLISTED MEMBERS OF  
THE ARMED FORCES WITH DEPENDENTS IN  
GERMANY

On January 29, 1971, on CBS-TV, a report was given on the problems of the junior enlisted members of the Armed Forces with dependents in Germany. The report concentrated on the inadequate housing available, the need for an increase in pay and allowances, and one example of alleged poor medical care.

The Department of Defense has long recognized that there is not enough adequate housing at fair rental cost for all military members who are required by our Armed Forces in Germany in order for us to meet our NATO commitments. Members of all grades, officers and enlisted, volunteers and draftees, are advised not to move their families into the area unless the local command certifies that adequate housing is available and that the dependents will be "command sponsored." They are advised that if they do move their families at their own expense, they will encounter many difficulties while living on the local economy in what is essentially a tourist status; the fact that they cannot qualify for or enjoy the advantages of command sponsorship (e.g. return government transportation to the continental United States and full logistical support); and the generally high living and transportation costs involved. Where his dependents are not "command sponsored," the tour length of the military member has been shortened by approximately one year in order to partially compensate for the resulting separations.

However, since military dependents enjoy the same rights as other U.S. citizens, the Department of Defense cannot prevent them from traveling at their own expense to the serviceman's overseas duty station and some members do decide to move their dependents

at their own expense and take their chances on locating housing. In these cases, the Department of Defense has extended certain entitlements which are vital to the health and welfare of these dependents, such as medical care and the use of commissaries and post exchanges.

In addition, although the member is serving the shorter tour (the "without dependents" tour) and barracks and messing facilities are available for him, commands recognize that when the family is, in fact, in the area, they should be able to live together. Exceptions are made, therefore, to authorize the member to live off base, and he is paid the maximum additional allowances permitted by law. Dependent on the location in Germany, these extra allowances range from \$45.60 to \$75.60 per month for the member in the lowest pay grades. These are in addition to basic pay and quarters allowance. For example, an E-4 with less than 2 years' service, with one dependent who is not "command sponsored" receives \$249.90 base pay, \$90.60 quarters allowance, \$45.60 commuted rations plus the housing allowance, if applicable in the area where he is stationed. The report that a SPC 4 earns only \$231 a month was incorrect.

The allegation that a baby, named Michael, suffering from pneumonia, was denied admission to the U.S. Army Hospital has been investigated. The records of the hospital and discussions with the doctors who treated the baby do not support the allegations. The baby was seen four times at the outpatient clinic; on January 24, January 25 (once during the day when his temperature was normal and later that evening when his temperature was elevated) and again on January 27 when he was greatly improved and had a normal temperature. The diagnosis on January 24 was an upper respiratory infection, but Michael was not in need of hospitalization. A chest X-ray was taken on January 25, which showed no evidence of pneumonia. Hospital records show that during this period, Michael gained two pounds.

The hiring of foreign nationals in Germany is not a condition of a Status of Forces Agreement (SOFA) as was indicated in the news broadcast. Actually, since 1961, instructions have been issued requiring that vacancies in nonappropriated fund activities, such as post exchanges, be filled by the appointment of United States citizens, including dependents and off-duty military personnel, to the maximum practical extent.

At the present time, in all overseas areas where adequate housing is available and dependents are "command sponsored" transportation of dependents, movement of household goods, transportation of a privately owned vehicle and overseas housing and cost of living allowances are entitlements of members of pay grade E-5 and senior, and those E-4's with over four years' service or a six year active duty commitment. The feasibility of extending these entitlements to all service members is under study.

In addition, the Department of Defense after extensive study of military pay allowances, has submitted to the Congress proposed legislation which, if enacted, will substantially increase the basic pay (up to 50%) and quarters allowance of military members with less than two years' service.

MARCH 1, 1971.

MAJ. GEN. LEO E. BENADE,  
Deputy Assistant Secretary of Defense,  
Department of Defense,  
Washington, D.C.

DEAR MAJOR GENERAL BENADE: Thank you for your reply to my inquiry about living conditions among junior enlisted members and their families serving in the Armed Forces in Germany.

So that CBS News may be aware of the points you make, I have taken the liberty

of forwarding a copy of the fact sheet to Mr. Walter Cronkite.

In addition, I find that the fact sheet raises several unanswered questions.

Admittedly, creation of an all volunteer army, or significant increases in basic pay for enlisted men, or a decision to withdraw a significant number of our troops from Europe may alleviate some of the problems outlined in the newscast, those changes are at best sometime distant, and we still have the immediate problem about conditions as they exist today.

Apparently, the Defense Department agrees that the newscast did not exaggerate the general conditions under which junior enlisted men and their families live in Germany.

In the fact sheet, you report that the Department of Defense is considering the extension of certain entitlements to junior enlisted men.

Has the Department of Defense made any studies to determine whether or not these entitlements would satisfactorily alleviate the problem?

Is legislation required to extend these entitlements?

How long will be required for the Department to complete its study on the feasibility of extending these entitlements?

Does the Department have any figures to show if the proposed pay increase would alleviate this problem?

And finally, has the Department considered the possibility of extending food stamp and welfare programs available in this country to families of enlisted men living in Germany, as was suggested on the newscast?

With best wishes,  
Sincerely,

PHILIP A. HART

ASSISTANT SECRETARY OF DEFENSE,  
Washington, D.C., March 15, 1971.

HON. PHILIP A. HART,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR HART: This is in reply to your letter of March 1, 1971, in which you requested further information on junior enlisted members and their families in Germany.

As you know from the Fact Sheet enclosed in my letter of February 22, adequate housing does not exist for all military members who are required by our Armed Forces in Germany in order for us to meet our NATO commitments. This is the basic problem.

In response to your specific questions, the following answers are provided for your information:

Q. Has the Department of Defense made any studies to determine whether or not these entitlements would satisfactorily alleviate the problem?

A. The entitlements in question are (1) transportation of dependents, (2) movement of household goods, (3) transportation of a privately owned vehicle, (4) dislocation allowance, and (5) overseas allowances. Entitlement to these allowances would not solve the problems connected with housing shortages, such as exist in Germany, since the allowances are not paid to any member of any grade if the command advises the member that there is no adequate housing and his dependents will not be "command sponsored."

Q. Is legislation required to extend these entitlements?

A. No.

Q. How long will be required for the Department to complete its study on the feasibility of extending these entitlements?

A. Preliminary reports on the estimated cost of extending the entitlements to members in pay grades 1, 2, 3 and those in pay grade 4 who are not presently eligible show that the minimum cost would be approximately \$169.5 million per annum. These re-

ports were based on expected force levels as of January 1972. Considering these cost estimates it would appear that extension of all these entitlements to all members will not be feasible in the near future. However, further studies are being made to see if a phased program might be possible.

Q. Does the Department have any figures to show if the proposed pay increase would alleviate this problem?

A. The proposed pay increase will not solve the problem of lack of adequate housing in Germany. It will help the junior member, wherever he is stationed, to better feed and clothe himself and his family.

Q. Has the Department considered the possibility of extending food stamp and welfare programs available in this country to families of enlisted men living in Germany, as was suggested on the newscast?

A. No. The food stamp and welfare programs are administered under the direction of HEW and the Department of Agriculture by local communities in the United States, where determination of eligibility and distribution of food stamps and welfare benefits are controlled. It is not considered appropriate or feasible for the military departments to request authority to establish welfare offices in every locality overseas to administer such a program. Those members who are eligible to move their families at government expense to their overseas duty stations receive a housing allowance (HA) and/or a cost of living allowance (COLA) where costs exceed those in the United States. For those in the lower pay grades who are not eligible to move their families at government expense but who elect to move them at their own expense, the immediate financial aid which the Department of Defense recommends is the increase in basic pay which is presently before the Congress.

In summary, in overseas locations, such as Germany, where it is known that there is not sufficient adequate housing for all the members who are needed there, the Services will continue to advise officers and enlisted members, both volunteers and draftees, not to move their families into those areas unless they are eligible for government transportation entitlements and the local command certifies that adequate housing is available. For those who do not receive this certification or who are not in any case eligible for entitlements such as transportation of dependents, etc., the tour length is shortened to partially compensate for the resulting separations.

I hope this information will be helpful to you in this matter. Your interest is appreciated.

Sincerely,

LEO E. BENADE,

Major General, U.S.A., Deputy Assistant Secretary of Defense.

Mr. HART. Mr. President, apparently, at least as of March 15, a major portion of this Nation's policy to help young married draftees serving abroad was to discourage wives and children from accompanying husbands and fathers on foreign assignments.

That indeed seems a strange way to build morale, to encourage young people to make a career of the military.

While it may be true, as stated in the letter from Maj. Gen. Leo L. Benade, that pay raises would not solve the housing problem in West Germany, pay raises would certainly help make life more bearable, both at home and abroad, for the Nation's lower grade military personnel.

The letter from Airman Hawke and the transcript of the CBS documentary make a compelling case that the Senate ought

to reject the conference report on the draft bill on the basis of the decision to reduce pay raises for enlisted men.

#### DRAFT CONFERENCE REPORT OPPOSED BY SENATOR BROOKE

Mr. BROOKE. Mr. President, on Monday next, the Senate will take up the selective service conference report. I do not intend to join in any effort to filibuster this measure, for reasons which I have fully explained in the past; namely, that I believe the sole purpose of debate is to educate, not to delay. When reasonable time has been taken to debate an issue, I think the Senate should be allowed to work its will.

However, since coming to the U.S. Senate I have consistently opposed the extension of the draft, and I will vote against it this time, as well.

My opposition to the draft is based on two primary considerations: First, my abhorrence of involuntary servitude; second, my conviction that compulsory military service is more costly, both in social and economic terms, than a volunteer armed service would be.

In addition, I find two other sections of the conference report unacceptable: I refer to the emasculation of the Mansfield amendment and to changes adopted by the conferees in the pay raise provisions.

A sense-of-the-Senate resolution is not what the majority of Senators had in mind when they voted, 61 to 38, in favor of the original Mansfield amendment requiring the withdrawal of all American forces from Vietnam within 9 months. Subsequent electoral practices in Vietnam have obviated any argument for remaining there longer, or for insisting on full flexibility in determining when our commitment shall end. The South Vietnamese Government has demonstrated that it no longer deserves our support.

A reduction in military pay raises below those approved by either the Senate or the House is further reason for opposing the conference report. The men of our Armed Forces have subsisted on pittance pay for far too long. If we are indeed serious about moving, even 2 or more years from now, to an all-volunteer army, we must take steps now to insure that military service will be attractive to the larger number of men and women who will be required to fill the ranks.

I sincerely hope that the conference report will be rejected.

#### SANTA BARBARA OIL

Mr. CRANSTON. Mr. President, on Wednesday, in the Senate, both my colleague from California (Mr. TUNNEY) and I urged President Nixon and the Secretary of the Interior not to allow two more drilling platforms in the Santa Barbara Channel until Congress has had a chance to review both the environmental impact statement and the pending bills to limit oil development in the channel.

The ill-considered priorities which have allowed the Santa Barbara Channel to continue to be polluted by oil development were excellently analyzed last Sun-

day in a Los Angeles Times editorial. I ask unanimous consent that the editorial be printed in the RECORD.

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

#### SANTA BARBARA DRILLING

Is the oil extracted from the Santa Barbara Channel worth the certain cost of environmental damage and the potential risk of much greater damage?

We, and many Californians, believe it is not. The Nixon Administration believes it is. On this point the difference is basic. The Administration misjudges the temper of California if it thinks Californians will indifferently regard more oil drilling from more platforms in the offshore lands.

The Interior Department, which recently lifted the suspension on exploratory drilling in 14 oil and gas leases in the channel, has now cleared the way for two more platforms to be built and more wells to be drilled from them. In so doing the Interior Department overrode both the objections of the federal Environmental Protection Agency and the strong opposition of the residents of Santa Barbara.

The immediate question is whether more drilling is necessary to relieve the pressure that caused the notorious blowout and oil spill in the channel in 1969, the event, by the way, that was perhaps the principal catalyst for the citizens' environmental movement now under way.

In June, 1969, a White House panel decided that the undersea oil deposits from which the blowout burst should be depleted to avoid another spill. On this point there has been some disagreement among scientists. It is not so clear as the government contends that continuing to pump and to drill will in fact decrease the danger of more blowouts. The Environmental Protection Agency advised more "discussion."

The larger question is whether more oil ought to be taken from the channel at all.

The oil companies want to, naturally enough, because they are in the business of getting oil as cheaply and efficiently as possible. They can hardly be expected to take any other view. But the government's obligations are different. The government's obligations are to weigh the natural interests of the oil companies against the larger public interest. And here the Interior Department has consistently taken the side of the oil companies, sometimes against the advice of the federal environmentalists.

The Interior Department holds to the view that there is a "demonstrated need" for more oil. There is. If the oil from the Santa Barbara Channel were the only oil the country had, or if it were a major portion, the argument would be persuasive. But in fact the oil from the channel is a minor part of the country's oil reserves. It is not needed now. If it is some day, it will be there.

The California beaches with their lovely views, their marine life and their opportunities for recreation, are a limited and precious resource.

In the present state of the art of drilling underwater, there is always, especially in the infirm earth under the channel, a potential for accidents. (Not to speak of inherently unsightly appearance of a huge offshore drilling platform.)

In choosing to accommodate the natural wishes of the oil companies at the expense of the larger interest of the California public, the Interior Department has got its priorities wrong. Evidently only the President can set them straight. It is up to Mr. Nixon now.

#### GENOCIDE: THE HUMAN COST

Mr. PROXMIRE. Mr. President, veterans of even one session of Congress know

well how easily the business of this body can pile up and accumulate. In that sense it is rather like any other business. Life on Capitol Hill assumes its own rhythm, running at a pace somewhat different than the rest of the country.

Indeed, one of the most common complaints levied against lawmakers and other politicians is that they do not pay enough attention to the human side of political issues. Sometimes it is not difficult for us to get caught up in a seemingly all-inclusive net of statistics, technicalities, facts, and figures which shroud the actual issues at stake.

We may sometimes forget that, at the root of everything we do, Congress must face up to the ultimate human consequences of our deeds.

The United States did not enter into combat against the suffering and atrocities of World War II without learning something about man's capacity and occasional willingness to commit infamous crimes such as genocide. We met their brutality with our own force—force which we felt was justified—and we were fortunate that we were strong enough to subdue our opponents' brutality.

But I submit, Mr. President, that nations will not always be able to conduct their international affairs from the standpoint of which power possesses the greatest power. Megatonnage statistics means little when the weapons debate is reduced to a comparison of how many times over each nation's arsenal is capable of destroying the earth.

Mr. President, that is why lawmakers must return to more human concerns. How shall we restrict man's awesome destructiveness? How shall we move further toward peace in the world?

Senate ratification of the Genocide Convention would be a step toward peace. It would outlaw genocide and establish procedures for the trial and punishment of genocidal acts. Admittedly, ratification would not make genocide impossible, just as the outlawing of murder does not make murder impossible. But it does make murder punishable. The Genocide Convention would make genocide punishable.

It is hoped that the fact that genocide is punishable would deter the crime; and that if it were not deterred, the criminal could be punished.

Mr. President, if we believe in the legitimacy of rule by law, and if we believe that genocide should be a criminal offense, it is incumbent upon the Senate to ratify the Genocide Convention soon. That is our hope—that the Genocide Convention will help to save human lives.

#### HERMAN ODOM, ENTERPRISING FARMER OF EVANS COUNTY, GA.

Mr. TALMADGE, Mr. President, the September issue of the farm journal *Top Op* contains a very fine article about a most enterprising farmer, Herman Odom of Evans County, Ga.

The article outlines the success of Mr. Odom's diversified farming operation, and how he has made hard work and enterprise pay exceptional dividends.

I found Mr. Odom's success story both instructive and informative, and I per-

sonally congratulate him for a job well done.

I bring the article to the attention of the Senate, and ask unanimous consent that it be printed in the *RECORD*.

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

[From *Top Op*, September 1971]

#### I'LL RAISE ANYTHING THAT MAKES MONEY (By Norman Cavender)

With this basic idea, Herman Odom turned a one-crop 84-acre operation into an 11-crop 1,200-acre enterprise. He has a management formula that could work for you or anyone anywhere, if you're willing to "double up" as he does.

"A lot of farmers say 'I'm a dairyman, or cattleman, or grain producer,' or something else," says Herman Odom, Evans County, Ga. "They should be saying 'I'm an agricultural businessman.' As soon as you start thinking you're a certain kind of farmer you overlook profits that might be right under your nose."

Odom speaks from experience. He started out as a tobacco producer, but at the present moment he turns a profit from 11 commodities: corn, soybeans, wheat, oats, peanuts, tobacco, sweet potatoes, timber, broilers, layers and catfish.

When he started farming he had "\$250 and the mumps." His farm was his wife's half interest in 168 acres, only 75 of that in cultivation. He hasn't had the windfall inheritance or other strokes of fortune that boosted many farmers to the first ranks. But today he operates over 1,200 acres—700 owned, 500 leased—and his labor expenses alone total more than many farmers gross: almost \$60,000 a year.

He has been in dozens of other enterprises over the years, shifting toward them as he sees profits, shifting away as he spots new profits elsewhere.

Odom insists that his resources give him double or triple duty. "For many farmers this is a neglected area. It kills me to see an expensive machine or building used only 30 days out of the year and sitting there staring at me the other 11 months. Find a way to make that thing produce some more cash."

How do you find a way to double up? Look at what Odom did with his tobacco barns. "Here I had these beautiful bulk-curing barns with automatic temperature and humidity control. Now they're plenty profitable just for tobacco, but I want a second or third profit as often as possible. So I planted some sweet potatoes and started curing them in the tobacco barns.

"It works perfectly," Odom says. "I had everything I needed for sweet potatoes right here on the farm, except the digger. And that only cost \$1,500. I plant them with the tobacco transplanter and if the market is good at harvest I can sell them green. But usually I make money by curing and storing them. They come in right after tobacco, and they cure perfectly right in the tobacco barns. Sweet potatoes alone are only marginally profitable. But with curing and storage paid for by tobacco, the picture gets better."

Had he thought of himself only as a tobacco farmer, Odom would never have even glanced at sweet potatoes. And he would have missed that extra profit.

He went yet another step with his barns. He noticed that peanuts, too, were harvested when some of his bulk-curing barns were empty. So he began drying and storing his own peanuts right in the tobacco barns. Thus a single investment in buildings generated three different profits.

Another key to good management the way Odom sees it: Don't settle for only one or two harvest seasons a year. Work the farm full time 12 months a year, and keep the cash rolling in year around. Use cash-flow accounting

to know where you stand every month and where you're going next.

"That's why I went into broilers and layers," Odom says. "There are farmers who wouldn't even consider chickens. But look at all the advantages. I'm on a contract so I eliminate the risk. The broilers turn my money five times a year; I get a check every nine weeks. With layers, I get a check every month. That's money to count on and use. If you want to make money, you have to keep your dollars moving all the time, and more dollars coming in. So watch for new enterprises."

"On top of that, I've got work for my help year 'round. So I can afford to keep good help. In the winter, when crop work is slow, the men can work on buildings and equipment and haul the manure from the chicken houses."

To see Odom's management abilities in operation, follow a typical year on his farm. You'll see how he fits 11 crops together to keep his resources turning extra dollars 12 months.

**January:** "We use tractors to move manure from chicken houses and do some early harrowing. We're planting tobacco beds and repairing buildings and equipment."

**February:** "We're working just about full time breaking land and fumigating tobacco beds."

**March:** "First we plant tobacco and corn, then early soybeans. We switch the planters over to peanuts, then use the tobacco transplanter for sweet potatoes. We put down five crops with two types of planter."

**April:** "We finish up the planting, ready the irrigation equipment, and do some early cultivation."

**May:** "Cultivation and weed control the entire month."

**June:** "We combine small grains. If I had planted nothing but corn, my combines would be idle now. And I would need two or three times as many combines when corn harvest hit. So I stretch the work and use just two combines. Actually I need two and a half combines. But instead of buying a third combine, I went partners on one with a neighbor who needed a little more combine capacity. Sharing it works real well; each pays into the pool for actual use. So we both come out several thousand dollars ahead."

"We're also still running the tractors and planters now . . . planting late soybeans. And we start irrigating. The irrigation is mostly for tobacco, but if it gets real dry we can use the equipment on the sweet potatoes . . . double use of a resource. And I even irrigate a little corn."

**July:** "This is tobacco harvest, which takes 80% of our total time. We did all the work on the chicken houses back during winter, so we get by there with minimum help."

**August:** "We're finishing tobacco and bringing the tractors right back into the field to chop stalks and harrow. We're also liming the tobacco land and doing the marketing."

**September:** "Combines are back in the fields to harvest corn, and we're cutting and harrowing right behind them."

**October:** "Finish the corn and start digging sweet potatoes, then harvest the peanuts."

**November:** "Combine soybeans, finish up fall plowing, then prepare ground for the small grains."

**December:** "Plant small grains and head back to start cleaning chicken houses and getting equipment back into order."

"Tobacco is a basic crop because of its high income: about \$1,500 an acre gross," he says. "I grow 100 acres, and there are not many farmers who will take on a headache that big. But we've learned how to handle it by using the latest technology—bulk-curing barns, for example—and by economies of size."

"You need a base crop to concentrate on and build around. For me it's tobacco. For someone else it might be corn, or cattle, or

hogs. Find a profitable one and *grow it right*; use the best techniques and equipment. *But don't get blinded by this crop so you overlook all the other money to be made in farming.*

"I added small grains, corn and soybeans because they're fairly easy to manage and equipment needs are the same. *Always look for crops compatible with what you're already doing.*"

Odom stresses compatibility for maximum use of resources. But that doesn't mean he turns down everything else. Take his catfish operation. It doesn't match anything on his farm, except his labor pattern.

"Until recently I always had cattle," he says. "But down here the economics just about require cattle on pasture. And I couldn't get enough pasture in any one place. I was running all over the county keeping a check on cattle. Catfish are a substitute."

Odom points out that a diversified farming system, for all its profit-making advantages, carries a big risk. "If you don't have good controls over it, it can fall apart before you know it. One of the greatest moves I've ever made was to start cash-flow records. The lenders helped me work up the system and I wouldn't abandon it for anything."

Odom's wife, Gwen, handles all the books and keeps the cash-flow records up to the minute. "We lay out a projection every month," she says, "and then record our actual performance beside the projection. That way we can tell how good a job we're doing."

Last year they missed their projections on corn less than \$1,000, even with blight damage.

"One thing to remember," Odom says, "whatever you do, make it all fit together. Get extra mileage out of your equipment or labor or your own knowledge. Make everything do double duty."

#### GOVERNMENTAL SECRECY

Mr. HUGHES. Mr. President, public attention has been directed to so many issues of governmental secrecy in recent months that the Washington Post has called it "the secret summer."

One of the most timely and informative articles I have seen on this subject appeared in Parade magazine for August 22. By showing the extent and failings of current classification procedures, Lloyd Shearer has performed a valuable service in pointing the need for reform. I ask unanimous consent that the article be printed in the RECORD.

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

OPEN TO DISCUSSION—WHAT PRICE SECRECY?  
(By Lloyd Shearer)

WASHINGTON.—One of the most shocking snafus in the United States Government is its secrecy classification system.

Like some million-footed, multi-webbed fungus, it grows wild, almost always expanding, practically never contracting.

Would you believe, for example, that someone in the Navy Department has been stamping newspaper clippings "Secret"? and that as a result the Defense Department has had to publish a special directive ordering employees not to classify newspapers?

Would you believe that the Air Force Electronics Systems Division issued the following statement for use on selected documents: "Although the material in this publication is unclassified, it is assigned an overall classification of Confidential"?

Would you believe that no one in government knows how many people in this country have the right to classify government documents Top Secret, Secret, or Confiden-

tial? One Defense Department estimate given to a House subcommittee on June 29, 1971, is "hundreds of thousands."

#### 20 MILLION SECRETS

Would you believe that there are, according to the testimony of William G. Florence, a classification expert with 43 years of experience in government, 20 million classified papers currently held by the government of which 99½ percent should not be classified at all?

Or that unnecessary classification is wasting \$50 million of the taxpayers' money each year?

Or that, according to the testimony of Walter Pincus, a former chief consultant to the Symington subcommittee of the U.S. Senate Foreign Relations Committee, classification is used by the government not only to keep valuable information from the nation's potential enemies but to hide the mistakes of government officials, to prevent documentation of White House errors, and to limit the extent of internal opposition to and criticism of government policy?

Whether one believes it or not, the evidence is sufficient that the Federal government suffers from massive overclassification of information.

There is no penalty for overclassification in this country. The result, in the opinion of some critics, is that a small army of "fearful bird-brains" has grown up who believe in classifying everything—and not without cause. For, as William G. Florence recently testified: "To my knowledge, no one in the Department of Defense was ever disciplined for classifying information, regardless of how much the classification cost for unnecessary security protection or what damage resulted from the restriction against releasing the information to the public. But I have seen how rough a person can be treated for leaving classification markings off of information which he knows to be officially unclassified if someone 'up the line' thinks that a classification should have been applied."

However one feels about Dr. Daniel Ellsberg and his leaking of the once top secret, still classified Pentagon Papers, the fact is that the disclosure of those papers has made imperative a thorough overhaul of a faulty, outdated classification system.

At this moment, in one branch of the government alone, the Armed Forces, there are 31,048 people who have the original authority to classify documents.

Of this number, 803 have the authority to classify them "Top Secret" originally.

Another 7687 have the authority to classify them "Secret" originally.

And all have the authority to classify them "Confidential."

From these 31,048 persons emanates a derivative classification authority flowing to countless civilians, assistants, consultants, and others connected or under contract to the Defense Department. No one seems to know exactly how many.

#### CAN DECLASSIFY, TOO

In addition to the authority to classify documents, all these 31,048 people have the authority to declassify documents.

"But in most cases," affirms Daniel Z. Henkin, a Defense Department secretary in charge of public affairs, "people are generally too busy to declassify. There are millions of documents still classified 'Top Secret' and 'Secret' which don't belong in that category at all. It is the position of the Secretary of Defense Melvin Laird that as much material as possible be declassified."

History, however, will record Melvin Laird as the Defense Secretary who, from November, 1969, to the end of June, 1971, refused to make available, even on a classified basis, to the U.S. Senate Foreign Relations Committee a single page of the 7000-page-long Pentagon Papers.

At about the time he was publicly espous-

ing declassification, Laird was writing Sen. J. William Fulbright of the Foreign Relations Committee such negotiations as "... Access to and use of this document [the Pentagon Papers] has been extremely limited. It would clearly be contrary to the national interest to disseminate it more widely." (Dec. 20, 1969.)

On April 20, 1970, addressing 1500 people at the annual luncheon session of the Associated Press in New York, Laird said: "Let me emphasize my convictions that the American people have a right to know even more than has been available in the past about matters which affect their safety and security. There has been too much classification in this country."

Months later, Senator Fulbright again asked the Defense Secretary to turn over the Pentagon Papers to the Senate Foreign Relations Committee. Laird ignored the request.

#### SENATORS REBUFFED

On June 14, 1971, Sen. Stuart Symington, another member of the Foreign Relations Committee, once more beseeched Laird for the Pentagon Papers on any kind of a classified basis. The committee members, he said, might study and glean from them some truth about our involvement in Vietnam so that they could legislate wisely on that prickly subject. Laird refused again, invoking his judgment which held that allowing a handful of U.S. Senators to see the documents would be contrary to the national interest.

Laird certainly did not read all 47 volumes of the Pentagon Papers before he himself refused to show any of them to the Senate Foreign Relations Committee. Says one of his assistants: "God, he was much too busy for that. I assume someone told him about them or he skimmed some of the papers, then decided against releasing any of them."

Had Melvin Laird declassified some of the Pentagon Papers, a large share of which are harmless, repetitious and incomplete history, Daniel Ellsberg might never have leaked them to The New York Times.

#### COPY TO FULBRIGHT

According to Dr. Ellsberg, he felt that Congress was entitled to know as much about the Pentagon Papers as he who was not a member of Congress. Which, he declares, is why he gave the first copy of the papers to Senator Fulbright in October, 1969. He hoped that Fulbright would get them declassified or made available to members of the Senate Foreign Relations Committee. Instead, Fulbright locked them in his safe and showed them to no one.

Ellsberg waited a year for Fulbright to surface the papers. Fulbright tried. He pressed the Secretary of Defense to release them on any basis. But Laird would not budge. He simply responded to Fulbright with a constant no.

Ellsberg thereupon consulted other members of the government who, themselves afraid to accept the papers, suggested that he leak them to *The New York Times*. Two who accepted the papers were Rep. Paul McCloskey of California and Sen. Mike Gravel of Alaska. Both felt that the people were entitled to some basic truths on how this nation went to war in Vietnam.

It was only after Daniel Ellsberg leaked some but not all of the Pentagon Papers to *The New York Times* two months ago, that Laird finally made the documents available to the House and Senate leadership on a classified basis.

By then two district Federal courts had held that there was nothing in the papers which clearly threatened the national interest, and the Supreme Court held that newspapers could not be restrained, prior to publication, from printing the Pentagon Papers or some similar study on the grounds of national security.

Ironically enough, it was not Robert McNamara, the Defense Secretary who origi-

nally ordered the Vietnam study, who classified it "Top Secret."

The Pentagon Papers were so classified by Leslie Gelb, the civilian head of the task force whose members wrote them. Says Gelb, now with the Brookings Institution: "I just assumed I had the right to originally declare them 'Top Secret.' I don't know who gave me that right. I remember discussing it with someone. Since some of the material used in the papers was top secret, I classified all of them top secret. I never knew I also had the right to declassify them since I also had the right to originally classify them. That comes as news to me. I guess I don't know the classification setup too well."

If there are 31,048 persons in the Armed Forces who have the authority to classify documents, how many are there in the State Department, the Justice Department, the Atomic Energy Commission, the Secret Service, the Treasury Department, and hundreds of other government branches and agencies?

Moreover, who are these classifiers? Who chooses them? What are their qualifications? People in and out of government are given the authority to classify and declassify information not by any law legislated by Congress but by virtue of Executive Order 10501 issued in November, 1953, by Dwight Eisenhower and amended in February, 1963, by John F. Kennedy.

There is no section of the U.S. Constitution which grants the President express authority to issue any such order. One can find implied authority in Article II, Section 3, "... He [the President] shall take care that the laws be faithfully executed." But that is all.

#### EXECUTIVE ORDER 10501

Executive Order 10501 empowers persons in and out of government with classification authority by virtue of the position they occupy and not by their qualifications.

What about former Presidents of the United States? Are they allowed to take "Top Secret" documents and draw from them in writing memoirs for private gain? Or take Dean Acheson, Secretary of State under Truman and author of *Present at the Creation*—is it permissible for him mentally to declassify top secret information gleaned from top secret papers and incorporate them in his books? Or how about Acheson's son-in-law, William Bundy, who advised Lyndon Johnson on escalating the war in Vietnam? As the editor-to-be of *Foreign Affairs*, will Bundy filter from his mind all the top secret information he obtained while in government?

Presidents have always had broad discretion in selecting the documents, memoranda and other papers they take with them when they leave office. When Lyndon Johnson departed the White House he took 29 truckloads of documents for transplanting in the LBJ Library in Austin.

#### AUTHORITY UNTESTED

"Since the authority for classifying information came originally from the President while he was in office," says a Department of Justice spokesman, "the authority of a former President to declassify documents which originated during his tenure has rarely been questioned and never tested. While the government has strict rules prohibiting officials or former officials of the government from selling information which came to them as a result of their government work, these rules have not been applied to Presidential memoirs."

Neither have such rules been applied to the memoirs of generals, former Cabinet officials, secretaries or anyone else in government.

Lyndon Johnson who received a \$1 million advance for his soon-to-be released memoirs entitled *The Vantage Point*, was so concerned about what his key White House aides might write about him and his Administration that again, according to the Justice Department,

"He gave serious consideration to proposing that his appointees sign an agreement not to disclose information which came to them as a result of their work. Although Justice Department attorneys did considerable research on the legality of such an agreement, the whole project was finally shelved."

#### INCONSISTENCIES NOTED

All this of course is not to argue that the government has no right to or should not classify certain sensitive information. It *must* have that right. What it boils down to is that the government's present secrecy classification system is an undeniable mess riddled with inequity, stupidity and inconsistency.

It is quite in order for Lyndon Johnson, Walt Rostow, McGeorge Bundy, Dean Acheson and dozens of others in and out of government to make use of the raw materials which constitute the McNamara study. But the public is not allowed to see a single page.

Reform is in order—is it not?

"... I have read and prepared countless thousands of classified documents and participated in classifying some of them. In my experience, 75 percent of these never should have been classified in the first place; another 15 percent quickly outlived the need for secrecy; and only about 10 percent genuinely required restricted access over any significant period of time.

"Moreover, whatever precautions are taken, leaks occur in a government of fallible men. In short, the classified label in our experience has never been 100 percent respected.

"Let me give a case in point. On March 15, 1968, when I was Ambassador to the U.N., I made certain major policy recommendations relating to the cessation of bombing of North Vietnam in a cable to the President. My memorandum was marked 'for the eyes of the President, Secretary of State, and Secretary of Defense only.' It had a high security rating. This was not the only one of such memos. There were others submitted from my vantage point at the U.N.

"... Through no disclosure of my own, this document has in recent months been discussed in two books of general circulation authored by former government officials and was the subject of comment by President Johnson in a television interview.

"Although its words may technically still remain classified, its substance has been disclosed, and, I must add, without injury to any national security interest. Some of those with access to it have described it publicly, but the Congressman and the citizen, the scholar and the critic, the journalist and the student—all who wish to know what their government has done—are presumably still denied the right to see the document.

"Mr. Chairman, in view of the fact that the substance of this document has been made a matter of public record and debate and has not impaired national security, I can see no compelling reason why this committee and the public it represents should not have access to the actual document.

"And as I reflect upon my three years at the U.N., I must conclude that nearly every other memorandum of mine to the President and other high ranking officials relating to Vietnam could safely be disclosed. I would welcome the general release of these and similar documents as an aid in informing Congress and the public."

Testimony of Arthur J. Goldberg before the Foreign Operations and Government Information Subcommittee of the House of Representatives, 23 June, 1971.

#### HOW TO CURE OVERCLASSIFICATION SYNDROME

William G. Florence, a retired Pentagon security expert, helped during the Eisenhower Administration to write the original document (Executive Order 10501) which defines, top secret, secret, and confidential information.

According to Florence, a former Air Force major, "Executive Order 10501 does not have the force of law and has in fact no application whatsoever to persons outside the Executive Branch of the government.

"A classification is merely an administrative indication," he explains, "to individuals of the Executive Branch that the information requires a certain degree of protection.

"Only one-half of one percent of all the information currently classified top secret, secret, and confidential, deserves such protection. The other 99.5 percent could easily be made public.

"In my 43 years of military and civilian service with the government involving responsibility for safe-guarding defense information, I discovered widespread disorientation at all levels concerning the purpose and meaning of Executive Order 10501.

"The Defense Department has incorrectly imposed all kinds of classification restrictions on the press, its own employees, and government contractors. The basic classification system was originally designed for the very narrow field of military information that could be used by some foreign nation against the United States.

"Now, however, it's become a way of life, and it's used as a cover-up for all sorts of governmental inadequacy and failure, and these rightly should be made public.

"In addition to the 31,000 people in Defense," Florence continues, "about 10,000 of whom are civilians, with the authority to classify documents, there are another 6000 in the State Department with original classification authority, plus thousands in 57 other government agencies which have security information systems.

"Practically anybody in government can assign a classification rating to anything if it's related to something already classified. The problem of unnecessary classification and overclassification has become so serious that it demands immediate corrective action.

"I believe the Congress should enact new legislation to preserve U.S. Government military secrets from disclosure, and that such legislation should be similar to that which applies to the Atomic Energy Act of 1954. That act provides only one category of information to be withheld, and it is known as 'Restricted Data.'

"If Congress doesn't want to do that, then Executive Order 10501 should be revised. The classification system should apply only to official defense information of the government, the unauthorized disclosure of which would affect the national defense, and that no document or other item be incorporated in the system unless it actually contains such information.

"I believe the authority to classify information should be limited to persons specifically designed by the President and their designees and that classification assigned to information be canceled as soon as possible, and automatically at the end of six years unless the President or the head of some department specifies a longer period of time for a particular item of information."

The classification system now in effect, Florence maintains, "is needless, extremely costly and serves mostly to keep useful information from our own people and their representatives."

#### AUTOMOBILE INDUSTRY AND THE NEW ECONOMIC PROGRAM

Mr. GRIFFIN. Mr. President, as we all know, the automobile industry plays a vital—even dominant—role in the Nation's economy. A column by Nick Thimmesch in today's Washington Post discusses the importance of the industry in President Nixon's new economic program, and includes some pertinent

observations by James M. Roche, chairman of the board of General Motors.

I ask unanimous consent that the column be printed in the RECORD.

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

[From the Washington Post, Sept. 10, 1971]

#### GM'S ROCHE IS OPTIMISTIC

(By Nick Thimmesch)

DETROIT.—Perhaps the best test of President Nixon's new economic program is how the auto industry fares in the weeks ahead. The troubles automakers felt in recent years are symptomatic of all American business—tough foreign competition, so-so productivity, rising costs but flattening profits and declining confidence.

For the moment, morale here is up. "I don't know of any industry that will play a greater role in boosting the economy," says James M. Roche, General Motors board chairman. "Everything we do has a profound effect. If the President's measures work, we'll have a record year and will approach new car and truck sales of 12.75 million units in 1972."

The enormity of the auto industry gives pause. Some 110 million vehicles are on the road. California has 12 million registered, 4 million of them zooming around Los Angeles County. New York and Texas have over 7 million.

Add in all that gasoline, oil, servicing and accessories and this is a \$100 billion-a-year business. Half of all radios manufactured go into cars. So does 60% of all the rubber and 21% of the steel. One-fourth of all retail sales are automotive. One of every six persons (13.3 million) depends on this industry for a living.

If you want to move the economy, nudge the auto industry. So the President announced that he would: ask for repeal of the 7 per cent wartime "luxury" tax on cars; impose a temporary 10% surcharge on imports and freeze prices.

One quick result is that domestic car sales soared 20 per cent in late August, and automakers believe the sales spurt in American-made cars will average out at 10 per cent to 15 per cent in 1972. The way the President's economic program is designed, the gains are going to be at the expense of imports, particularly Japanese.

Spurred by Mr. Nixon's "shot in the arm," Detroit beats drums in its inimitable boomer fashion, trumpeting that its Ford Pinto now costs less than Volkswagen's Beetle, and that Chevy's Vega is close. Detroit fires a barrage of "Buy Now" advertising in hopes of setting off a stampede.

But underneath problems persist. More than 1 million 1971 models remain unsold in a market where the 1972s seem to be a better bargain. Labor rates here are four times those in Japan and double Germany's. Some 750,000 members of the United Autoworkers Union expect a hefty pay raise and cost-of-living increase only two weeks after the President's freeze expires, and will that mean higher car prices? If the freeze were to be extended, trouble was promised. UAW President Leonard Woodcock got big cheers recently when he cried: "If they want war, they can have war."

Though Roche nominally opposes wage-freezes and is against the United States erecting tariff barriers, he is thankful that "the President has drawn the line and is getting public support in coming to grips with inflation. If 90 days isn't enough, we'll need another freeze period."

To head the world's largest corporation, preside over seven-hour stockholder meetings, endure bomb threats and six years of Ralph Nader requires the vast poise and grace that Roche (even Nader says "he's a

decent man") possesses. GM has caught a fair amount of hell.

"In recent years, there has been a derogatory approach to many problems," Roche says. "We've become a nation of grumblers. Our society isn't perfect, but it's the best in the world. More advantages in education, health, and economic opportunity than anywhere. We have so many good things, we shouldn't lose them."

"We've made mistakes. There was inadequate planning on traffic congestion. We didn't understand the demand for smaller cars and responded too much to demand for performance. But weigh the great benefits of the automobile. The greatest mobility for people and goods on a cost basis unequaled in the world. Automobiles make for the highest standard of living, one we really enjoy."

That's how Roche, whose suit, the tie and shoes are all in black, talks. He is a believer "I've never had a moment in recent years to really worry about the future of General Motors," he says with a smile. "Back in 1920-21 we had a financial crisis, but we've been fine ever since. General Motors will be around for a long, long time."

#### THE PROBLEM OF POWER GENERATION

Mr. FANNIN. Mr. President, this is an era of militancy, activism, and advocacy. This is good to the extent that it means people are becoming deeply involved in the solution of problems. But it also has some perils. People who become engrossed in the fight to solve one problem often are blind to consequences of the solutions they propose. Strong medicine to cure an illness may cure that illness, but at the same time initiate a new, fatal illness for the patient. A wise physician uses the minimum medication necessary to effect a cure.

I want to make it clear that I believe that we certainly must cure our environmental pollution problems. At the same time, I am very worried about drastic environmental protection proposals that would strangle progress in America.

This problem has come into the spotlight in Arizona because of the development of power generating plants in the Four Corners area.

The Scottsdale Daily Progress, on August 24, 1971, published an editorial which helps to put the problem of power generation in perspective. I ask unanimous consent that the editorial be printed in the RECORD.

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

#### POWER IS NEEDED

This year there has been growing criticism of the power companies for polluting our environment. Much of it is justified, for over the years big business has cared little about the public good when it has conflicted with maximizing corporate income.

At the same time some of the criticism is not based on fact or is unrealistic. In order to be fair and effective, arguments should be based on knowledge rather than emotion.

In Arizona and neighboring states power development in the Four Corners area has been especially controversial.

First we must accept the fact that society demands power. It is needed to produce goods, and it is desired for comfort by all citizens. And our population growth creates increasing requirements.

To meet growing demands industry must

expand production. At present the primary sources of power come from water, atomic plants, coal, gas and oil. Harnessing each of these energy sources damages the environment. But until solar radiation and geothermal energy can be utilized efficiently, we are stuck with them.

The Four Corners area has abundant, cheap coal. Therefore power production is economical there. To produce equal amounts of power elsewhere would merely transfer the location of pollution, and in the long run it would be more costly and perhaps more damaging to the environment.

Thus we come to the question of what can be done. Experts tell us that power use by individuals in the United States has increased by more than 400 per cent since 1946. So we will need more power in the years ahead, but if we are to preserve our environment it will have to be produced more efficiently and without pollution.

To accomplish this the first order of business is for the government and private industry to launch a massive research campaign to develop clean, new sources of energy. The second step is to find ways of purifying existing sources of energy production. To accomplish this will take vast sums of money, and industry should be reimbursed through special tax write-offs.

The alternative is to limit the amount of electricity each individual is allowed to consume. We doubt that many people would accept such an alternative.

#### SENATOR BOURKE B. HICKENLOOPER

Mr. HUGHES. Mr. President, statements of tribute and affection have been numerous since the untimely death a week ago of former Senator Bourke Hickenlooper, who for 24 years was my predecessor in this body. Among the many newspaper editorials written in memory of Senator Hickenlooper, I wanted to share in particular the one that appeared last Monday in the Cedar Rapids Gazette, his hometown newspaper. I ask unanimous consent that the editorial be printed in the RECORD so that Senators may have it as a reminder of the late illustrious Senator from Iowa.

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

#### BOURKE B. HICKENLOOPER

Bourke Blakemore Hickenlooper who died Saturday, was one of the most popular public officials in Iowa history. Certainly he was the "winningest" Republican the state has ever had.

He devoted 34 of his 75 years to serving his fellow man—34 years without a break, ranging from four years as a state representative beginning in 1935, to 24 as a U.S. senator ending when he retired undefeated champ in 1969. In between, he sandwiched four years as lieutenant governor, two as governor. He is the only Iowa governor and senator to come from Cedar Rapids, where he started practicing law in 1922.

His name was before the voters 19 times. Like most successful politicians, he tasted the dregs of defeat—twice. But these temporary setbacks actually steeled him for the long days ahead, during which he established a reputation as a conservative with a keen sense of humor, a staunch defender of the private enterprise system, an advocate of a farm economy unfettered by government controls and an opponent of excessive spending both at home and abroad.

He was defeated in his first bid for public office, losing his party's nomination for Linn county attorney in 1932. Two years later he

won the first two terms as state representative then lost again, in his first try for the nomination for lieutenant governor in 1938. When the man who beat him, Harry B. Thompson of Muscatine, a stranger to politics, withdrew from the race, the G.O.P. state convention lost no time nominating Mr. Hickenlooper to fill the vacancy left on the ticket. He never lost another election.

His early campaigns were arduous and time-consuming. Television wasn't here yet and a candidate had to visit every nook and cranny to acquaint voters with his name—especially when he had a name that was difficult either to believe or to pronounce, like Hickenlooper. That was the lesson he learned from his 1938 defeat—that an unknown with a common name like Thompson could beat an experienced politician with the unlikely name of Hickenlooper.

So he went door-to-door, telling stories involving his name and encouraging people to just call him "Hick," which they learned to do with affection. His favorite story was about when he was a small boy in Taylor county and his mother sent him to a drug store in Bedford, the county seat.

"I asked for a nickel's worth of assafetida and told the druggist to charge it," he related. "He asked my name. I told him it was Bourke Blakemore Hickenlooper. He asked me to repeat it. I did. He said 'here, sonny, take it. It isn't worth a nickel to write both assafetida and Hickenlooper on a charge ticket'."

"Hick" was a devoted public servant. He was No. 1 Republican on the senate foreign relations committee when he retired. He served as chairman of the joint atomic energy committee and was chosen by President Eisenhower as a U.S. representative to the U.N. General Assembly in 1958. President Johnson sent him on a congressional team in 1966 to keep watch on the South Vietnam election.

Only the late Senator William Allison had a longer service record, among Iowans, in the U.S. senate—35 years. But Allison's record was before senators had to stand public election (they were chosen by the legislature), so Hick's was harder to come by.

Indeed, his was an enviable record that will serve as an inspiration to all Iowans with political aspirations.

#### NBC TELEVISION DOCUMENTARY ON RURAL MIGRATION

Mr. STEVENSON. Mr. President, during the recent congressional recess, on the night of August 27, 1971, NBC television broadcast an important documentary on the enormous public issue of migration from rural to urban America. It was entitled "Leaving Home Blues: An NBC White Paper on Rural Migration."

Filmed in North Carolina, Nebraska, and Texas, the NBC presentation dramatically portrayed the human consequences of this massive migration, terming it both a human tragedy and a national crisis. The facts of this migration are too well known: 30 million rural residents have left the countryside in the last three decades; the number of farms has been cut in half; whole towns have been boarded up and abandoned; the people left behind exist in poverty or near poverty; and, our cities are choking.

As chairman of the Subcommittee on Migratory Labor, I have set forth an outline of hearings that will examine some of the causes of what can only be called a rural revolution. This subcommittee held a hearing on July 22, 1971, that framed the areas of our concern about farmworkers, small farmers, small-town

businessmen and others in rural America. Our focus, Mr. President, will be on powerful forces that are determining the destiny of rural America.

In my opening statement for our first hearing, I suggested that we will be attempting to learn about the impact of corporate forces on agriculture and rural America—conglomerates; banks; insurance companies; large family corporations; franchise businesses; processors; chain stores; feed, seed, machinery and chemical companies; packagers; marketers; and tax-loss "farmers." Also, we will examine closely the role of government as a contributor to problems in rural America, ranging from an examination of subsidies to a close look at our land-grant college system. As I observed at our opening hearing:

Too often the picture of rural America today is one of weathered and empty stores, broken windows, collapsed or unpainted barns, rusted gas pumps, boarded-up houses, unkept farms and eroded soil. Too many rural towns are shabby and declining.

These marks of physical decline are poignant symbols of a continuing human tragedy in rural America.

This tragedy is not the result of chance. It is the result of human choice—and failures to choose—over many years.

It is our purpose, in these hearings, to examine those past choices—in the hope that our choices and decisions in the future will be more rational and more compassionate, with the determination that all rural Americans will share fully in the decisions that deeply affect their lives.

Mr. President, the NBC documentary was a vivid and moving presentation of this rural tragedy, and it probed some of the very problems that the subcommittee will be examining in the coming months. NBC is to be congratulated for raising this most important issue for public discussion. Mr. Martin Carr, whose artistry and social concern have been amply demonstrated in previously acclaimed works, has again done a remarkable job on "Leaving Home Blues." Mr. Carr, his associates of NBC, and the consultants who contributed to the documentary, have performed an important service by framing this issue so poignantly and presenting it to those of us who must now look deeply into the causes and seek solutions.

Mr. President, because Congress was recessed at the time of broadcast, I fear that many Senators missed seeing the documentary. NBC has been kind enough to provide a transcript of the program. I ask unanimous consent that it be printed in the RECORD at the close of my remarks, so that we might all have the chance at least to read it.

Additionally, I have arranged to have a showing of the documentary in the auditorium of the New Senate Office Building, at 12 noon, Thursday, September 16, 1971. Senators, Representatives, staff, and other interested persons are cordially invited to attend.

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

LEAVING HOME BLUES: AN NBC NEWS WHITE PAPER ON RURAL MIGRATION

NBC News Correspondents: Garrick Utley, Edwin Newman.

Produced by: Martin Carr.

Broadcast: Friday, August 27, 1971.  
BIGNAL JONES. The only way you're going to solve your city problems is to solve your rural problems.

FRANK REAMS. We found that they're all migrating. Everyone, white, Indian, and Negro.

BOY. New York . . .  
GIRL. Going North . . .  
GIRL. Going straight to New York.  
MR. DAVIS. Well, I'll tell you, it's true, there's nothing down here.

BIGNAL JONES. What I think is going to happen, what you've got to have, you've got to put these folks back in the country because the cities can't take them.

RICHARD STOLLE. Most of them leave this area, because of the lack of opportunity here.

GIRL. Washington, D.C.  
BOY. To Chicago.

BOY. I have to go up North to try to make enough money to help myself to go to school next year, and also to help my parents in some way.

MR. DAVIS. They can't wait to get out of there and head either to Washington, D.C. or New York City.

GRANDMA COTTON. It's hard for your children to leave home. It is hard. Nobody knows how hard it is.

GIRL. Going up North.  
BOY. Going to New York.  
GIRL. I'm leaving.

TOM BROWN. So this is a tremendous out-migration. And, of course, the reason is simply that if they can't make a living here they can't stay here.

Senator MONK HARRINGTON. If someone comes back down, we'll say, from New York City, he'll tell them all about the great life in New York, and next thing you know two or three carloads is going up there.

HORACE KORNEGAY. They go, and they have an aunt or an uncle or a cousin who has already gone to one of the large cities, and they move in with them, first thing you know, they're running out the doors and the windows.

ROY SOWERS. The day of the small farmer seems to be rapidly leaving us.

BIGNAL JONES. What the farmer gets for his crop, he just can't, he can't do it, so he quits.

JOY HYSLOP. I can't figure out why I remain. I know better, I know I have to get out.

JAMES GARRISON. What do we have in Halifax County at this time? We have the very old, the disabled and the young.

OTHAL BRAND. Once we educate the young people, they're not going back into the fields.

MR. DAVIS. So there's only one place for the kids to go, as they see it, and that's up North.

JAMES GARRISON. We pat them on the back, and wish them luck as we put them on the bus, and send them to other states.

DANIEL ACEVEDO. So I guess I might have to go up North, either Chicago, Toledo, or some big city.

BOY. There's a lot of money up there in New York, and down here, they don't have any good paying jobs.

MR. DAVIS. Friday night they graduate, Saturday morning they're going to get on a bus, or hitch-hike their way to Washington, D.C. or New York. That's where it's at.

#### ACT I

UTLEY. All of us are aware that there are too many people in America's cities. But few of us know why this is so. We have spent the last five months trying to find out why—looking into the causes of Rural Migration. We selected three areas of the country to examine closely. Tonight we present our results.

For most young Americans, high school graduation is the beginning of a bright future. For these young graduates, in Scot-

land Neck, North Carolina, it is a forced separation from family and friends. The beginning of a long journey north, in search of the work and future they cannot find at home. Going North has become such a standard part of graduation here, it's been said that these youngsters graduate with a diploma in one hand and a bus ticket in the other.

A welfare worker in Scotland Neck, North Carolina commented, "These people have only three places to go: heaven, hell and Baltimore." Over 175,000 blacks have left North Carolina for the cities in the last ten years. In the same period, the entire South has seen an exodus of almost one and a half million blacks. Although it is still easier for a white to get a job in the South than a black, the problem is not racial, it's economic. This graduating class would fill more than 20 percent of the town's industrial jobs. But the jobs are not available.

Scotland Neck township hasn't been able to support its children for a long time. Its lost 12 percent of its population in the past ten years.

The town's quiet charm can no longer hide the increasing numbers of abandoned houses along its streets and back roads. Scotland Neck is slowly dying, as are many small towns in North Carolina. Last month, the state legislature passed a bill in which 96 towns were legally wiped off the North Carolina map.

Towns die when people leave. Producer Martin Carr asked Principal Stewart Wooten about the graduation exodus at Scotland Neck High School.

CARR. Of the 147 students who will be graduating, how many of them will be leaving?

WOOTEN. Approximately 96 or 97 percent.

CARR. Is anything done here to prepare the student for the eventual graduation when he's on the job market?

WOOTEN. Yes, we have vocational type courses here. For example, bricklaying.

CARR. Do they go out and actually build brick buildings?

WOOTEN. Yes, now we have students who have built walls in buildings here, to help to develop more classroom space in the school. They have been to other schools in this area that needed work done on buildings and they have done beautiful work.

CARR. Can't any of these students go out and get jobs as bricklayers in this area or do they have to head for the cities?

WOOTEN. Well, they have to go to larger urban areas either in state or out of state. For example, there are probably only two small local contractors here in this community.

CARR. And there are no jobs with them?

WOOTEN. That's right.

DWAYNE WALLS. The kids who get out of high school find when they get out of high school that society has deceived them. Society has told them that they—if they stick it out and get a diploma from high school, that diploma will be negotiable in the job market. And they find that it isn't, and so they leave, and they go straight north into the urban ghettos—and they don't want to leave. That's the tragedy of the rural to urban migration thing. In this country, every man theoretically is guaranteed the right to live where he shall—where he wants to live, and earn a living the way he wants to earn a living. These people are denied those two rights.

CARR. You graduate on Friday and you're leaving on Saturday?

RAYMOND. Yes.

CARR. How come so fast?

RAYMOND. Well, first of all there's no good money down in North Carolina, especially in Scotland Neck.

JOSEPHINE. There are not very many jobs here, and the money is very scarce. And you can barely make a living. Especially if you have a family.

AARON. I think if there were some jobs down here, you could make it down here. But all the jobs are up north.

CARR. Do you want to leave?

WILLIE LEE. Well, not really because I like North Carolina. But as I said earlier, I want to go where I can make it.

CARR. How does your mother feel about your leaving?

WILLIE LEE. Well, she's agreeing to it, but I really don't know.

CARR. How do you feel about his going?

WILLIE LEE'S MOTHER. I would hate to see him go.

CARR. Do you depend on him?

WILLIE LEE'S MOTHER. Well, he is a big help to me.

CARR. How will you be able to get around for instance now that he's gone?

WILLIE LEE'S MOTHER. Be kind of hard to do.

CARR. Do many of the children have their parents living already in northern cities?

WOOTEN. I'd say approximately 56% of the seniors in our class have parents living in Northern areas.

CARR. Who do you live with when you're going to school down here?

ANNIE. My grandparents.

CARR. And you've lived with them since you were how old?

ANNIE. Oh—let's see—oh—well, I don't know—just so long, ever since I was small.

CARR. And you only see your parents every once in a while. Your mama every once in a while.

ANNIE. Yes.

CARR. You've lived in Washington, D.C.

ALBERTA. D.C. for 23 years.

CARR. Where is home?

ALBERTA. My home is in North Carolina.

CARR. You still think of it as home.

ALBERTA. Oh this is—this is it. My home right here. When I left here—it is not the point that I want to go north, but I just want to better myself. But believe it or not, when you go there—it's just a racket. It's something that—really makes you want to come back home. There is nothing up there to really base yourself on. There is nothing up there.

DWAYNE WALLS. The young blacks we are sending into the urban areas are truly gentle people.

They aren't angry, they have been given short shrift all their lives. They have been deceived by society, they get out of high school and they find that they can't live there, even though they don't want to leave. They go into the city afraid, anxious, but not angry. They're not angry people. They are truly gentle people. What happens later. What, when we find the urban rioting, and there are studies which have shown that the place of birth of a great many of those people charged with rioting or looting was the South, but these people were created by the city. The city did that to them. When they left rural America, they weren't rioters and looters. They became rioters and looters at some indeterminate point—they go north looking for the promised land, hoping that this is what will give them that nice comfortable little home. They get there and in a few years they find, no, this is not it. And they feel denied, and I can understand why.

CARR. So you've said goodbye to nine children and four grandchildren are leaving you now—

GRANDMA. Are leaving me now.

CARR. That's 13 people you've said goodbye to.

GRANDMA. Thirteen head of children I've had to say goodbye. And I hope you all well in the world. It is sad. It is hard.

To raise your kids—don't know how they will be in the world. But you hoping and praying that they would do success. I tell them over and over, I say children do the

best you can. There is better things in the world for you if you just look for it. Don't stop here, look further in the world.

## ACT II

UTLEY. Thirty million Americans in the last thirty years have migrated from rural America. More accurately, they have been driven from rural America. Left home, gone North, toward the cities. 800,000 people for every year of the sixties, and the end is nowhere in sight.

Today 75 percent of us are crowded onto less than 2 percent of the land. In just thirty years from now, the Urban Land Institute predicts that 100 million more Americans will be crammed into the big cities, where 150 million already live.

From Maine to Virginia, 67 million people will live in one continuous urban mass.

59 million people will live in another megalopolis that starts at Utica, New York, extends unbroken all the way west to Green Bay, Wisconsin, and south to Cincinnati.

A California city of 42 and a half million people will reach from San Francisco Bay to the Mexican border.

A fourth concentration of 13 million people will turn the state of Florida into one huge city.

For a nation grown numb to numbers, such statistics may mean little. But when we go beyond the statistics we are confronted with both a human tragedy and a national crisis. The numbers take on new significance when we realize this is forced migration: the movement of people from rural America who don't want to go. Who would not go if they had a choice. But the choice is gone; devoured by markets and mechanization in agriculture and the failure of industry or government to provide new or adequate jobs.

These issues are not confined to any one area of the country. They cut across racial and regional lines. It is a national problem. A national crisis.

If the cause of migration from North Carolina can be traced to any one source, that source is tobacco.

Two-thirds of America's flue-cured tobacco is grown in the fields of North Carolina. It accounts for 60 percent of the state's crop income, and is raised in 83 of its 100 counties.

In the past, tobacco required more hand labor than any other single crop. Now empty tenant houses line the edges of North Carolina's tobacco fields. A change is taking place, reminiscent of the change that occurred in the cotton fields of the Deep South two decades ago.

Modern agricultural techniques have emptied these houses and tobacco harvesting machines just being introduced will empty many more. According to the Department of Agriculture, 300,000 people in the past ten years left the tobacco growing regions of the South; 177,000 from North Carolina alone. And this is just the beginning.

Two years ago, Worthington Farms, one of the largest in the state, listed the depreciated value of its farm machinery at almost \$100,000. In 1968, tobacco accounted for more than half of the farm's gross income.

Producer Martin Carr discussed the disappearing farm worker with one of the owners, Chester Don Worthington.

CARR. How many tenant houses were there on this land at one time?

WORTHINGTON. Approximately 40.

CARR. About 40. That's a lot. About how many of them are empty now?

WORTHINGTON. Well, we don't have many empty ones because—

CARR. You rent them out—

WORTHINGTON. We have torn most of them down or burned them.

CARR. You've torn most of them down.

WORTHINGTON. Right. Right.

CARR. How many permanent employees do you have on the farm?

WORTHINGTON. Eight besides my family.  
CARR. You're very highly mechanized.  
WORTHINGTON. I think so.  
UTLEY. The Coastal Plains Regional Commission estimates that, in four years, more than 100,000 farm families will be surplus labor. Not only is the farm worker being displaced, the small farmer is forced to leave as well.

Jake Lovegrove told us about some of the problems facing a small North Carolina tobacco farmer.

LOVEGROVE. We bought this farm by working on it and paying for it, but it is kind of hard to even keep the taxes going on it now.

CARR. Why is that? Is it that the labor costs have gone up?

LOVEGROVE. Well, it is the labor, the machinery and everything have gone up except what we're raising.

CARR. In other words you need machinery now to run a farm.

LOVEGROVE. Yep. And by the time you buy a piece of machinery and get it paid for, it is obsolete.

CARR. Do you know other farmers around here who are able to buy the machinery?

LOVEGROVE. Well, they are still getting them. I don't know how they are paying for them.

CARR. Are they bigger than you?

LOVEGROVE. Oh, yeah. Much bigger. Looks like the big one is going to be here and the little one is going.

CARR. You think you'll ever have to give up the farm and really work year round, picking up jobs?

LOVEGROVE. Well, yeah, I think I'll eventually let some big fellow have the farm.

UTLEY. It might seem unlikely that a university would turn farmers into migrants. But North Carolina State University has done just that, by developing the tobacco combine.

The head of the University's Agricultural Engineering Department, Dr. Francis J. Hassler, was in charge of its development.

CARR. Dr. Hassler, this is the tobacco combine?

HASSLER. Yes, sir.

CARR. This machine was developed in this lab?

HASSLER. Yes, sir; it was designed and constructed in this lab.

CARR. In general, then, how many years went into the development of the tobacco combine?

HASSLER. About 23 years.

CARR. About 23 years. And about how much money would you estimate that it cost to develop this machine?

HASSLER. About three-quarters of a million dollars.

CARR. About three-quarters of a million dollars—now that the machine is developed, your work is done.

HASSLER. No, we will continue to make whatever improvements that we can. Our ultimate aim is to provide the farmer with the means whereby one man can handle about 20 acres of tobacco.

UTLEY. A prototype of this tobacco combine was turned over to the Harrington Manufacturing Company which is, at present, producing and selling the machine. The cost of the development of this prototype was paid by the American taxpayer. Last year more than 219 million tax dollars went to 69 colleges across the nation. Called land-grant colleges, they were established to improve agriculture. Over 26 million of these tax dollars went to the School of Agriculture and Life Sciences at North Carolina State.

In other laboratories at this University years have been spent improving the tobacco leaf, the yield per acre, and even the process by which tobacco is turned into cigarettes. All this is of immediate benefit to the large tobacco grower and the cigarette companies; of little benefit to the small farmer, or the

farm worker thrown off the land without a job. The Wall Street Journal has described the land-grant college as a "tax paid clinic for major industry."

For the three major tobacco companies in North Carolina, tobacco is a billion dollar business. Six billion dollars a year. Right now, for industry's benefit, North Carolina State University is perfecting a freeze drying process to cut in half the amount of tobacco needed for a cigarette. A loss for the farmer, a boon to the manufacturer.

Recent developments suggest that soon there may be a cigarette requiring even less tobacco. We discussed this with the dean of the East Carolina State University School of business, Dr. James Beardon.

BEARDON. In West Virginia a plant is being built now by the Celanese Corporation to develop a substitute tobacco. When you see headlines which say a company is ready to produce a substitute for tobacco and this was a major paper in the state, then—you have to plug that into the possibilities for the future. It has to be discussed. Nobody likes to talk about these things and—yet there has to be a dialogue. I think the responsibility of the company is to at least enter such a dialogue. At the same time I think there is a responsibility of the government to say what they project their view of tobacco to be 10 years down the pike.

UTLEY. With the future of tobacco in jeopardy North Carolina has been trying to create new jobs by attracting new industry. At the same time, the major tobacco companies are diversifying outside the State.

Although North Carolina is the 12th most industrialized State in the Union, the type of industry it has been able to attract, mainly textiles, has not been impressive. According to the bureau of labor statistics, as recently as June of this year, only the state of Mississippi paid its workers a lower average industrial wage. The Director of North Carolina's Department of Conservation and Development, Roy Sowers, explained some of the problems involved in attracting industry to the State.

SOWERS. In some areas of our state, there was an anti-industry attitude. We found that some local communities, that the industrial complexes in some of our places were tied to the status quo, so to speak—they didn't want to have new industry because it would upset their labor supply.

CARR. Their supply of cheap labor?

SOWERS. Right.

CARR. In other words, the industries you have attract the unskilled worker.

SOWERS. The existing industry, by and large.

CARR. Would you characterize much of the industry in the state as "runaway industry?"

HOBBY. A great deal of it is runaway industry, moving down from the North—and most of it is moving into the rural areas. We estimate that anywhere from 50 million to 75 million dollars worth a year of overtime pay, discrimination pay between women making less money, and the fact that the workers are not paid the minimum wage is going on here in North Carolina, and we're catching only about 8% of it.

CARR. The way things stand now, would you blame a worker for leaving the state?

HOBBY. No, I wouldn't blame a worker if he could pick up and leave the state, take his family and get a decent job somewhere else.

CARR. Did you apply for any jobs down here?

BATTS. Yes, I did. I was interviewed and—they said I was qualified for the job and they would call me. So—I went home and waited and waited. So I never get called. So I never tried for more jobs here.

CARR. Where are you going now that you've graduated from Scotland Neck High School?

BATTS. Well, I'm going to Atlantic City first, for a summer job. And then after my summer job ends, I hope that I could go

to Delaware and get in GM or Chrysler Corporation.

CARR. You hope.

BATTS. I hope I will.

CARR. Do you like it up north?

BATTS. Not particularly I don't. Because where I'm going I don't have no relatives and seem like I will always be lonely and I will always think about home and I will always think about my mother.

CARR. Are you lonely when you are up there?

BATTS. Yes, I am. You always think—of home—last summer when I was away, when I get up I walk by a telephone booth, I would think of my mother. And—most mornings when I got up I would call her. I would call, tell her I am on my way to work. Then some evenings I will call—even nighttimes when I'm out. I remember one night when I was out I would call her. Just to know how things was going and let her know I'm doing all right. I wish I could get myself a little money, enough money to come back home to North Carolina.

#### ACT III

UTLEY. In Nebraska even the small farms are huge—between 500 and 1000 acres—usually covered with grain, and stretching as far as the eye can see.

Huge farms run by small families mean that machines are necessary. And machines cost money. More and more money each year.

CARR. How much does one of these things cost?

HIEMER. Well like this here tractor here, it's a 706 and when I bought it it cost 7,260 dollars.

CARR. Over 7,000 dollars.

HIEMER. Right.

CARR. Have equipment prices gone up?

HIEMER. Oh, tremendous. I remember when I started farming I started out with a Nym tractor and it cost me 1,850 dollars—and look at the difference in the price—and I was farming this same farm.

CARR. About 1800 to 7000.

HIEMER. 7,000 for a tractor like this, right.

UTLEY. Farmer Richard Hiemer pays more for every thing now, as all of us do. Not only is equipment three or four times more expensive; clothing, seed, taxes, even the food he buys at the supermarket, cost much more. But while food prices have risen, the price he receives for what he grows remains the same.

HIEMER. Well, if you buy a loaf of bread for 37 cents, there's only 3 cents of our wheat that goes into that loaf of bread. So, all the rest of that money you're spending on that loaf of bread goes to other areas.

CARR. Right now, you'd like a larger share of the loaf.

HIEMER. Right, right.

ZITEK. We have an economic situation in agriculture that is driving people off the land. For instance, we have about a 3% return to investment in agriculture. This compared to better than—a probably—a 20 or 22 percent return to investment in all the related industries in the production and distribution of food.

CARR. If it's so bad, why are you a farmer? and why are you letting your kids, for instance, grow up on a farm? Why aren't you training them for something else?

ZITEK. I am not maintaining my sons to be farmers. They are picking that up as a result of the situation here, where I am a businessman and I don't have enough income to be able to hire labor, so I put slave labor to work. We do have child labor laws in this country, but as long as you've got your own kid working, and he doesn't get paid, then it doesn't make any difference, but it does enable me to produce corn for a buck and society benefits.

CARR. Looking ahead, do you think your children will be able to live on the land?

ZITEK. As far as my children are concerned, it's their choice. And that's what I do, and I do this because I feel they must have a choice. But the economic situation right now doesn't give them that choice.

UTLEY. There's a saying in Nebraska. You either marry a farm or inherit it. Land prices are high, driven even higher by the speculation of banks and large corporations. They are now beyond the reach of most young farmers. Claude Jensen is the exception.

JENSEN. I started farming, I didn't have any money at all. And then three years ago I bought this farm, and I—got a loan to buy it. And then these cattle, uh—their purchase price. I borrowed that money.

CARR. How much money do you have sunk into the farm?

JENSEN. Oh, there's about 45,000 dollars in the farm.

CARR. That's a lot of money.

JENSEN. Probably the biggest thing is, getting a hold of some land and some money and some labor, all at the same time.

CARR. Where does your labor come from?

JENSEN. Myself. Then I hire some.

CARR. You're not married, are you?

JENSEN. No.

CARR. Are there many young ladies left in this neighborhood?

JENSEN. Not that uh—are—farming or living on a farm. Most all of them are working in Lincoln or going to school.

CARR. What happens when you, say, meet a girl in Lincoln? I don't want to get too personal, but can you get a young lady to get interested in coming out, living on a farm today?

JENSEN. Most of them aren't much interested.

CARR. They don't want to come out here?

JENSEN. No.

CARR. What do they say?

JENSEN. A lot of them just shrug their shoulders and say "Oh, you're a farmer—" And that's it.

CARR. If you're the only young person, what's it like for you?

JENSEN. Well it seems like most everybody is—that's farming is 20 years or more older, and—they just—work and play in different circles than I do.

NEIDERMEYER. We have a lot of fun here; we do, really. A bunch of us in the evening sometimes—it don't happen too often that enough get together—we have a card game then or something like that. Just a little friendly game.

CARR. Mostly older people now, huh?

NEIDERMEYER. Yeah. Yes. Old or at the school age . . . of course, they're here yet.

CARR. The ones in the middle are gone.

NEIDERMEYER. Mostly.

CARR. What about the other little towns around—are they growing?

NEIDERMEYER. No, I don't think any of them is. Just about the same class this one is—trying to hold her own, but they kind of—slowly keep—

CARR. You think they're dying?

NEIDERMEYER. Dying, yeah.

UTLEY. Today, Nebraska competes with Iowa and Florida in having the most aged population in the country. In the last ten years, 73,000 more people moved out of Nebraska than moved in. 20,000 farms went out of business. Family farms, closed down, moved to the city.

HYSLOP. I could take you around the countryside here and show you several farmsteads that are vacant, some of them have even been torn down and the buildings are gone and they are actually farming over where someone lived maybe five or ten years ago.

CARR. You say you're going into debt.

HYSLOP. That's right.

CARR. How deeply into debt?

HYSLOP. Well, quite a bit. My standard of living now, I'm quite a bit below what our government considers poverty level.

CARR. And yet it's your own home. Your own farm.

HYSLOP. That's right. Course I don't own it clear. There's a mortgage on it, naturally.

CARR. What are you going to do about it?

HYSLOP. I don't really know. I wish so much that I could stay on the farm, because I like it. I like the kind of living, but I guess I'm going to have to go off. I don't know whether I can find, for instance, find a job nearby that I could stay living on the farm or not. A couple of years ago I worked in electronics plants in Lincoln. I worked during the winter, but it was strictly a bench job, setting, you know, 8 hours a day, and I just couldn't set. I like the job, but I was tied to one place, and this I just couldn't seem to get used to. I'm going to have to, I guess.

UTLEY. Now the only sign of life on many Nebraska farms is a windmill, vainly spinning near an abandoned house.

And the abandoned houses, empty stores, and forsaken churches, stand as mute reminders of a rural America that will no longer be.

Carl Sandburg put it this way:

Two years, ten years, and passengers ask the conductor:

What place is this?

Where are we now?

I am the grass

Let me work.

#### ACT IV

UTLEY. 20,000 Mexican-Americans come to Houston every year looking for jobs, bringing with them everything that is portable including their unique and distinctive culture.

This is a Mariachi Mass, in Houston's Church at St. Stephen, celebrated just as it was before these people left the Rio Grande Valley in South Texas.

"Magic Valley" they called this land, watered by the Rio Grande which separates it from Mexico. "Magic" because of the fertility and abundance of its more than one and a half million acres which once gave the United States more than 200 million dollars worth of fruit and vegetables a year.

But the magic is gone, along with 95,000 farmers and field workers who have left the valley in the last ten years, heading for the cities—most of them Mexican-Americans descended from families who worked the land before Texas was a state.

NBC News Correspondent Edwin Newman, along with Leo J. Leo, the mayor of La Joya, a small town in the lower Rio Grande Valley, visited a few of the farmers who did not leave.

LEO. You know all these houses were occupied by people who used to work in the farms around here, but now they're gone because there was no work for them here. . . . Antonio Vidamontis now owns a little home in Idaho . . . and in this one over here, the Valdez family used to live. I used to deliver groceries for them. I knew them all. We have only two families working in this farming operation where they used to have at least 15 or 20.

NEWMAN. What's the explanation of this, Mr. Leo?

LEO. Well, the tomato patch here belongs to Mr. Cerda—he has no market for his tomatoes. They're only worth a penny and a half a pound right now. He couldn't possibly come out of it if he were to try to market them at the price that they're giving him for it.

NEWMAN. And of course there—used to be a lot of tomatoes planted here. And now, there's what? Just a fraction.

LEO. Very, very, very few tomatoes planted. There were thousands and thousands of acres planted here say as late as ten years ago.

NEWMAN. Well, where have the tomatoes gone then?

LEO. They're over there, across this Rio Grande River of ours.

NEWMAN. And these tomatoes, Mr. Leo, that I see here—what happens to them?

LEO. Well, they'll—they'll rot on the vine.

FOSTER. The problem here is to do—a tremendous amount of imports coming into this country from Mexico.

NEWMAN. Imports of what?

FOSTER. You can just about name the produce as far as the vegetable line is coming in, and increasing more every day. The main reason is labor. See Mexico is not selling produce, in my opinion. What they are selling is twenty cent-an-hour labor.

NEWMAN. You say Americans are doing this? They are going into Mexico and they are allowed to ship the stuff out without any customs difficulties?

FOSTER. The duty is so low on a box of tomatoes, if one used it for a hypothetical example, they pay one cent a pound duty.

NEWMAN. To the United States government?

FOSTER. To the United States government to cross this produce. They have already set it down on this side for 45¢, whereas just to get it out of our field it costs us 80¢.

UTLEY. 191 million dollars worth of fruit and vegetables crossed the Mexican border last year, to be sold in every major American city—shipped there not only by American growers, but by packers and distributors who now buy from Mexican farmers.

Griffin and Brand is the largest grower and importer in the Rio Grande Valley. Its 20 million dollar a year business is supplied by three times more acreage in Mexico than it uses in the United States. Othal Brand, president of Griffin and Brand, defends his operation. He claims it benefits the economy.

BRAND. We do find ourselves and all others in the business of importing are from time to time under attack and are criticized for bringing in a product in competition with something manufactured in the United States. It's true in steel, clothing, radios. I simply defend what we do in Mexico on the basis that it's legitimate business and needed business both in the United States and Mexico.

UTLEY. More than fruit and vegetables cross the Mexican border. People come too. They live in Mexico, where the cost of living is low. And they work in Texas, where the wages are higher. In the United States they can earn five times as much as they would in Mexico, and still save money for American employers, who can avoid paying the minimum wage. They enter under an immigration quota which allows 150,000 Mexicans into this country each year. They are called Greencard workers, for they must carry a green immigrant permit to enter the United States. These Mexicans are crossing Reynosa International Bridge—at a time when unemployment is high in the south Texas region; at a time when many American workers must uproot their families and leave home to find work. These people who gather here at dawn every morning are among the poorest of Mexico's poor. They are taking jobs and lowering the wages of some of the poorest of America's poor. This is a result of a deliberate government policy enforced by government officials.

CARR. Mr. Martinez, you're with the Texas Employment Commission?

MARTINEZ. Yes, sir, that's right.

CARR. Who are these people that are standing around down here?

MARTINEZ. Well, they're farm workers that come here from across the river and around the area, coming here to look for work.

CARR. They're what we know as "greencards"?

MARTINEZ. Green cards, yes.

CARR. And why do you, as part of the Texas Employment Commission, come down here in the morning?

MARTINEZ. I know a lot of the crew leaders around here and . . .

CARR. Do the crew leaders give you a list of the jobs that they need filled?

MARTINEZ. Oh yes.

CARR. And you come down here and you fill the jobs here?

MARTINEZ. Yes, right.

UTLEY. Unemployed Americans are not as fortunate. No government officials come to them with jobs. They must go out and look for work. Last year over 16,000 people visited the McAllen office of the Texas Employment Commission. But as Manager Richard Stolle points out, only a few can be helped.

NEWMAN. What percentage of the people who come in here are you able to help?

STOLLE. Oh—we probably are able to help—roughly 10% of the people who come in and this may even be a little high at certain times of the year.

NEWMAN. Is the problem here made more difficult by the amount of production that is being done, for example, in Mexico?

STOLLE. The fact that we have farming in Mexico, and the crops are sent into the United States, this decreases the number of farm jobs over here.

NEWMAN. A good deal of American industry has gone into Mexico that didn't come from this immediate area. . . .

STOLLE. Yes, sir, that's right, some.

NEWMAN. Could that industry come here? Could it—could it be absorbed here? Wouldn't it help?

STOLLE. Tremendously. Yes, sir.

UTLEY. More than 200 of the best known American manufacturers have Mexican addresses, where they produce goods to ship back to the United States. This plant, owned by Sarkes Tarzian, is in Nuevo Laredo. Here Mexican women are assembling television tuners. Four years ago, Sarkes Tarzian had plants in Mississippi and Arkansas. But the minimum wage in the United States is \$1.60 an hour. In Mexico a worker costs 50 cents an hour. And Sarkes Tarzian, sanctioned by official United States policy, moved to Mexico. The 600 women it had employed in Mississippi and Arkansas have been replaced by Mexicans.

NEWMAN. Do you ever say to people who come in here "don't waste your time. Go somewhere else."?

STOLLE. We recommend that they go to the cities—primarily to Houston or to San Antonio or to Austin, Dallas.

ACEVEDO. I've been to Toledo, I been to Chicago, and I went to look for work in Dallas, but I couldn't find it.

CARR. You like living up north?

ACEVEDO. It's one thing I don't like to be away from my family. I don't like that.

CARR. You had to say goodbye to your brothers—older brothers?

ACEVEDO. Yeah—uh—most of them—they are all scattered different places. I remember the first one started going up north, then the other one, and the other one, and the other one.

CARR. What about your friends? What about the other families up here, the same thing happened?

ACEVEDO. Yes, most of them live up north—big cities—working there.

UTLEY. Houston is the most rapidly expanding city in the Southwest. There is building everywhere. Houston's population has increased 31 percent in the last ten years. Its Mexican-American population has soared 125 percent.

Houston, the sixth largest city in America, now has the same problems as the other large urban areas. Most of the new arrivals settle in the worst areas of the city. According to a recent study by University of Houston sociologist, Dr. Sam Schulman, these Mexican-American ghettos have three times as many sub-standard housing units as the rest of the city, with twenty percent more people crowded into them. Here the average family

income is only half of Houston's other citizens; but unemployment is twice as high. The ghettos grow larger every year.

Unable to live in the valley, but not at home in the city, a new type of American has been created by rural migration: the displaced person.

CARR. What made you leave Donna, Texas and head for Houston?

BEATRIZ. Well, there's no future there for a young person after they graduate from high school. You become a nobody. Because there's no real work that you can do. You can't make very good money. And there's just no future there.

CARR. Did you graduate from high school in the valley?

BEATRIZ. I graduated, yes. In 1966.

CARR. Were you working down there?

BEATRIZ. Yes. I was lucky to have a job. And I knew I wasn't making very much money and I couldn't bear to think of living that way for the rest of my life. I don't belong down there. I go down there, I try to go down there as least as I can and when I go down there I get a real eerie feeling, I get all scared because I don't feel at home.

CARR. What have your jobs been like here in Houston?

BEATRIZ. I have worked here as an insurance secretary for the last four years and I'm very pleased with it, I enjoy my work. And yet I know that here in Houston I don't feel at home either. And it's really very scary because you're not—where do I belong? I really don't know.

UTLEY. For most Americans, Atlantic City, New Jersey means vacation, salt water taffy, and the annual Miss America Pageant. For Joseph Batts, it means a summer job; the first step in his journey north from his home in Scotland Neck, North Carolina.

## ACT V

JOE BATTIS. I'm alone now. I live in a West Side boarding house. I have one room—one room, and I pay \$7.30 a week for it.

I wash dishes, and that's about all right now. It's not a job that anyone would like for—to have a high school diploma to wash dishes. At least I don't like it. You couldn't get yourself set up off of washing dishes all your life. If you try for another job and someone ask you what kind of experience you have, what was your last job, you said dish-washer, they might tell you you might not be no good to them.

When I'm off, not working, you find me on the boardwalk. It's beautiful at night. Really beautiful. When you get a crowd out, a nice warm night up on the boardwalk, you have a whole lot of excitement up there. People from all over the world come here. It's exciting to me. Most of the time some people stop and they're talking to you and before you wind up you know you're talking to someone from your home town.

FRIEND. Like man, at night time, man, we ain't got nothing to do. You know, just come out here on the boardwalk, mess around a while.

BATTIS. That's me, yeah.

The rides on the boardwalk—I don't ever go on them, but I go up and watch them, because they're kind of expensive.

I walk alone sometimes. I think about things that I did when I was home, like going to see my girl friend, playing ball. I know all those days now are over with. It don't feel good to be out in the world alone, by yourself, if you don't have nothing to look forward to, some friends or nothing; you're just lost. I miss my mother very much.

Yes, operator, I'd like to make a long distance telephone call to North Carolina, Scotland Neck, North Carolina.

OPERATOR. The number?

BATTIS. The number is 826—

OPERATOR. 826.

BATTIS. Yes, 374.

OPERATOR. 374.

BATTIS. Yes.

MOTHER. Well, how are you doing?

BATTIS. I'm doing all right.

MOTHER. I miss you so much.

BATTIS. I miss being there too.

MOTHER. What time did you get off?

BATTIS. Well, I got off at two. I went to

work, I worked twelve hours yesterday.

MOTHER. Is that right?

BATTIS. Yes, ma'am. So I went to work this morning. I worked six hours. Just enough to make eight hours. You know.

MOTHER. Uh-huh.

BATTIS. So I been working at that. And I been off all day.

MOTHER. Uh-huh. What time do you go back to work in the morning?

BATTIS. I go to work at 5 o'clock tomorrow evening.

MOTHER. M-hum.

BATTIS. M-hum.

MOTHER. What you doing all day tomorrow, rest?

BATTIS. Play ball.

MOTHER. What did I tell you about playing ball?

BATTIS. Yes, ma'am.

MOTHER. Now, you call me. You know you have a dollar to spare to talk to me at least for two or three minutes.

BATTIS. Yes, ma'am. I'll call you.

MOTHER. I'll be so lonesome on the weekends. And when are you going to write me a nice long letter?

BATTIS. I'm going to sit down and start—I'm going to start on it tonight after I fill my application out.

MOTHER. I know you hate to write, but anyway, you just take the time sometimes and write me a nice long letter.

BATTIS. Yes, ma'am.

MOTHER. All right, Mama's so glad to hear from you.

BATTIS. Yes, ma'am.

MOTHER. And you know I love you now.

BATTIS. And I love you too.

MOTHER. O.K. now, you take care, you hear?

BATTIS. Yes, ma'am.

JOE BATTIS. I don't like the North. I never lived in a place like this before. And I always say I like where I was raised and born in. That's home, and that's where I want to be.

The 1970 Census has just confirmed, if confirmation was needed, that this galloping flight from rural America is continuing, and may even be accelerating. The United States Department of Agriculture predicts that another one million farms will disappear by 1980—a short nine years away. One farm organization says that for every six farmers who quit farming, one rural business is forced to close. More than 150,000 small town businesses can start boarding up the windows.

Yet the President has proposed no measures, and Congress has enacted no measures, that come anywhere near to being adequate in dealing with these problems.

A drive along the back roads of rural poverty, as well as a walk into any urban ghetto, is evidence enough that there is a need for balanced growth in this country.

This is not a rural problem or a farm problem, not a black, brown, or white problem. It is a problem for all of us. Something is leaving our national life. Something that no set of statistics, no matter how accurate, can measure. We just haven't asked ourselves, "Where shall we live?" and "How shall we live?" We haven't asked ourselves whether we can allow private enterprise, guided by short-term economic considerations, to make that determination.

### THE PRESIDENT'S ECONOMIC PROGRAMS

Mr. CRANSTON. Mr. President, decisive action on the Nation's economic problems has been long overdue. I welcome President Nixon's initiatives. I applaud his resolve to attack inflation and to stimulate what I hope will be a peacetime economy.

Even before the President acted, I called for a 90-day freeze on wages and prices as a necessary first step to economic recovery. The Nation could not continue to tolerate the burdens of inflation, with annual increases of as much as 10 percent in prices and wages in the major industries. I support the President's freeze decision. I regret it was not made earlier.

I also agree with the President's decision to lift the wage-price freeze after the 90-day period ends. I will join with the President in the search he has now undertaken for new negotiated ways to control inflation in the future. I am confident that he will have the complete cooperation of the Congress in all sound and sensible efforts he makes to restore prosperity to the American economy and provide jobs for all Americans seeking work. He will certainly have my support.

I wish the President had announced a similar early end to his 10-percent surcharge on imported goods. Since he apparently does not wish to do so now, I do hope he will do so very soon.

Actually, I doubt whether there was really any real need for the imposition of a 10-percent surcharge on imported goods. It seems to me to be a case of economic overkill. Despite the President's insistence that the import tax is not aimed at any foreign country but is designed only to help American producers, it adversely affects some exporting countries far more than others; it also provides only marginal and temporary help to American producers. And it not only hurts American importers, but it badly hurts the American consumer.

Importers in California are already being particularly hard hit. And there are now signs that if the surtax is not ended, there will be foreign retaliation. If the 10-percent surcharge causes a corresponding 10-percent reduction in California's \$6 billion annual trade volume because of foreign reactions it would cost the State \$600 million in revenue and affect the livelihoods of 45,000 Californians whose jobs depend on foreign trade.

I think it would have been wiser for the President to have refrained from imposing any sort of tariff increase until he could measure the effect of the devaluation of the dollar on world prices. Devaluation, a form of tariff in itself, will raise the price of foreign goods and services purchased with American dollars. It will also increase the market for American produced goods.

I am pleased that Secretary Connally has instituted a major change in the surcharge order by exempting goods which were already in transit, in bonded warehouses on U.S. soil, or tied up by the west coast dock strike. To have enforced the surcharge across the board would have unfairly penalized west coast importers. Senator TUNNEY and I had writ-

ten Secretary Connally on August 27 to point out this unfairness. I am gratified that he agreed to all our suggestions.

I ask unanimous consent that the text of my letter to Secretary Connally and of the Secretary's announcement be printed in the RECORD.

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

U.S. SENATE,  
August 27, 1971.

HON. JOHN B. CONNALLY,  
Secretary of the Treasury,  
Washington, D.C.

DEAR JOHN: We join in strongly urging you to reconsider the imposition of the import surcharge on merchandise in vessels which were in West Coast ports on August 15 but which had not been unloaded because of the dock strike. We do not believe there is equity or justice in the Federal government's collecting a 10% surcharge on this merchandise nor do we believe that the national interest and specifically the President's announced intention of improving the balance of payments would be served by imposing the tax.

At 12:01 a.m. on August 16, there were 87 vessels with cargo valued at \$291 million tied up in major West Coast ports, which have been closed since July 1, 1971. West Coast importers purchased and paid for this merchandise long before the President's announcement and in many cases negotiated a resale price which they are contractually bound to observe.

Importers in the other parts of the Nation, not having to absorb the delayed unloading, now have similar merchandise, which was ordered during the same period, on the market and at a price 10% below what their West Coast competitors will be required to charge (unless the West Coast importers choose to absorb the surcharge as an added cost, which in many cases they will be forced to do because of previously negotiated prices.)

Importers generally will be adversely affected by the suddenly imposed surcharge on goods already purchased but not cleared through customs. West Coast importers will share that disadvantage with their counterparts elsewhere in the Nation. But to require in addition that the West Coast importers pay the surcharge on cargo in ships tied up in strike closed ports has the effect of penalizing them for a strike to which they are not a party.

Obviously, this will result in lost sales by West Coast importers, which must necessarily reflect itself in losses of employment and other reductions in the activities of these importers in the U.S. In addition, unexpected but substantial costs have been incurred by West Coast importers resulting from extended credit requirements while the merchandise was strikebound and from the expenses of bringing the merchandise into the U.S. from Canadian and Mexican ports which cannot be passed on to their customers because of the price freeze.

Under these circumstances, the imposition of the 10% surcharge on the cargo which would have been imported except for the dock strike, clearly discriminates against the importers of this merchandise and against the West Coast area where most of this merchandise will be sold. Such a result should not be permitted, particularly where it serves no useful purpose in improving the balance of power position of the U.S. and would create such an extreme hardship on the West Coast economy.

Thank you for your consideration of this appeal.

Sincerely,

ALAN CRANSTON.  
JOHN V. TUNNEY.

### ANNOUNCEMENT OF TREASURY DEPARTMENT ADDITIONAL DUTY ORDER NO. 3, SEPTEMBER 1, 1971

The Treasury Department announced today that it has exempted from the 10% additional import duty merchandise which had already been exported from foreign countries to the United States when the surcharge became effective on August 16.

The order exempts merchandise exported for the U.S. prior to August 16 which:

Is tied up by the dock strike at West Coast ports,

Was aboard ships on the high seas enroute to the U.S., and

Is in bonded warehouses or foreign trade zones within the U.S.

However, the merchandise in warehouses and zones must be withdrawn by October 1, 1971, in order to qualify for the exemption.

Eugene T. Rossides, Assistant Secretary of the Treasury for Enforcement, Tariff & Trade Affairs, and Operations, said that the order is based on the determination that the date of shipment is the preferable date to achieve consistency and equity and to prevent harsh retroactive effects of the application of the additional 10% import duty, while at the same time carrying out the President's purpose of safeguarding the balance of payments position of the United States.

Without the exemption announced today, importers would have been forced to pay the additional duty on merchandise already enroute to the United States and over which they had no control. This would have placed them at an unfair disadvantage compared to importers whose cargoes were already in the United States. Many small importers claimed they faced possible bankruptcy without the exemption.

### TREASURY DEPARTMENT ADDITIONAL DUTY ORDER NO. 3

#### ARTICLES EXEMPTED FROM ADDITIONAL DUTY IMPOSED UNDER SUBPART C OF PART 2 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES

Pursuant to the authority vested in the Secretary of the Treasury by Headnote 4(a) subpart C of part 2 of the Appendix to the Tariff Schedules of the United States, I hereby determine that it is consistent with safeguarding the balance of payments position of the United States to establish exemptions from the additional duty provided for in subpart C as set forth in Headnote 5 thereof which I hereby amend to add the following:

(h) Articles exported to the United States before 12:01 a.m., August 16, 1971, provided that any such articles entered for warehouse or placed in foreign trade zone shall be exempt only if withdrawn from warehouse for consumption or entered or withdrawn for consumption from a foreign trade zone under a request properly filed on or before October 1, 1971."

By virtue of the authority vested in the Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950 (3 CFR Ch. III), the Commissioner of Customs, with the approval of the Assistant Secretary of the Treasury (Enforcement, Tariff & Trade Affairs and Operations) is authorized to prescribe such regulations and issue such instructions as may be necessary to carry out the purposes of this order.

Mr. CRANSTON. Mr. President, I do not by any means believe that the President's program covers all that must be done to create enough jobs for our millions of unemployed workers, to fully occupy our business and industrial leaders, to solve the problems of our cities, and to prevent the destruction of our environment.

We must proceed to address ourselves to these questions.

Our most important economic task is the restoration of full employment. But the President's proposals will not do this. Our employment rate is more than 6 percent—more than 7 percent in California. Five million men and women are without jobs in America. I support Mr. Nixon's basic view that we must institute tax incentives to help create jobs. But that alone will not be enough. The 500,000 new jobs that he expects his tax package to create in the next 12 months will still leave 4½ million Americans unemployed; 5.4 percent of our labor force will be without work.

The President spoke in his September 9 address of creating 100 million jobs in 10 years. What we really need are 5 million jobs right now.

If we are to move rapidly toward full employment, the President's tax package should therefore be improved. The investment tax credit should be structured to encourage the development of systems and services that will meet our domestic needs. We should give top priority to tax incentives that will encourage civilian applications of aerospace and military technology. This will allow our defense industries to diversify, creating new jobs for those who had been thrown out of work.

I am disturbed by the marked disparity between the tax incentives proposed for the Nation's producers, and those designed to benefit its many millions of consumers. I believe consumer tax relief should be increased over and above the \$50 acceleration in personal exemptions that the President has proposed. His program represents only a 7-percent decrease in consumer taxes. A 10-percent cut would surely not be unreasonable, especially in view of the impending increases in social security taxes.

I cannot support the President's repeal of the 7-percent automobile excise tax. The floating of the dollar and the investment tax credit already give the automobile manufacturers substantial relief. I can see no reason to provide the auto industry with additional extraordinary benefits, particularly when other sectors of the economy, such as aerospace, have suffered far more serious setbacks during the current recession. I propose instead that the automobile excise tax be maintained, and that its proceeds be placed in a fund to be used for the development of urban mass transit. In this way, we can improve our Nation's transportation systems, boost employment, and render tremendous assistance to our cities without causing further damage to the environment.

As the price for the President's tax package, he has proposed delaying of family assistance and revenue sharing, continuing the freezing of Federal funds for such purposes as mass transit, urban renewal, public works, and health care, and to cutting back the Federal work force and foreign aid.

The President's cuts have been made in the wrong places, I believe.

We need not sacrifice vital domestic programs in order to place a lid on inflation. We should be cutting back unnecessary military and strategic arms expenditures. We seek to accelerate our

withdrawal from Vietnam. We should more vigorously and creatively limit massive nuclear arms expenditures. And we should refuse to give aid and support to military dictatorships in countries like Greece and Pakistan.

#### CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 9727) to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes, in which it requested the concurrence of the Senate.

#### MILITARY PROCUREMENT APPROPRIATIONS AUTHORIZATIONS, 1972

The PRESIDING OFFICER (Mr. Spang). Under the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The legislative clerk read as follows:

H.R. 8687, a bill to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The Senate resumed the consideration of the bill.

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

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

Mr. STENNIS. Mr. President, am I recognized?

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, what is the pending measure before the Senate?

The PRESIDING OFFICER. The pending measure before the Senate is H.R. 8687, the military procurement authorization bill.

Mr. STENNIS. I thank the Presiding Officer.

Mr. President, I wish to thank the acting majority leader as well as the acting minority leader for their cooperation in getting this matter arranged and for the time I have had this morning while other matters were being disposed of.

We begin debate today on the annual military procurement bill. While varying views of individual committee members

are reflected in certain amendments, the bill was approved for reporting in the Committee on Armed Services by a vote of 16 to 0.

Mr. President, the acting majority leader has mentioned to me the proposition of getting unanimous consent with reference to some amendments to be proposed on Monday, so that they be voted on on Monday. I am glad we can get started on these unanimous-consent agreements, and the acting majority leader may present that unanimous-consent request when he wishes to. Of course we would like to look at those amendments or know their substance beforehand.

As a general proposition, the purpose of the committee is to get this bill presented rather fully and to get into the Record today some of the general speeches and overall explanations. Some Members who were planning to speak in connection with the explanation of the bill cannot be here today, but they will be here very early next week. With the report that is presented here, which is extraordinarily complete, and with the explanations to be made today and Monday, I think that the full matter will be before the Senate. I hope we can move—I will not say rapidly—but with reasonable dispatch, in the consideration of these amendments, and dispose of them.

Mr. President, the committee is prepared to enter into almost any unanimous-consent agreement that may be proposed as to limitations of time. Of course, there is always room for interpretation as to what may be considered reasonable under the circumstances and on the subject matter.

Mr. President, I have a unanimous-consent request to make, now, which is the usual one made on bills of this kind. Preliminarily, although the bill before the Senate is the House bill—the House passed the bill and referred it to our committee, and we considered and reported the House bill—everything after the enacting clause was embraced in a substitute which is offered here as an amendment.

Mr. President, I ask unanimous consent that the committee amendment in the nature of a substitute be agreed to, and as agreed to be considered original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. STENNIS. I thank the Presiding Officer and I thank the Senate. That is a step forward, even if it is the usual customary unanimous-consent request that is made.

Mr. President, I believe that this bill, as reported, outlines an austere and prudent program for military procurement and for resource and development which should be funded now. The total requests which the committee considered in this bill amounted to \$22,188,337,000. The committee is recommending to the Senate an authorization of \$21,018,482,000, or a decrease of \$1,169,855,000. This is a committee reduction of 5.3 percent from the total budget request considered.

I repeat, Mr. President, this is for military procurement and for research and development, and does not include all of the military budget, particularly items that we ordinarily call O. & M.—funds that go to pay salaries, travel, and so forth.

Mr. President, as far as I can determine, this is the only major authorization bill that has been cut below the budget request so far in this Congress. I am referring to those bills which authorize appropriations for a given activity.

This bill, as I said, covers research and development plus military procurement items like tanks, ships, planes, missiles, and all of the items that go to make up the hardware. I mentioned planes, and of course that includes helicopters.

It was the premise of the committee, Mr. President, that the military equipment and the research and development efforts essential for national defense in the years ahead must be authorized now.

I think it is well to remember that most of the items in this bill are not for immediate use, but for the years ahead, as much as 8 to 10 years from now. Of course, some of this money will be used inside that period, but these are programs that reach far into the future.

Mr. President, it was our purpose and intent in the committee that not one dollar more than necessary should be authorized to carry out these programs.

I would note that there is available to each Member of the Senate, the committee hearings which exceeded 4,200 pages in length, together with a detailed committee report. The committee began hearings on March 15 which were not concluded until July 14.

We spent well more than 2 weeks around the committee table, in steady conference, in marking up the bill.

The hearings of the full committee on the bill were supplemented—and very valuably—by the work of the tactical air subcommittee, under the direction of Senator CANNON, and of the research and development subcommittee, headed by Senator McINTYRE. Both of these able chairmen will discuss their subcommittee activity during this debate.

#### THE SITUATION NOW

Before I discuss specifics, Mr. President, I would like to say a word about the situation in which we begin this procurement debate.

First, however, let me say one further word about the report and hearings. A year ago, when this bill was before the Senate, I said I believed they were the most comprehensive hearings and the most complete report that we had in modern times with reference to a bill of this kind. I will modify that statement now, Mr. President, by saying I believe this report and the hearings are more complete and more exhaustive than the ones of last year. In fact, I do not see how they could be more exhaustive than those we held. The report of 140 closely printed pages, with all the tables it contains, is a very valuable document. One can find the details on all the great numbers of items in this bill, with some of the finest tables and analyses that could be found on the subject.

I do not say this in any unduly complimentary way for the committee, but it represents the time and talent of a great many of the members and a great deal of the time and talent of some extraordinarily able and fine staff members. As a matter of fact, the preparation for the hearing and the report has been going on for more than a year. We have already started on the prospective bill for next year.

Turning back to a word about the situation behind these figures, at a time when wages and prices are frozen, and the administration is studying new curbs on inflation, Members of the Senate should understand that defense programs are a major victim of inflation.

Our money is buying fewer costly weapons. Our dollars are supporting smaller Armed Forces. The so-called Vietnam peace dividend, which was supposed to accrue with the winding down of the war, has not been declared. It will not be paid, and more money will be needed each year to buy the same level of defense.

I have felt for some time that the talk about the so-called peace dividend was wishful thinking, because I could see that that dividend was being absorbed faster than it could come into being.

Inflationary pressures—ever increasing costs of goods and services—are not the only cause for mounting weapon costs. Complexity and technological advances compound the cost problem.

For example, a plane-to-plane machinegun burst, fired during the Korean war cost about \$20. Tactical air-to-air missiles, now under development, cost in the hundreds of thousands of dollars—an increase factor in the tens of thousands:

As we stated in our report, some of the avionics "black boxes" in new planes are twice as costly as gold.

When I was told that, I had it checked out, because I myself was skeptical.

The F-14, the Navy's new fighter, will be about five times as expensive as the F-4B Navy fighter of the early 1960's.

Parenthetically, may I say that the F-4B was already more costly, by about one-half, than its Russian contemporary, MIG-21. I have to say as far as can be calculated, because comparative costs with the Soviets are highly speculative.

Reporting on this procurement bill, the Armed Services Committee, warned that, under these conditions, there is a great danger that national security, itself, will suffer as the pressures increase.

Under these circumstances, the committee has been working actively with the Pentagon toward procedures designed to improve procurement policies and reduce weapon costs. Yesterday, we met with Under Secretary Packard, who is very well aware of these problems, to discuss his proposals for a wider use of prototypes in the development process, before weapons are actually purchased.

I think I can say that the committee was very favorably impressed with Secretary Packard's presentation. It is important to understand, however, that the payoff for Mr. Packard's plan will not come for several years.

Mr. President, I want to doubly assure the Senate that there is no paragraph, no sentence, no word in this statement that is put in here to sell something or to create an atmosphere or a sales talk. We are trying to get right down to the hard facts of life, and bring to the Senate a realistic report and analysis and some of our conclusions about these problems.

As one member of the committee, I am not in a big hurry about these weapons. I want to be certain we have the best, but I am not in any big hurry about getting them, and thereby running the price up far beyond what it would otherwise be. I think the smart thing to do is to look ahead—do the research, and develop the prototypes—rather than make any contracts for the end product. I emphasize, though, that this plan that I have referred to for prototypes is not for immediate use. It cannot be used immediately, but is for the future years ahead.

By contrast, this authorization bill involves decisions that must be made now on weapons needed for the near future. In at least one case—the F-14—we are now buying a plane to replace another—the Navy F-111—which was canceled by Congress 3 years ago.

#### COVERAGE OF THE BILL

While most of the funds authorized, totaling slightly over \$21 billion, will go to finance research and development and the purchase of military hardware, there are other significant provisions in the bill.

In addition to the procurement authority, for aircraft, missiles, naval vessels, tracked combat vehicles and certain other weapons together with funding authority for R.D.T & E., this legislation:

First. Authorizes the fiscal year 1972 personnel strengths for the selected reserves of each Reserve component;

Second. Provides authority, for fiscal year 1972 as in past years, for financing the free world forces in South Vietnam together with local forces in Laos and Thailand.

This is the fund that is ordinarily referred to as military aid service funded. It is handled in this bill by the Committee on Armed Services, instead of the Committee on Foreign Relations, which handles the rest of the foreign aid. This arrangement, or exception, was started about the time the war in Southeast Asia was stepped up in 1965.

Third. Provides construction authority for the Safeguard ABM program proposed for fiscal year 1972;

Fourth. Includes certain other minor provisions relating to the possible barring of R. & D. funds for universities where military recruiting is denied, and an amendment to existing law which would permit the importation of certain strategic and critical materials.

I mention all of these items, Mr. President, which will be covered in detail, to set forth the scope of this legislation.

#### MAJOR WEAPONS SYSTEMS

I turn now, Mr. President, to a discussion of the funding authorization for

certain of the major weapons systems covered in the bill.

SAFEGUARD-ABM SYSTEM  
HOUSE ACTION

Mr. President, as the bill passed the House there was a total authorization of \$1,267.6 million for the various elements of the Safeguard system covering procurement, R. & D., construction and family housing. This was the amount in the budget request. Details are set forth on page 23 of the committee report. Procurement funds were recommended as a part of the missile account of the Army. The R. & D. amount of \$410 million was in the appropriate R. & D. account.

The House version contained no statutory language regarding the number or the type of sites for which these funds could be used.

The administration has indicated that under its proposal the funds were to be used for full deployment at three sites—Grand Forks, Malmstrom, and Whiteman Air Base—and for steps toward deployment at a fourth site, either Warren Air Force Base, Calif., or a national command location. Under the House bill, the President would decide which of these two latter sites would be selected.

SENATE COMMITTEE ACTION

The Senate committee, just as last year, has recommended specific statutory language which sets forth limits and, at the same time, authorizes the funds for four sites.

In effect, this language—contained on page 13 of the bill, in section 403—provides that no funds authorized by this or any other act may be obligated or expended for the purpose of initiating deployment of an ABM system at any site, except that funds may be used to continue the advance preparation for sites at Frances E. Warren Air Force Base, Wyoming and Whiteman Air Force Base in Missouri, and further, that nothing in this statutory limitation shall be construed as preventing the deployment of the system at Grand Forks, N. Dak., or Malmstrom, Mont.

In effect, therefore, the committee is specifically authorizing a four-site program in certain forms—but only four sites.

However, the prospective site, here, for the national command, is not included in our bill as presented to the Senate.

In terms of funding, Mr. President, the Senate committee is recommending a total of \$1,106.2 million or a reduction of \$161.4 million below the amount recommended by the House. This reduction is made possible, as I shall shortly explain, by a construction slowdown which has occurred in the past year at the Malmstrom complex.

I would reiterate, Mr. President, that last year the committee effected a fundamental change in limiting the role of the ABM to protection of our land-based strategic deterrent. This same policy is continued this year in the language I have just described, which precludes the funding at any sites other than the four covering our Minuteman forces.

I am being very explicit about this, because I want to make clear that there are four places involved in the Senate bill, but only four, and that all those four are

covering our Minuteman forces at the places I have already named in the West.

CONSTRUCTION SLOWDOWN

Mr. President, Senators will recall that last year, Congress approved full deployment at the Whiteman Air Force Base ABM site. This year, approval is granted for only advance preparation at the Whiteman site. Contrary to appearance, this is not, in reality, a backward step, as I shall explain. Despite the approval for full deployment, the Whiteman site is still in the advance preparation stage because of late approval of the fiscal year 1971 budget by Congress, and a slowdown in construction at the Malmstrom complex.

The effect of late approval of the 1971 budget was that construction at Whiteman has not been initiated. To further complicate the situation, the contract to complete construction of the technical facilities at Malmstrom was not awarded as scheduled on April 1, 1971. Bids were excessive and the contracts are still under negotiation. We are now looking at almost a year's delay at Malmstrom. Extending this slippage to Whiteman and Warren postpones the need to start major construction at either site.

That is just a hard fact of life. We put in the money to do the practical things, the realistic things, as to these four bases, and nothing further.

I may add, in further explanation of this slippage that there is a very short working season at some of these bases, and that limits the working time of the contractors.

SAFEGUARD AND SALT

Mr. President, it was the opinion of the committee last year that continuation of the Safeguard deployment would not jeopardize the strategic arms limitation talks. I believe the events of the past 9 months have confirmed that judgment by the committee.

The committee would welcome a SALT agreement which would obviate the need for Safeguard. But until such an agreement is executed, the committee is of the opinion that the Safeguard deployment should be continued. I should point out that the number of operational Soviet ICBM's has increased from 1,100 to 1,440 in the past year—an increase of more than 30 percent.

Mr. President, the committee report—on pages 22 through 26—discusses the Safeguard program in detail and there will of course be much further elaboration on this subject during the course of the debate on this bill.

F-14 PROGRAM

Mr. President, the committee is recommending a total of \$1029.6 million for the F-14, of which \$801.6 million is for procurement and \$228 million for R. & D.

The Senator from Nevada (Mr. CANNON), chairman of the Tactical Air Subcommittee of the Senate Committee on Armed Services, will discuss this program in detail, and in the meantime, I shall cover certain of the main points in connection with the fiscal year 1972 funding authority.

The House Committee on Armed Services reported the full amount of the

budget request in the bill. However, due to the lengthy discussion regarding the slippage in the aircraft program together with cost increases, a committee amendment was adopted on the House floor deleting F-14 procurement funds from the bill pending a restudy and recommendation from Deputy Secretary Packard on this matter.

Mr. President, for months, this plane has been going through the processes of evaluation and reevaluation. Some of those reviews were entirely normal. This is a complicated and highly involved mechanism, and it includes the most advanced avionics and all the delicate equipment that can go with such a plane.

So most of these developments were normal. In my opinion, nothing better could have been done than to have asked Deputy Secretary Packard for his special study and analysis of this situation.

This issue was fully restudied in depth by Mr. Packard, and I should emphasize that a further separate hearing was conducted by the Senate Committee on Armed Services on the matter. We did not act on this until Mr. Packard had finished his study and analysis, reached conclusions, made recommendations, and had come before our committee and explained the matter at length. He made at least two appearances before the committee. There was nothing casual about this. It was of the utmost concern to us.

In substance, it was firmly recommended that the best alternative was to proceed with the program as originally recommended in the budget, and this is the program being recommended to the Senate in this bill.

I want to emphasize that the committee adopted specific language in the bill providing, in effect, that the \$801.6 million being recommended must be sufficient for the procurement of not less than 48 aircraft. The purpose of this is to make certain—without any doubt—that there will not be cost escalation, beyond this amount, for this lot of aircraft.

We have a letter in the printed hearings from the Grumman Co., in which they say that for this sum of money they can and will deliver the 48 aircraft. This amendment is written in such a way that the money cannot be spent for the purpose appropriated until this point is established, to the satisfaction of the officials of the Department of Defense: they will get the 48 planes for this sum of money. Insofar as any further escalation of this buy is concerned, that is the final word.

The point has been made, Mr. President, that if the contract for the 48 aircraft is not entered into, the Government will face a staggering cost increase in this aircraft program for the reason that the 48 is the minimum buy under the basic contract.

It is anticipated that sizable increases would result if new prices had to be negotiated.

Mr. President, despite some slippage in the program and certain other problems, the F-14 program should be approved by Congress to the extent here recommended.

I want to make it very clear that a modern fighter is required for the Navy

to replace the aging F-4. The F-4, while a very fine aircraft today, will not be able to cope with the enemy threat in the 1975 time frame, as the F-4 is an aircraft based on technology of the mid-1950's.

The central fact is that we need a plane that is more modern than anything we have. A better plane in this field has never been made than the F-4, and the F-4s have done wonders. One of the wonderful things they have done has been to satisfy both the Air Force and the Navy. But the technology of the mid-1950's just cannot cope with the technology of the 1970's.

#### C-5 AIRCRAFT

Mr. President, the committee is recommending a total of \$396.4 million for the C-5A program, which represents a total reduction of \$75.8 million from the total of \$472.2 requested. The reduction being recommended by the committee will not harm the progress of this program. It was made possible, in a real sense, by improved management efficiency in the program, which stretches out the funds which were approved last year. The amount being recommended should be sufficient to meet the financial needs of this program for fiscal year 1972.

Refreshing everyone's recollection, the C-5—which has been debated here so very often including last year and the year before, was the aircraft that ran into extraordinary cost escalation—had a different kind of contract. The DOD has been criticized for that and the congressional committees have been criticized also for recommending it here.

As to the \$75.8 million reduction that we are making this year, the reason for it, to put it in more homey terms, is that under improved management efficiency, we will save \$75.8 million. In other words, we will be getting more of a return for the dollars spent under the new system. We took the contract over, more or less. The matter has had the personal attention of Mr. Packard as well as some of the men in uniform in the Air Force. Under improved management efficiency, the Government will be getting more for its money. We are very glad to be able to make this report, and we are also very glad indeed to recommend this reduction and save this money.

As I said to Mr. Packard yesterday, we have an expression down my way, "There is more in the man than there is in the land." I am finding out that there is more in the management of these huge contracts than there is in the contract itself.

In addition, the committee has adopted language identical to that contained in the fiscal year 1971 act which restricts as a matter of law the use of these funds to the C-5 program by specifying the uses for which these funds may be expended.

That means that this money cannot be spent on any program except the C-5 program. It is appropriated for that purpose and that purpose alone—no transfers, or anything like that will be permitted, and no reprogramming. If any money is saved, it stays in the Treasury

and cannot be spent for any other purpose.

I would like to report to the Senate that present estimates indicate that the funding for the C-5A program can be completed in the next fiscal year, and it is presently expected that about \$160 million will be required. I am proud that we are so near the end of the program and that we are going to have a good product, although the cost has been enormous.

#### STATUS OF PROGRAM

I am glad to be able to report to the Senate that the C-5A program in every way is progressing toward completion. Through August of this year, 47 aircraft had been delivered to the Air Force and further deliveries are scheduled at the rate of two per month. The final delivery of the 81st aircraft is still estimated for February 1973. Presently, the contractor has in the early phases of the production line components of the 76th aircraft, a further indication that this production program is progressing toward completion barring any unforeseen strikes or other problems.

The C-5A aircraft is rapidly becoming a useful and productive addition to the airlift capability. The productive utilization of this C-5A as a cargo carrying aircraft, with its low-cost per mile operation, should prove economical and beneficial to the taxpayer in future periods. To date, the C-5A aircraft has flown over 7,100 test hours and 24,000 hours in airlift operations. The aircraft has been used to carry outsized cargo in routine and training flights and has been used in the Military Airlift Command to carry over 22,000 tons of cargo to both the Far East and European areas.

I am one of those who believe in using these big planes, for our cargo airlift on some substantial part of it, rather than just having them sitting on the line. They are expensive. Line them up out there and we can accumulate \$2 billion worth mighty quick. I think that they should be used. We are not going to wear them out by putting them to practical use. The C-5 is supposed to be, in operation, an inexpensive plane per ton, per mile.

#### F-111

Mr. President, the committee recommends a total authorization of \$485.7 million for the F-111 program—all of which was contained in the budget request.

I should mention that this sum includes the amount of \$112 million to purchase an additional 12 F-111F aircraft, a request which was received in the form of a budget amendment. The remaining sums are for the purpose of covering overtarget costs and other elements in connection with this program.

It should be emphasized that the F-111 is the only Air Force aircraft capable of night and all-weather deep interdiction operations. With only 70 F-111F aircraft already approved, the Air Force would have difficulty operating and maintaining four such aircraft wings. The committee therefore is recommending approval of the additional 12 aircraft in the fiscal year 1972 program.

The record should also be made clear that the problems of last year, involving the structure of this plane, have been resolved and this aircraft has been cleared for operation.

In the course of the years, this plane has been tried and tested. It has given some trouble, but probably no more than any other complicated and involved airplane of that kind. It has now been fully cleared for operation. This question has been cleared up, I think, and the plane ready for action.

#### F-15

Mr. President, the bill contains \$414.5 million for the continued development of the Air Force F-15A all-weather air superiority fighter. This plane is being developed with the capability of engaging and destroying any known Soviet aircraft. Moreover, the program is proceeding on schedule and within the estimated costs. By way of emphasis, the plane is still not in the production phase, but only in development.

There have not been any setbacks or any great disappointments connected with it. So far, there have been no so-called overruns, but the project is staying within the estimated cost. This, of course, is an Air Force plane.

#### B-1

The committee is recommending \$370.3 million for the continued development of the B-1 strategic manned bomber which is the amount of the budget request. It should be emphasized that the plane is still in development and no commitment is involved for fiscal year 1972 for the production of this aircraft.

Mr. President, I want to emphasize the importance of developing this follow-on bomber to replace the aging B-52 fleet. The greatly improved penetration capability provided by the B-1 is vital to the continued effectiveness of our strategic deterrent in the face of the projected improvement in Soviet bomber defense.

#### MBT-70

Mr. President, the committee is recommending \$62.8 million for the main battle tank—XM-803, formerly designated the MBT-70. The budget request totaled \$86.6 million with \$59.1 million in procurement and \$27.5 million in R. & D. The House deleted all of the procurement funds leaving \$27.5 million in R. & D., but suggesting that the R. & D. funds be used for developing antitank weapons. Our committee, in recommending \$62.8 million, would place all of this money in the R. & D account in order to continue with prototype development and testing.

Mr. President, the committee was not willing to see this program completely terminated. This \$62.8 million does not represent a commitment to production in any way. We have made the record very clear and positive and precluded the commitment to production. However, the development program should be completed so that a decision can be made as to whether the tank is to commence production.

I am convinced that the tank will continue to play a vital role in support of

the infantry. It is also clear that today's tank—the M-60A1—is not good enough to last forever. The new main battle tank offers the prospect of providing a follow-on tank to the present generation of tanks.

It is in that context that we present this matter again to the Senate. It has taken a long time. However, I am just not willing to leave this unevaluated and leave the GI out there with a rifle without the proper kind of support.

#### NAVY SHIPBUILDING AND CONVERSION

The committee recommends an authorization of \$3,010.6 million for naval shipbuilding and conversion for fiscal year 1972. This sum is \$318.3 million less than the \$3,328.9 million recommended by the House. The committee is recommending 15 new ships and nine conversions which include six conversions of the Poseidon submarine.

The committee deleted a total of four ships of lesser priority including the provision of lead funds instead of full funding for a submarine tender, and removal of an oiler, and two salvage ships. This sum of over \$3 billion for naval shipbuilding and conversion is the largest single amount in the bill. It is considerably larger than like sums for the other services. It recognizes the delay we have had in building up our Navy. At this rate we would certainly be making fair headway in improving the situation in which the Navy needs strengthening. We are committed to a modernization of the Navy and to making it fully capable and modern in every way.

At the same time, the committee added \$22.5 million in lead funds for an additional nuclear attack submarine. Included in the sum being recommended for ships is \$577.7 million necessary to cover cost overruns for prior year ship programs.

The committee is fully cognizant of the necessity for modernizing the Navy and is firm in its commitment to a modern and capable Navy. The committee report—pages 27 and 28 and 66 through 71—discusses the committee's action in detail.

#### SUMMARY OF PROCUREMENT PROGRAMS

Mr. President, in the foregoing remarks, I have discussed a number of separate weapons systems. In order to outline completely the sums involved in the bill, however, I will set forth the summaries of the various accounts which are, of course, discussed at greater length in the report.

Army aircraft, 400 aircraft, \$94.2 million; Navy and Marine Corps aircraft, 269 aircraft, \$3,256.2 million; Air Force aircraft, 188 aircraft, \$2,989 million—this is the smallest quantity of planes procured by the Air Force since 1934 with 28 being earmarked for the free world forces in Southeast Asia; Army missiles, \$1,066.1 million, which includes \$639 million for Safeguard; Navy missiles, \$704.1 million, which includes \$348.9 million for Poseidon; Air Force missiles, \$1,774.9 million, which includes \$822.7 million for the Minuteman programs, and \$204.4 million for SRAM; tracked combat ve-

hicles, \$186.4 million; Navy torpedoes, \$193.5 million, of which \$148.6 million is the Mark 48.

All of the foregoing with several other lesser categories are fully discussed in the committee report.

#### RESEARCH AND DEVELOPMENT

Mr. President, Senator McINTYRE, chairman of the Research Subcommittee, will discuss the committee's actions in this field in some detail. The fine work accomplished by Senator McINTYRE's subcommittee is attested to by the careful review they extended to the hundreds of line items.

I have already discussed some of the more important research and development items in the bill—F-15, B-1, and the MBT-70 tank. In sum, the committee is recommending a total of \$7,607.3 million, which is a reduction of \$343.5 million from the \$7.9 billion requested.

This represents a reduction of 4.3 percent. These reductions cover curtailments and eliminations for 60 programs.

Mr. President, I shall not dwell in detail on the committee's R. & D. authorization since Senator McINTYRE plans to discuss it further. Moreover, certain other R. & D. items will be the subject of separate debate as the Senate continues the consideration of the bill.

#### AUTHORIZATION OF SELECTED RESERVE STRENGTHS

Mr. President, as the Senate knows, existing law requires that there be an authorization each year of the strengths of each of the Selected Reserves, as a condition precedent to any appropriation for those components. This year the committee recommended the strength contained in the budget except for the Coast Guard, which the committee is recommending at 15,000, as compared to the budget request for only 5,000. The recommended strengths are as follows:

Army National Guard.....	400,000
Army Reserves.....	260,000
Navy Reserves.....	129,000
Marine Corps Reserves.....	45,849
Air National Guard.....	88,191
Air Force Reserves.....	49,634
Coast Guard Reserves.....	15,000

I must emphasize, Mr. President, that the Reserves are a vital element of our national defense and one on which we must place increasing reliance. I would also note that the estimated cost for the Reserves for fiscal year 1972 is \$3,090.0 million which indicates the growing size and magnitude of the programs.

This is not materially different from last year. We consider these reserves to be a vital element of our defense and an element on which we must place increasing reliance because, as I shall indicate more than once during the debate, manpower costs have become so great that we will have to reduce manpower to have enough of these modern weapons.

There is, however, another reason I want to shift some of the responsibility to the reserves. It is just a part of Americanism to ask these reserves to carry some responsibility and give us the right kind of dedicated men in the military services.

#### FUNDING AUTHORITY FOR FREE WORLD FORCES IN SOUTH VIETNAM, LAOS, AND THAILAND

Mr. President, section 501 continues the authority, which has been enacted each year since fiscal year 1966, with respect to the free world forces in South Vietnam, Laos, and Thailand. The Senate will recall that there was long debate on this matter incident to approval of both the procurement authorization and Defense Appropriations Acts.

The language in section 501 is identical with that enacted in the Department of Defense Appropriations Act for fiscal year 1971.

Specifically, this section:

First, imposes a limitation of \$2.5 billion on these funds that can be used for the stated purposes to support (a) Vietnamese and other free world forces in support of Vietnamese forces, and (b) local forces in Laos and Thailand, and for related costs, during the fiscal year 1972 on such terms and conditions as the Secretary of Defense may determine;

Second, provides that, except for agreements executed prior to July 1, 1970, free world forces serving in South Vietnam will not be paid, from funds authorized by this section, various special pays in excess of those received by U.S. troops; and

Third, provides that nothing in clause (a), relating to free world forces, shall be construed as authorizing the use of such funds designed to support the Government of Cambodia or Laos, with the further proviso that nothing in this section shall be construed to prohibit support of actions designed to insure the safe and orderly withdrawal of U.S. forces from Southeast Asia or of actions aiding in the release of U.S. prisoners of war.

It is estimated, as indicated in the chart on page 140 of the report, that for fiscal year 1972, the sums appropriated will be \$2.3 billion. These do not include totals that may be funded through other agencies.

Mr. President, I want to emphasize that these funds do not relate to U.S. forces in Southeast Asia, but to the free world forces other than U.S. forces. This is the program which supports our Vietnamization efforts in Vietnam and the assistance we give to local forces in Laos and Thailand.

This entire effort is crucial to our efforts toward making the South Vietnamese self-sufficient and to the planned withdrawal of U.S. forces from that area.

#### SENATE ACTION

In closing, Mr. President, I want to acknowledge the cooperation of all members of the Armed Services Committee in the tedious consideration of this bill. I especially want to thank our ranking Republican member, Senator SMITH, whose advice and energy contributed greatly to our efforts. I want the record to show how much I appreciate the support she has provided in this and other committee business.

The Senator from Maine (Mrs. SMITH) expects to address the Senate on this bill Monday or Tuesday of next week.

I hope the Senate will give careful and deliberate consideration to this very large authorization bill. I warn the Senate now not to arrive at conclusions on these items until all the facts are in so that the full picture can be developed.

I welcome debate on any item or any policy recommended by the committee bill, but I do hope we can move on with the consideration of these amendments and to final disposition of amendments, and then the bill.

I know other members of the Armed Services Committee will make important contributions to this debate, and I hope other Senators will do so.

At the same time, I would remind the Senate that many weeks of debate have been devoted, already, to military manpower problems, and other related issues covered by the military draft bill. I hope the Senate can move as rapidly as is consistent with full discussion and careful deliberation.

In the end, Mr. President, I am confident that the Senate will continue to vote adequate funds for military procurement, as it has, over the years.

Mr. President, before I conclude I have one other matter. The Senate has heard the explanation about the fine work of staff members in preparing hearings, the report, and this bill. Under the regular rules of the Senate three staff members only are allowed on the floor at the same time. It is a good rule and one which I heartily support. At the same time it is understood that when the need exists a committee chairman can feel free to ask for additional members.

Therefore, Mr. President, with the assurance that I am one of those who believes in keeping these matters to a minimum, and that these gentlemen will be here only in the transaction of official business of the Senate and not just as visitors, I ask unanimous consent that the rule limiting to three to a committee the number of staff members who may be present, be waived during consideration of this bill, with the understanding the chairman of the committee will be responsible and see to it that the number of staff members on the floor of the Senate at one time is kept to a minimum.

Mr. President, I revise my unanimous-consent request. I understand the rule provides for four staff members.

I ask unanimous consent that there be as many as five staff members on the floor at one time, with the understanding that if I run into a situation where the need is for more staff members I will ask the leadership and the membership for additional members. Therefore, I ask unanimous consent that five staff members may be permitted on the floor.

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

Mr. STENNIS. I also ask unanimous consent that a table showing total authorizations for major weapon systems be included as a part of my remarks.

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

*Selected major systems in the bill, including all funds (procurement, R. & D., spares, etc.)*

[In millions of dollars]

	<i>Committee recommendation</i>
<b>Aircraft:</b>	
F-14 aircraft.....	1,029.8
SSA aircraft.....	579.9
P-3C aircraft.....	277.1
A-7E aircraft.....	89.7
EA-6B aircraft.....	198.6
F-111 A/D/E/F.....	427.0
F-15 (R. & D. only).....	414.5
C-5A.....	396.4
B-1 (R. & D. only).....	370.3
A-X (R. & D. only).....	47.0
A-7D.....	208.1
International fighter.....	128.4
AV-8A aircraft.....	134.0
Heavy lift helicopter (R. & D. only).....	30.0
<b>Missiles:</b>	
Lance missile.....	112.3
Safeguard.....	1,106.2
Sam-D missile (R. & D. only).....	100.5
Dragon missile.....	38.9
Tow missile.....	63.3
Phoenix missile.....	108.0
Sparrow E missile.....	40.0
Poselidon missile.....	393.6
Condor missile (R. & D. only).....	19.9
Advanced surface missile (Aegis) (R. & D. only).....	100.0
Minuteman II/III.....	999.3
Sram.....	231.3
Maverick.....	86.8
Underseas long-range missile system (Ulms) (R. & D. only).....	103.0
<b>Ships:</b>	
SSBN, FBM sub conversion.....	408.4
SSN 688 submarine.....	903.5
DLGN guided missile frigate.....	209.2
DLG AAW modifications.....	104.4
DD 963 destroyer.....	599.2
LHA general purpose assault ship.....	109.7
<b>Other:</b>	
Tank, M60A1E2.....	33.0
MBT-70 tank (R. & D. only).....	62.8
MK-48 torpedo.....	181.7
AMTRAC (LVTP-7/LVTC-7/LVTR-7/LVTE-7).....	60.2
AWACS (R. & D. only).....	145.1

(The following colloquy, which occurred during the delivery of Mr. STENNIS' speech, is printed at this point in the RECORD by unanimous consent.)

Mr. SYMINGTON. Mr. President, I would take this opportunity to commend the chairman and the staff of the Committee on Armed Services for the report just released in connection with the military procurement bill which is now pending before the Senate.

Although I do not agree with some of the conclusions contained therein, the report reflects unusually thorough research and evaluation.

Length, of course, does not necessarily indicate quality; nevertheless it is interesting to note that, as recently as 1968, the Senate Armed Services Committee report on the military procurement authorization request for some \$22 billion consisted of but 31 pages. The report now before us totals 140 pages, and deals with a bill of the same dollar magnitude.

This would appear but one more indication of a new desire on the part of the Senate to first review, and then to

question in more detail these very heavy defense expenditure requests.

Every Member of the Senate is anxious to approve all requests that are essential to national security. Because of the admitted economic problems we are now having, however—including what will probably be the largest peacetime deficit in our history—I would again respectfully commend the chairman and the staff for giving us more details about this budget in the report in question.

Mr. President, I would add that one of the more pleasant aspects of my work on this committee this year has been the result of the care and fair consideration and attention given to these all important problems by the chairman of the committee, and also by the chairman of the Subcommittee on Tactical Air Power, the Senator from Nevada (Mr. CANNON), as well as the chairman of the Subcommittee on Research and Development, the Senator from New Hampshire (Mr. McINTYRE).

Primarily because of the diligent work of the distinguished Senator from Mississippi (Mr. STENNIS), the Senate has before it at this time more detail with respect to what is being requested by the military, along with whether or not it is justified, whether the various items should be approved, than at any other time during my years on this committee.

I thank the chairman for his courtesy in yielding.

Mr. STENNIS. Mr. President, I thank the Senator from Missouri not only for myself, but also for every other member of the committee for his very fine and generous remarks. I also thank him especially for the contribution he has made to this bill. The Senator from Missouri always makes great contributions to any bill, but his work on the pending bill and his counsel on it have been highly valuable to me. Even though we did not reach the same conclusion on some of these provisions, I think we both felt that we were working for the Senate and for the country in trying to get a sound program for as little cost as possible. I want to publicly thank him for his timely assistance.

I appreciate his words and I thank him on behalf of every member of the committee.

Mr. President, the Senator from New Hampshire (Mr. McINTYRE) is present. He is chairman of our ad hoc Subcommittee on Research and Development. This is the third consecutive year in which he has made an outstanding contribution, along with his fellow members of the subcommittee and the staff.

I am anxious that today, at some time, we have for the RECORD the benefit of the Senator's remarks. I therefore yield to the Senator from New Hampshire at this time.

Mr. McINTYRE. Mr. President, I thank the distinguished chairman for yielding to me at this time.

Mr. President, I would like to speak briefly in support of the fiscal 1972 military procurement authorization bill as

reported by the Armed Services Committee. At a later time I will discuss in greater detail the research and development portion of that bill which came under the cognizance of the ad hoc Subcommittee on Research and Development, which it is my privilege to chair.

I would like to compliment the Senator from Mississippi (Mr. STENNIS), our esteemed chairman of the Armed Services Committee, for the excellent job that the committee performed on the bill under his very able guidance.

I think that those Senators who have practiced law know what I mean when I refer to a lawyer's lawyer. The Senator from Mississippi (Mr. STENNIS) in my opinion is a chairman's chairman. No man could be more fair. No more opportunity could have been given to members of the committee to have a full opportunity to have their say on the very intricate and difficult problems that were besetting the committee.

I want to say for the record that I consider it not only an honor to serve on the committee but also a very interesting experience for me. That may come as a surprise to many because military affairs are secret and low profile. Much of the time we operate away from the television camera. However, it is an excitement and a challenge to me.

I want to go on record as saying that I feel very deeply about our chairman.

Mr. STENNIS. Mr. President, I thank the Senator from New Hampshire. I want to note that in his very busy days in the Senate, the Senator makes wonderful contributions behind those closed doors he mentions as we delve into every facet of the complicated weapons systems when they are in their infancy and when something can be done. The Senator from New Hampshire does plenty.

Mr. McINTYRE. Mr. President, I thank the Senator from Mississippi.

Mr. President, I could not help but note that in the deliberations of the committee there was a keen awareness of the overriding priority of our national security but at the same time a high sensitivity to the serious state of our economy and the rapidly growing demands of our domestic needs. In my opinion, Mr. President, the bill as reported by the committee strikes a sound balance between the essential requirements which have been recognized by the committee as a result of the extensive and exhaustive review of the details of the program presented, and the resources recommended by the committee to support these requirements.

My colleagues in the Senate may be assured that the committee hit the major issues head on, and the chips flew in many directions in the process of reaching our final decisions. This is a dramatic departure from the sometimes past practice of applying a percentage reduction across the board. In a real sense this latter approach is an admission of an inability to come to grips with the details of the issues and to form sound judgments entirely on the merits of each case. My recollection of the numerous committee meetings is still vivid with the heat of some of the discussions which occurred. I do not mean heat in the sense of emo-

tion, but rather in the sharpness of thinking and number of arguments which were made.

In summary, Mr. President, I might mention that in the final analysis, my colleagues on the committee are men of strong and diverse convictions with the human qualities that always leave some doubt as to the ultimate outcome of their logic. However, I am highly impressed with the depth of experience and competency of the committee membership in this very highly technical area of the budget. It is with a high degree of confidence, therefore, that I strongly endorse the bill as reported by the committee.

Mr. President, now turning to the research and development part of the bill, it has been my privilege during this past year to serve for the third straight year as chairman of the ad hoc Subcommittee on Research and Development of the Armed Services Committee. Serving with me on the subcommittee have been the Senator from Virginia (Mr. BYRD), the Senator from Texas (Mr. BENTSEN), the Senator from Colorado (Mr. DOMINICK), and the Senator from Arizona (Mr. GOLDWATER).

In the performance of its duties, the subcommittee devoted over 65 hours to receiving testimony from principal witnesses of the Department of Defense. Formal hearings were conducted with appearances by the Army, Navy, and Air Force Assistant Secretaries for Research and Development, the Army Chief of Research and Development, and the Air Force Deputy Chief for Research and Development. These hearings also involved representatives from the various defense agencies comprising the Office of the Secretary of Defense. The subcommittee also held an open hearing to receive testimony from the Federation of American Scientists on the so-called technology gap between the United States and Russia.

In addition to these hearings, the subcommittee staff headed by Mr. Hy Fine, was briefed by other Defense witnesses for 54 hours on 46 selected research and development programs considered to warrant special attention. These briefings were supplemented by many additional hours of informal discussion with persons outside the Department with expertise in defense matters. It is only fair that I, on behalf of the subcommittee, commend Mr. Fine for his diligence, his competency, and his valuable assistance to our subcommittee.

It is apparent from these facts, Mr. President, that the Research and Development Subcommittee applied its total energies to as large and as broad a coverage of the research and development program as possible within the time available.

Mr. President, to give an idea of what we faced, this year the request for research and development funds brought the amount to \$8 billion, and embraces nearly 500 line items which involve nearly 10,000 individual projects.

Mr. President, would there were an exact science which might permit the application of a formula in determining the amount of money that is needed not

only for the Department of Defense as a whole but, even more difficult, for the research and development program. How simple the problem would be if, as in the case of many times of hardware which are procured for our forces, it was only a matter of deciding upon a quantity and multiplying that by a unit cost and thereby arriving at a total dollar requirement. What constitutes an adequate level of research and development? This question is as fraught with complexity as are the frustrations which confront a scientist as he gropes for an evasive solution to a difficult problem. Although my language may be colorful, the sense of it is rather clear. It is perhaps the most difficult decision to be made, not only by the Congress but, I dare say, at every level of government from the President down to the individual laboratory director who must decide how to spread his small slice of the total pie. Perhaps, Mr. President, the answer is vested largely in the unknowns that so typify research and development. There cannot be guarantees of end results that will justify the large amounts of resources applied. It is the nature of the beast in a real sense and perhaps some degree of serendipity which time and again have provided the large payoffs that we have achieved. Our record of superiority in technology over the years is as much a reflection of the high caliber of our scientists and engineers, both in government and in industry, and their dedication to these highly important tasks as it is of the volume of dollars that have been poured into these efforts.

There is one fact, however, which hangs like the Sword of Damocles over our heads and that is the serious and growing threat of our potential enemies. Of what value is a balanced budget or a healthy economy if the price is our national security? How long do we expect that such a utopian situation would continue if in fact we were second instead of first?

An admiral of our fleet the other day in conversation with me said if we were going to be second we might as well be fifth or ninth. These are problems that plague the Subcommittee on Research and Development of the Committee on Armed Services as it attempts to come up with as sound a budget as we can, realizing the security of our country is the paramount desire of our subcommittee.

The real danger is that we in any way subordinate our national posture to any other consideration.

It is with these thoughts in mind that we undertook to consider the details of the research and development program.

In summary, Mr. President, the fiscal year 1972 authorization request for the research, development, test, and evaluation appropriation amounts to \$7,950,767,000.

Mr. President, did you ever try to appreciate what a billion really means? If you live to be 30 years of age, you will live 1 billion seconds; if you live to be 60 years of age, you will live 2 billion seconds, and so on. If you manage to reach the grand old age of 90, you will have lived 3 billion seconds. So the request from

the military is very nearly \$8 billion for research, development, test and evaluation.

The House made little change in its actions on the bill. Of the total of some 475 individual programs included, the House approved the amounts requested for all but two. In addition they made an adjustment which involved a decrease in the missile procurement request for the Navy and Air Force and they transferred these efforts to the R.D.T. & E. programs for these two services. The net effect of their actions resulted in an increase of \$12.5 million in the amount requested. By contrast, the actions of the Senate committee involved reductions affecting 60 separate programs which were offset in part by transfers from the missile procurement accounts as approved by the House and an increase of \$40 million in the Army main battle tank development program. This increase represents partial restoration of a \$59.1 million item which had been proposed in the Army procurement account, but which was deleted by the House. The result of these actions is reflected in the committee recommendation of \$7,607,312,000 to be authorized for the R.D.T. & E. appropriation. This is \$343.5 million below the amount requested and \$356 million less than the amount passed by the House. The committee recommendation is \$505.7 million more than the amount authorized and \$631.5 million more than the amount appropriated for fiscal 1971. Adjusted for inflation, the authorization recommended is 7.9 percent higher than the amount authorized and 11 percent higher than was appropriated for fiscal year 1971. However, this in reality is only a modest increase since on the same basis, the fiscal 1971 appropriation was the lowest for research and development in 10 years.

I would like to digress at this point, Mr. President, to give appropriate recognition to the officials at all levels of the Department of Defense whose responsibility it is to manage the research and development program. I have acquired sufficient familiarity with their efforts as well as their problems to appreciate the difficulty of their tasks and the decisions which they must make. As a layman, not educated in the sciences, I am impressed with the tremendous responsibility and high degree of trust which is placed upon their shoulders. They more than anyone, are the guarantors of our future. Since the real impact of their judgments and decisions is not felt for periods up to 10 years, the normal incubation period for a major weapons system, the future safety of generations to come must be decided upon now. A decision to support the B-1 development program, for example, today could well spell the difference of their freedom as well as ours in the 1980's and beyond. So the committee relies very heavily on the words of these people. It is with this sober knowledge that we examined with great care the justifications that are presented and our actions in reducing programs were taken only after we were certain that our future military capability was in no way weakened.

This recitation, Mr. President, should provide a better understanding of the specific actions of the committee on this program. Having given credit to the Defense Department research and development managers, I must at the same time express my concern about the loud clamor which they made concerning the rapid advances by the Soviet Union which they state threaten to overcome our lead in technology in the mid to latter part of the 1970's. These statements, which were made by a number of high-level officials of the Defense Department, were of sufficient concern that I requested the General Accounting Office to investigate the logic and facts underlying these statements. I would like to quote in part from the report of the Comptroller General, which states:

Consequently, although we believe that the DOD methodology with its limited data base may be useful in indicating trends and the apparent magnitude of the Soviet Union military R&D threat, we have reservations as to its usefulness in quantifying relative efforts or spending gaps between the countries.

The aforementioned report left some doubts in my mind about the degree and imminence of this danger. Therefore, I proposed and the committee approved the inclusion of specific language in the report, beginning on page 94, which acknowledges this possibility and encourages the Secretary of Defense to augment the technology programs during fiscal 1972 by the various means available to him. This would include the reprogramming of funds that are excess to other program requirements, residual balances from terminated or completed programs, the \$50 million of emergency funds which are included in the bill, and the transfer authority that he is provided.

At this time I would like to read from page 94 of the report:

The committee is concerned about the encroachment of Soviet technology on that of the United States. Principally for that reason, the committee recommendation for fiscal year 1972 has left the technology area of the Research, Development, Test and Evaluation program essentially intact.

This is the basic research. This is the exploratory development. This is the beginning of the advanced development. It is not involved in engineering development. We have left these areas essentially intact.

The report continues:

The committee recognizes and fully supports the need for a strong technology program. Just the fact that there can be statements by responsible Department of Defense officials which sound the alarm, whether or not exaggerated, is sufficient cause for the committee's concern. If they are right, then provision must be made for an orderly and progressive increase in funds, and more judicious application of our resources to those fields of technology which are critical. If the statements are in any way misleading, then the increases in funds for technology should nevertheless serve to improve our technical capability to develop more advanced and more effective weapons systems in the future.

To facilitate an increase in the funds which may be applied to the technology programs during fiscal 1972, the committee strongly urges the Secretary of Defense to encourage the military services to reprogram funds into

these areas as funds become available from prior year residual balances terminated programs, and from completed programs. In addition, Emergency Funds in the amount of \$50 million are available in the Authorization bill to augment that program. And, finally, the transfer authority which is provided to the Secretary of Defense will facilitate the transfer of funds from other appropriations, if they become available. The committee intends to maintain cognizance over this matter on a continuing basis.

I am convinced that the problem of adequacy of research and development funding can be solved in large measure by better management of the program at all levels of authority. It is common knowledge that it takes from 7 to 10 years to develop, test and deploy a major weapons system. If the Department of Defense is correct in its allegations concerning Soviet technology, then the Department may well be subject to censure. To become aware within a short 2-year period of so serious a situation raises a question, nagging in my mind, of the professional capabilities of some of our military and scientific leaders who are directly charged with the responsibility for having the necessary insight and judgment to insure that the military strength of the United States is not placed in jeopardy. The answer is not simply a flood of money, which too often is considered the answer to all problems, not only in the military departments but throughout the entire Government. Rather, it is a challenge to the ingenuity of our best qualified minds to expose the problems, to identify the most important deficiencies which exist or can be forecast, and then to obtain and apply the necessary resources in a scrupulous and discreet manner so as to insure our continued lead. The recently proposed new approach involving the use of prototypes in advanced development should prove a constructive step in this situation. This approach promises to produce substantial savings in paperwork, time, and money in the process of developing and producing weapons systems.

It is my plan, Mr. President, to conclude at this point and to provide greater detail and further information to my colleagues in a statement which I will deliver at an early and appropriate date.

I thank the chairman of the committee for yielding to me.

Mr. STENNIS. I thank the Senator very much for his remarks and, again, for the fine work he has done. I am glad that he plans, sometime early in the debate, to give the rest of his overall statement. He knows that I have already written a letter asking him and the membership of his subcommittee to be prepared on any amendment that may be filed that touches on the operations of his subcommittee, and I know that he and the other members of the subcommittee will be prepared.

Mr. President, we have present the Senator from Arizona (Mr. GOLDWATER), and I now yield to the Senator from Arizona. He is a valued member of our committee. He is a very valued member of the subcommittee chaired by the Senator from New Hampshire. I appreciate his being here today, and especially his making comments on the bill.

Mr. GOLDWATER. Mr. President, first I would like to join in the accolades that have been paid to both the subcommittee chairmen, the Senator from New Hampshire (Mr. MCINTYRE), and the chairman of the full committee, the Senator from Mississippi (Mr. STENNIS). I have served on the Research and Development Subcommittee since it was inaugurated. The Senator from New Hampshire started literally as a layman in this entire field and has become a fine expert in it.

I cannot think of any subcommittee more valuable than our Subcommittee on Research and Development, because while certainly it has a most important part in any future we may have in this country, military, scientific, and technology-wise, there is also a great problem, because, for many, many years, research and development in the Pentagon has gone virtually unnoticed, and I might say uninspected.

So, with the work of the subcommittee chairman, augmented by the work of the full committee, we are off on a real path that may lead not only to some real savings, but real improvements in production.

To begin with, I endorse the bill that has been reported out of the committee. I, along with other Members, have had some doubts about certain items. We have had our arguments pro and con. I can accept this bill, although I am afraid we are not spending the amount of money we should be spending on defense, and I will discuss that in detail at a later time.

I think we all agree with the significance of the increased cost of defense items. In fact, I would like to read from page 15 of the report one paragraph:

It is important to realize that there have been significant reductions in the share of our national resources taken by defense over the last 5 years. Due to both inflation and real growth, the gross national product has increased significantly since fiscal year 1968, while defense outlays have not varied greatly. Thus, defense spending since fiscal year 1968 has fallen from 9.5 percent of gross national product to 6.8 percent.

I might interject that the total expenditure of NATO is about 4.1 percent of their combined gross national product.

The Federal budget has grown during the same period, so that the proportion of Federal outlays taken by defense has shrunk from 42.5 percent of the overall Federal budget to 32.1 percent. Inflation has been severe during these 5 years—although defense outlays were about the same in current dollars in fiscal year 1968 as they are in fiscal year 1972 (\$76-\$78 billion), the fiscal year 1972 budget buys about \$20 billion less. Thus, there is a relatively simple answer to the question of what happened to the \$18 billion per year savings realized by our phase-down in Vietnam—it has largely been eaten up by inflation. Meanwhile, our ships, our aircraft, and our other expensive military equipment have aged and they increasingly require replacement and modernization.

Mr. President, I think it is extremely urgent that we pay attention to that portion of the report by the committee, because it constitutes a real problem and at the same time a real threat.

I might mention, for example, that in this year of 1971 we are having built about 350 aircraft. We bought more air-

craft than that in 1935, when we had no air corps even to speak of. It is not as bad as it might sound, because we have several research and development ships that await other years' budgets. But one of the problems we have faced over the past years is the reduction in and attention paid to research and development, particularly, for example, in the engine field. I think I can say with safety that we have nothing that is dramatically new coming out in the jet engine field, while a country like France, a country we felt could never equal us in the technology of jet engine propulsion, is rapidly assuming the role of leader in the world as a developer of jet engines.

I hope, Mr. President, that there will not be any serious efforts made on the floor to reduce further the money that we are spending for defense, because I feel that we are not spending enough, and I feel that the President also realizes now that next year's budget will have to be an increase over this year's budget, even if we are going to buy in like amounts what we are buying this year.

Mr. President, at a later time during the course of the debate on this bill, I shall address myself to specific items, particularly in the aircraft field. I feel that, for example, the F-14, the new aircraft of the Navy, is certainly deserving of debate, and I think that the B-1, the Air Force's new carry-on bomber, will certainly receive attention from those people who speak about cutting the budget in half, or reducing it a third, to further cripple our defense efforts.

Mr. President, so my colleagues may have the benefit of what many of us have seen in secret and heard in secret, I have before me a paper that was prepared by the commanding general of the Strategic Air Command, Lt. Gen. Bruce Holloway, in which he has reduced the threat briefing given by SAC from one of extreme sensitivity and secrecy to one that can be given to the American people through the CONGRESSIONAL RECORD and whatever reports might emanate from it.

"The Threat" is the name of this briefing, and I might say, Mr. President, that the briefing is available to any Senator or any Member of Congress who is cleared for top secret. It is a briefing that I think Senators should hear and see.

I know that many Members of this body feel that these threat briefings produced by the CIA, the DIA, and the Strategic Air Command, as well as other commands, are doctored up so that there can be some excuse made for higher spending in the defense field. Mr. President, I have been in this business too long to believe that any man in the role of the CIA or any other agency charged with the collection of intelligence is going to lie about the information he receives. And these three briefings are almost identical. I might say that the method of collecting information is the reason they have to be so highly classified, but the method of collection is the most foolproof method ever devised.

Furthermore, the briefings that we receive on the so-called threat—and it is a threat—are backed up by the intelli-

gence offices of every country that I have contacted. In fact, the intelligence offices of England go even stronger than we do. They feel that the threat posed by the Soviet Union in a military way today is far greater than the threat as we see it, although we see a very strong threat.

So I want to get into this subject, and will read what has been prepared as a briefed down presentation of the SAC threat briefing:

#### THE THREAT

##### SOVIET-CHICOM STRATEGIC THREAT

This subject, "the Soviet and Chinese Communist Threat," is one of real concern to all of us. During the past five years, the fine balance of strategic power has shifted in favor of the Soviet Union. Admiral Thomas Moorer, chairman of the Joint Chiefs of Staff, disclosed recently "that within the next five years or six years, we could actually find ourselves in a position of overall strategic inferiority." This presentation will highlight the most significant aspects of the growing Soviet strategic offensive and defensive forces, and the emerging Chinese Communist threat. In our judgment, no discussion of Soviet strategic systems would be complete without some mention of the developing Chinese Communist threat. Therefore, we have taken the liberty of including a brief look at the Chicom strategic threat.

#### THREAT TOPICS

Three major elements of the Soviet strategic threat will be discussed. Strategic offensive forces, strategic defensive forces and research and development. We have included defensive forces under the general topic of strategic weapons systems, since defenses also play a vital role in our planning and in the strategic balance of power. We conclude with a review of the Chinese strategic threat.

#### ICBM FORCE

The expanding Soviet strategic threat is reflected in the rapid growth of their ICBM inventory. In only four years, the Soviets have increased their ICBM force by a factor of five—

In fact, I might comment, Mr. President, that since the SALT talks have begun, talks aimed at reducing armaments, the Soviet ICBM threat has increased 70 percent—

The result is an ICBM force of about 1500 launchers, compared with our fixed ICBM force of 1054 launchers, a U.S. force that peaked out this level over five years ago. Perhaps you have heard of the apparent slowdown in the deployment of the Soviet's SS-9 launch system. This development has now been offset by the recent revelation that the USSR is constructing new missile silos. Secretary of Defense Melvin Laird, in this regard, stated "there is evidence of construction of a large missile system" and that "it is difficult at this time to say whether it is a modified version of the SS-9 or a new ICBM system."

#### SS-7 AND SS-8

Since initial deployment in the early 1960's, the Soviets have developed a number of ballistic missile systems. Two of the earlier systems, the liquid fueled SS-7 and SS-8, were deployed in only limited numbers. However, their retention in the ICBM inventory emphasizes the Soviet propensity to hold onto older, proven systems, even as new systems are deployed.

#### SS-11

The SS-11 is one of three ICBM systems still being actively deployed. It is deployed in larger numbers today than any other Soviet system, in excess of 900 launchers, part of which are associated with MR/IRBM fields. Flight testing of modifications to the

SS-11 commenced in 1969 and has included tests of a new reentry vehicle with penetration aids and multiple reentry vehicles as likely possibilities. Last August, Secretary Laird revealed that two extended range tests of this system, into a Pacific Ocean impact area, may have carried as many as three reentry vehicles. In 1968, deployment of SS-11's at MR/IRBM complexes in the western U.S.S.R. was begun. These missiles, if used in a variable range mode, could be targeted on both U.S. and the NATO area of Western Europe.

#### SS-13

The SS-13, Savage, is the Soviet's first operational solid propellant ICBM. Deployment thus far has been limited, and we are uncertain about SS-13 force goals. Again, as with the SS-11, an active test program continues for this system.

Today, the combined SS-11 and SS-13 force accounts for more than 1,000 launchers.

#### SS-9

Last, but by no means least, of the ICBM systems currently being deployed is the powerful SS-9 system.

The SS-9 is the largest and most versatile missile in the Soviet ICBM inventory. Silos for about 300 of these large, liquid fueled systems are completed or under construction. The missile is capable of a variety of strategic roles. As an ICBM, the SS-9 is capable of delivering a single 25 megaton warhead, or combinations of smaller megaton range multiple warheads.

Multiple reentry vehicle tests, using the SS-9 booster, were initiated in 1968. As already tested, the system can carry three 5 megaton warheads to a range of over 5000 nm. Shown is photography of the reentry phase of one of the multiple reentry tests.

Another variant of the SS-9 has been tested as a fractional orbit bombardment system, or FOBS.

To divert from the text for a moment, FOBS is one of the greatest threats. We are not certain that the U.S.S.R. has deployed one. We know that we can, but unfortunately we stopped research on it, and I hope we can recommence it. The FOBS is nothing but an orbiting platform from which can be launched missiles that cannot be detected upon launching, and they can be launched at any target any place in the world. Once the Soviets achieve it, if they have not already achieved it, we are going to be pretty much at their mercy.

The actual extent of diversification in the operational deployment of the SS-9 system cannot be determined. However, it can be said with assurance that this large payload missile, with its proven versatility provides a variety of options for deployment or employment.

I might say here, Mr. President—it is no secret any longer—that our maximum warhead strength is a little more than 1 megaton. The Soviets can carry 25. The argument is used, "Why use 25 when 1 will do the job?" I have to agree partially with that, if we are absolutely certain that we have achieved 100-percent accuracy. I do not think we have, nor do I think the Soviets have, nor do I think anyone is going to be able to do so. So missing a target with a 1.2- or 1.4-megaton head by 5 miles is one thing. Missing a target by 5 miles with a 25-megaton head is another thing. You can miss by 5 miles and still destroy the target.

#### ICBM GROWTH

The Soviets have already surpassed the U.S. in numbers of land-launched ICBM's

and deployment is continuing. Of even more significance is the advantage held in total payload and the current emphasis on multiple reentry vehicle testing. Significantly, last year's research and development testing of ICBM's by the Soviets showed the greatest activity since the beginning of their ICBM program. Although we are uncertain of their future force goals, based on the level of activity in recent years, the Soviets could achieve a force of well over 2,000 hardened ICBM's by 1975.

#### MR-IRBM FORCE

The Soviets have also deployed over 650 liquid fueled medium and intermediate range missile launchers. These launchers, designated the SS-4 and SS-5, are mainly deployed along the western USSR border.

The MR-IRBM force has remained fairly constant over the past 10 years. However, indications are that it may be replaced by a solid fueled mobile system, such as the Scamp.

While not a direct threat to the United States, the MR-IRBM force, including refire capability, represents a threat of over 1,000 missiles to our overseas forces and bases, as well as to our allies.

#### SLBM FORCE

Turning now to Soviet sea launched ballistic missiles, a situation exists similar to the ICBM growth. In less than five years, this threat has tripled.

#### OLDER SUBMARINES

The first ballistic missile carrying sub, the Z-class, was operational in the mid-1950's. This was followed by the G-gold and then the H-hotel class. The hotel class was the Soviet's first nuclear powered ballistic missile submarine. The missiles associated with these three-tube submarines have ranges on the order of 500 nm.

#### YANKEE CLASS

By far the most significant factor in the expanding sea launched ballistic missile threat has been the development of the Yankee class nuclear powered ballistic missile submarine. Like our polaris subs, the Yankee carries 16 missiles each, with a range of about 1300 nm. At least 17 of the Y-class boats are considered to be operational. However, we believe at least another 15 are presently being outfitted or under construction at two separate facilities, and the build rate is about seven to eight per year.

In addition, testing is underway on a new, longer range missile that could double the present strike range. This new naval missile may be the sawfly which was first displayed in a 1967 Moscow parade.

#### SLBM GROWTH

Today, the United States still has the advantage in numbers of sea launched ballistic missiles but the Soviets are rapidly closing the gap. With an estimated construction rate of 7-8 Yankee subs per year, the Soviets could at least equal our Polaris and Poseidon force within the next few years.

#### BOMBER FORCE

Turning now to Soviet bombers, the maintenance of a long range aviation force of about 900 bombers since 1965 is evidence of their continuing importance as part of the Soviet strategic arm.

#### HEAVY BOMBERS

The heavy bomber force composed of bears and bisons is being maintained at about 195 aircraft of which 50 bisons are normally configured as tankers.

Although the U.S. stopped heavy bomber production about seven years ago, the Soviets only recently discontinued production of the Bear, a turboprop bomber.

A significant portion of this force can carry air to surface missiles and be refueled in flight.

#### MEDIUM BOMBERS

The Soviet medium bomber force, consisting of Blinders and Badgers, totals about 700 aircraft.

I might say here, Mr. President, that Senators may recall that a number of years ago, either tacitly or by an unknown agreement, we scrapped our B-47 fleet. I will not say scrapped. It stands in mothballs at the Davis-Monthan Air Force Base near Tucson. We hear today that the Russian bomber force is very inferior to ours. When we add their medium-range bombers, such as our B-46, to their heavy, they far exceed our strength. These aircraft can fly to and bomb the United States. They may not get back, but that is not of great importance to the Soviets.

The Badger was first introduced in 1953 and some of these aircraft have been revitalized by the addition of air to surface missiles.

A limited production continues on the Blinder. This is a swept wing, supersonic medium bomber, powered by two turbojet engines. If deployed at northern USSR staging bases, the medium bombers could be a potential threat to the United States.

#### FUTURE BOMBER

While older systems are continually updated with modifications, the Soviets continue to develop newer and improved aircraft.

The Soviet supersonic transport has been flying for 2 years. While we know of no direct military application, the SST could provide valuable engineering data for a follow-on strategic bomber.

I might say, Mr. President, that the Soviets are now constructing a supersonic bomber quite similar in appearance to our B-111. I believe I am safe in saying that it is now being tested.

In fact, a new prototype strategic bomber is now flying in the Soviet Union. It is believed to be a variable sweep wing, supersonic aircraft, with improved range over the Badger and Blinder.

#### BOMBER STRENGTH

The long range bomber force has remained fairly constant during the past 6 years after the allocation of about 400 aircraft to its naval arm in the early 60's. They continue to maintain this large strategic bomber force, despite predictions that it would be phased down. Recall Mr. Khrushchev's famous remark in 1957: "Bombers are obsolete. You might as well throw them on the fire."

#### AIR DEFENSE FORCE

A full appreciation of the growing Soviet threat requires an examination of defensive as well as offensive strategic forces. Today, the Soviet Union possesses extensive defensive systems ranging from antiaircraft artillery to antimissile missiles.

They probably spend at least twice as much as the United States for defense. They are, qualitatively speaking, equal, and in terms of inbeing, operational forces, quantitatively greater than the United States.

By way of illustration, with a land area not quite three times that of the United States, they have from five to 20 times as many radars, surface to air missiles, and interceptors.

Probably more important, however, is their continuing program to improve air and missile defense across the board, coupled with significant progress in antisubmarine warfare.

#### RADARS

An important aspect of Soviet air defenses is the network of radars, numbering in the

thousands, which provide complete warning and interceptor control throughout the USSR. These radars, which span the full usable frequency spectrum, incorporate all the latest advancements in electronic counter-countermeasure technology. In addition, they have recently embarked upon an extensive program to improve their ability to detect low flying bombers using land, sea, and air based radars.

#### AWACS

A new airborne radar is mounted on the Moss, which was developed from the TU-114 transport version of the Bear bomber. This airborne warning and control system, AWACS, can extend Soviet detection of penetrating bombers by about two hundred miles, and even without advanced techniques, could detect low altitude aircraft against the background of a calm sea.

#### FIDDLER

The Soviets maintain an impressive force of more than 3,000 fighter interceptors. Most, including the older MIG-17, -19 and -21 have good all-weather performance characteristics. To keep this force modern, the Soviets have introduced a new fighter aircraft on an average of one per year.

An example is the Fiddler, a large, long range interceptor which became operational about five years ago. If used in conjunction with the AWACS, it could patrol well beyond Soviet borders.

#### FLAGON

The Flagon is a small, fast point defense interceptor which has been in service about two and a half years.

#### THE FOXBAT

The Foxbat is a relatively large aircraft capable of speeds in the mach 3 region.

That is faster than a 30-caliber bullet goes through the air.

When introduced over five years ago, the Foxbat claimed three world speed records, as well as altitude and payload records. Today, this aircraft officially holds two world speed records over a close circuit course. This aircraft was recently deployed as an interceptor and may enter the tactical aviation inventory this year. If employed as a tactical aircraft, it is believed that the Foxbat will remain its primary role as an interceptor and fulfill a specialized secondary reconnaissance role.

#### SAMS

Besides innumerable AAA weapons ranging up to 130-mm, there are on the order of 10,000 surface to air missile launchers in the Soviet Union in both fixed and mobile configurations. Their oldest operational system, the SA-1, is still deployed around Moscow.

The SA-2 is the mainstay of Sam defenses in the Soviet Union and pro-Soviet nations, including Cuba, NVN and the UAR. The good high altitude performance of the fixed SA-2 system is complemented by the SA-3 system which is more effective at low altitudes. The SA-2 and SA-3 have figured prominently in the Mid-East.

The SA-4 and SA-6 are track mounted, mobile systems, ideally suited for defense of army field units. The SA-6 was first observed in the November 1967 Moscow parade and may be operational now or in the near future.

The SA-5 Tallinn system provides an excellent defense against extremely high altitude aircraft; and as a leading U.S. expert has pointed out, could intercept ballistic missiles. More will be said about the SA-5 system later.

#### ANTISUBMARINE WARFARE

Soviet defenses are also growing on the seas—witness the production of two large helicopter carriers: the *Maskva* and her sister ship, the *Leningrad*. These ships probably carry sophisticated electronic gear for detection and tracking of enemy submarines, and rely on armed helicopters to perform the kill. Both ships have operated extensively in

the Mediterranean, and the *Leningrad* has been noted as far north as the Kola Peninsula. The *Leningrad* also played a prominent role in the large scale Soviet naval exercise, Okean, in April and May 1970. This single naval operation was, incidentally, the widest in scope ever attempted by any navy—involving about 200 ships in a single, integrated operations plan involving three oceans and nine adjoining seas.

#### ANTISUBMARINE AIRCRAFT

In addition to using helicopter carriers in an ASW role, the Soviets have developed several long-range, land-based aircraft for this mission. The mail and the may are probably equipped with a high resolution radar as well as magnetic anomaly detection gear. Both can carry ASW torpedoes and depth charges.

Additionally the Soviets could configure their longer range naval version of the Bear bomber for this ASW mission. With such a platform recovering in Cuba as the Soviets have done with the reconnaissance version the entire North Atlantic could be covered routinely.

#### BALLISTIC MISSILE DEFENSE

Turning now to ballistic missile defense, the Soviets have considerable activity underway.

#### MOSCOW SYSTEM

The Moscow system consists of 64 launchers, divided among four complexes, and was begun 5 years ago. At the same time, construction began on several giant supporting radars, about 900 feet long and 90 feet wide. These powerful radars, designated the Hen House, provide early warning acquisition and tracking functions.

The first phase Soviet ABM deployment around Moscow has been described by a DOD spokesman as a "relatively complete ballistic missile defense". He also stated that there is "no reason to doubt the effectiveness of the system."

#### ABM RADAR—ACQUISITION

A second large radar, nicknamed dog house and standing hundreds of feet tall, is located near Moscow. It is probably a more accurate system designed to provide refined data for improved battle management.

#### ABM RADAR—TRACKING

Final target tracking and missile guidance are probably provided by large, dome covered tracking radars, such as this one near Moscow, designated try add.

#### ABM SYSTEMS

The Moscow System Interceptor, the Galosh is a multi-staged, solid/liquid fueled missile. It is believed to have a range of several hundred miles, can carry a 1 to 2 mt nuclear warhead, and appears suitable for a high altitude area defense. As now deployed, it could give the Soviets a limited defense against our Minuteman or Polaris missiles on northern trajectories. Competition of this entire system is expected to be two or three years away when the half a dozen hen house installations around the Soviet Union are operational.

The Galosh missile, however, may not be the only ABM system in the Soviet inventory. The so-called Tallinn system employs the SA-5 missile and it has been said that "if the SA-5 system is given information from the large ballistic missile acquisition and tracking radars, then it could have considerable capability in making successful intercepts of incoming ballistic missiles."

In addition, testing of an improved ABM interceptor is underway. This ABM would loiter—that is, once fired, it could coast out to a general intercept area, select its targets, restart and maneuver to kill the incoming warhead.

Projection of Soviet R&D efforts with these new ABM components may find that by the mid-70's, the Soviets could have as many as 2,000 ABM launchers.

#### RESEARCH AND DEVELOPMENT

Quoting Dr. John S. Foster, the Director of Defense Research and Engineering, "The Soviet Union is now about to seize world technological leadership from the United States." He has based this conclusion on the comparative state of technology today between the two nations and the current level of R&D efforts. He believes that the United States still retains an overall edge in technology, but that this edge may exist in non-essential or irrelevant areas.

#### R. & D. PRACTICES

Soviet R&D practices can be characterized by three features:

(1) They are bold in their approach to program concepts. Construction on the large hen house radar, for example, actually began several years before a working interceptor to complement it was available.

(2) The Soviets organize their system development about a few prototypes, most often pitting two teams of designers against one another. The wide variety and variations of USSR fighter aircraft are examples of this methodology.

(3) Third and last, they seldom abandon a proven piece of equipment or system, but instead rebuild or modify it to improve its usefulness or extend its life. Prime examples of this are the numerous modifications made to the Bear heavy bomber, and the versatility of the SS-9 missile.

#### R. & D. FUNDING FOR DEFENSE

Looking at military, space and atomic energy R&D, the U.S. is already behind about \$3 billion a year. Note that the Soviets have been expanding R&D expenditures by about 13 percent a year since 1960.

#### CHICOM THREAT

Turning now to a brief look at Communist China. The Chinese Communists are apparently convinced that the possession of a strategic nuclear strike force will act as a deterrent in preventing attacks on the Chinese mainland. They also have noted that this power would greatly enhance their bargaining position throughout the world.

As a step toward attaining this goal, the Chinese have thus far achieved a modest nuclear potential. They have conducted nuclear testing since 1964, including about a dozen detonations. Most are believed to have been thermonuclear devices, including both air and possibly missile delivered weapons, with yields in the megaton class.

#### CHICOM ICBM

The Chinese have successfully orbited two satellites, one in spring 1970, and one in March of this year. The technology displayed in launching these approximately 400-pound payloads provides an insight into their missile potential. Based on their demonstrated space technology, reduced range testing of an ICBM may have begun late last year. Following more extensive testing, an operational ICBM could become available as early as 1973 and be deployed in limited numbers by 1975.

#### CHICOM MR IRBM

The Chinese have been testing a medium range ballistic missile since the mid-1960's. This is a picture of a Soviet MRBM and is much like the type given the Chicoms by the Soviets in the early 60's. From this system, the Chinese have probably developed an indigenous missile.

Emphasis in Chicom missile R&D may have shifted in 1970 to the development of an intermediate range missile system. By the middle of this year, there could be a small number of MRBM's deployed and limited deployment of the IRBM is a possibility within 1 or 2 years. A force of 80 to 100 MRBM's could be available by 1975.

#### CHICOM BOMBERS

The present Chicom nuclear delivery force consists of a limited number of medium range bomber aircraft. These bombers include about ten B-29 type piston aircraft

acquired from the Soviets in the late 50's and a small but growing medium bomber force of Badger type aircraft. The series production of this jet will permit the assembly of a significant force by mid-1972.

#### CHICOM AIR DEFENSE

The Chinese Communists have over 3,000 fighter aircraft, mostly of Soviet design; however, the Chinese may now be capable of producing their own native aircraft in limited quantities. Supporting these fighter aircraft are nearly 1,500 air defense radars. In addition, key targets are protected by over 50 surface to air missile sites and nearly 4,500 AAA weapons are deployed throughout the country.

#### CHICOM GROWTH

Though hardly comparable to Soviet growth, the Chinese threat does include improvements in all areas.

Their strategic bomber force, which has remained fairly constant since 1960, may add new medium range aircraft and increase the existing inventory within a few years.

Missile deployment may have begun last year with MRBMS, followed with an ICBM at the earliest by 1973. By the mid-1970's, total missiles on hand could reach as many as 125.

#### STRATEGIC THREAT (SOVIET-CHICOM)

In summary, one can ascertain the Soviet threat is growing. They are still deploying at least three types of ICBMs, and follow-on system improvements are underway. Our advantage in sea based ballistic missiles is rapidly diminishing, and testing is underway of a new missile which would double the range of the missile carried by the Yankee subs. They are continuing to produce bomber and fighter aircraft, and are flying a new bomber.

Although already superior in all aspects of defense, the Soviets are deploying more and better surface to air missiles and improving anti-submarine and ballistic missile defenses. Finally, they are striving to build the world's finest technological base to support their expanding R&D programs and provide options for the future.

The Chinese Communist efforts to attain an independent strategic deterrent only complicate our problems further.

#### IMPACT ON U.S. STRATEGIC FORCES

Looking at the growing threat from the viewpoint of General Holloway in his dual hat capacity as commander in chief, strategic air command, and as director of the joint strategic target planning staff, we see at least three major problems: First, the threat to our forces in their day to day posture, from the Soviet ICBMS, SLBMS and anti-submarine warfare forces.

Second, the penetration of defenses is becoming more difficult, both for our bombers and for our missiles.

Finally, the enlarging and more complex strategic and defensive systems making up the growing threat makes our job of deterrence more difficult.

#### SAC SHIELD

But even more ominous is the threat to our way of life. This presentation has focused upon the strategic threat, offensive and defensive. However, the Soviet developments in tactical air, land and sea forces are equally impressive.

One would conclude that the Soviets are developing options, options throughout the spectrum of warfare and the growing Chinese Communist threat only serves to complicate an already difficult situation.

Mr. President, let me repeat, I can understand Members of this body and the House, and many other American citizens saying that a statement like this is sort of a scarecrow that is being thrown up to gain more assurance of getting this authorization bill passed.

But, Mr. President, at some later date, when I have completed it, I intend to make available to this body a paper I am writing on the U.S. Navy compared with the Soviet Navy.

While I cannot say definitely at this moment that we are second to the Soviets, we are so close to it that it frightens me.

The other day the U.S. Navy asked for \$50 billion to rebuild the Navy over a 20-year period.

The average age of a Soviet ship is 10 years. The average age of our ships is 23 years.

Mr. President, I have made this statement today instead of going into more detail, in defense of what I consider to be the very fine bill which has come out of the committee, because it is time that the American people begin to realize we no longer are unquestionably the No. 1 military power in the world. I have gone so far as to say that we are No. 2. Now many people in the Pentagon and in the White House disagree with me on that. But the only concrete evidence that our forces might hold today is the fact—and it is an unfortunate fact—that our men, our pilots, our infantrymen, marines and sailors have had more experience in the business of war than have the Soviets. I say that as a sad comparison to make, but it is true.

Equipment-wise, the Soviets, in most fields, are ahead of us. While they may or may not spend as much or more on research and development than we do, the shocking fact is that at least every 3 years a new fighter aircraft is added to their force and we have not had a new fighter in our inventory since 1957. That is 14 years since we acquired a new fighter for our inventory. The last B-52 was made 17 years ago. They are reaching the age of 17 years now and are fast reaching the point of metal fatigue. When that point has been reached, the aircraft is, of course, of no more value to us.

Mr. President, as I said at the outset, I support the pending bill. I believe that we should be spending more money. I do not believe that we can afford to become No. 2 to anyone. As the subcommittee chairman said, "If we are not going to be No. 1, then go ahead and do a job and be No. 5 or No. 6, because being No. 2 today is not going to be good enough for the protection of our freedom, for the protection of our way of life and for the protection of those countries around the world to whom we have pledged our support and allegiance."

Later, as I indicated earlier, I should like to get into some detail on the F-14 and the B-1, and report my findings. I have visited these aircraft in their planning stages and their construction stages, and have actually flown them.

I say again, I hope that there will be no big effort made to cut this already small budget because I do not believe that we can afford to rebuild our military force, once it goes down the drain, when the Navy talks about \$50 billion just to get the Navy into some kind of shape so that it can defend, for example, the Mediterranean against the growing Soviet threat, or so that we can main-

tain an adequate strength in the far Pacific and maintain our diminishing interests out there.

Let me remind the Senate that the Pacific, for 100 years, has been the focal point of our foreign policy. If we abandon it, we will pretty much abandon the whole future of this country and the future of the Western World.

Thus, Mr. President, I want to thank the distinguished chairman of the full committee, the Senator from Mississippi (Mr. STENNIS). I want to thank him not only for yielding me this time but also for continuing to offer such fine leadership on a committee that I can assure this body very rarely stands unanimously on any one point; nor can it, because when we begin talking about \$70 billion or \$80 billion, and literally hundreds of thousands of items of materiel, and when we realize that in research and development alone the staff of the subcommittee is able to look into only about 15 percent of such programs, this body should have a fine appreciation of the work that comes out of that committee.

I believe that the Senate as a whole should take very seriously the recommendations made by the Armed Services Committee and its chairman.

Mr. STENNIS. Mr. President, I certainly am very grateful to the distinguished Senator for his contribution to this debate and also for his kind words. His contribution is always a valuable one, whether it is on the floor of the Senate, in a committee, or anywhere else. The Senator from Arizona is highly conversant with a great many aspects of this whole subject matter. With the facts he has at hand, he is able to make very fine judgments.

Mr. President, I want to ask for the floor now for a longer period of time in order to conclude my remarks.

Mr. President, a valued member of the committee here, the distinguished Senator from Virginia (Mr. BYRD), wishes to speak at this time, and I yield to him for such time as he may see fit to use on the bill.

The PRESIDING OFFICER (Mr. TUNNEY). The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, I fully support the Armed Services Committee's approved version of the annual military procurement bill. Its price tag is high—\$21 billion—for military hardware and for military research and development.

I would like to point out, however, that—despite its total, \$21,018,482,000—the bill is \$1.17 billion less than requested by the Nixon administration. Thus the committee effected a reduction of a little more than 5 percent.

Mr. President, I want to commend the distinguished chairman of the committee, the Senator from Mississippi (Mr. STENNIS), and the ranking Republican committee member, the distinguished Senator from Maine (Mrs. SMITH), for the leadership which made it possible to effect substantial reductions in this vital but costly legislation.

I might say that without the leadership of the Senator from Mississippi and the Senator from Maine, it would not

have been possible to have brought to the floor of the Senate a bill that is 5 percent under the amount requested by the administration.

Mr. President, the committee report on this bill, and the remarks of the chairman, have already highlighted the way in which inflationary pressures combine with technological advances to cause continuing increases in the cost of weapon systems. It is a dangerous erosion of tax dollars.

It is yet another reason the Government must get inflation under control. It now costs more to buy less, militarily, in terms of manpower as well as weapons.

In these difficult circumstances I am gratified that the committee-approved bill will not degrade our strategic deterrent forces or delay improvements proposed for those forces.

I agree with the able Senator from Arizona (Mr. GOLDWATER) in his remarks made on the floor a moment ago that it is vitally important that this Government maintain a strong defense.

Viewed dispassionately, in other, more tranquil times, the so-called "balance of terror" might seem to be a strange way to keep the uneasy peace between the United States and Russia.

In these times, Mr. President, the "balance of terror" and the weapons to maintain it, seem infinitely preferable to the circumstances which could accompany a "terror of imbalance."

In this uncertain period in our history, it is vitally important, I feel, that our Nation maintain a strong defense. In requests for military appropriations we must cut the fat from the requests for military spending, but we must not cut the muscle.

In cutting the fat from the proposals submitted to the Committee on Armed Forces, I think the committee did a commendable job in cutting out what it considered to be fat in the request. However, the committee was careful not to cut the muscle. I think it is vitally important that we as Members of Congress not cut the muscle of our defense organization in cutting the fat in military appropriations.

I want to pay tribute to the distinguished Senator from Wisconsin (Mr. PROXMIRE), who has on many occasions on the floor of the Senate called attention to cost overruns in defense contracts which have occurred in the past. I think that in focusing attention on these matters, the distinguished Senator from Wisconsin has rendered an important service to the Senate and to the Nation.

As this debate proceeds, I may want to say more about this bill and some of its provisions. At the very outset, however, I want to state my firm conviction that this bill authorizes a sensible and responsible—and necessary—level of military procurement and research.

Mr. STENNIS. Mr. President, I certainly thank the Senator for his remarks. I thank him especially also for the many hours of work he put in the bill both in the hearings and in the markup. He has been very valuable. Even though he carries a heavy schedule, he never failed to respond to any request I made of him to

help out if it was reasonable in point of time. If I gave him enough notice, he always responded.

I appreciate very much his contribution. His summary was excellent. It was a summary, however, and I am looking forward to his further contributions.

(This concludes the colloquy which occurred during the delivery of Mr. STENNIS' speech and which by unanimous consent was ordered to be printed in the RECORD at this point.)

Mr. STENNIS. Mr. President, I am going to yield the floor. I know the Senator from Wisconsin is waiting to be recognized. I respect him and his purposes in connection with this bill and I welcome his aid in getting it passed. We might run into some disagreement but I believe we can resolve those disagreements and if we cannot, the membership will resolve them.

Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Mississippi, the chairman of the Committee on Armed Services. I certainly have great affection and admiration for him and for the way he handles this measure, as well as others.

Mr. President, as we begin once again to debate the annual military authorization bill there are a number of things which should be said from the point of view of those of us who believe that in the recent past military spending has been out of control and that Congress, along with the individual services, the Bureau of the Budget, and the White House, has failed to analyze and criticize and act decisively enough on the military budget.

First of all, let me say that the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Missouri (Mr. SYMINGTON) expressed themselves as wanting to be notified before any unanimous-consent request was made. I also would like to be notified before any unanimous-consent agreement is proposed. This is certainly one of the biggest spending bills we are going to have. It is a \$21 billion measure, and it deserves very careful scrutiny. There are many controversial items in it.

It must, in all fairness, be said that the committee has made a substantial cut in this bill. It amounts to a 5.3 percent cut and \$1.2 billion below the President's request. If that cut is also reflected in the appropriations bill, it will mean that military spending has been reduced \$4 billion to \$5 billion.

The committee deserves great praise for this action. On the other hand, this good news is offset by the fact that at the very time when the Vietnam war is being wound down, when the incremental costs of that war are declining from a high of about \$24 billion a year to \$8 billion at the end of this year—that is on an annual basis—and when almost 1 million men and women have been discharged from the military services—that is, the military services have been reduced by 1 million—this authorization bill and the President's proposed military budget are both going up.

Second, I want to congratulate the committee for its warning to the military

forces that the military needs simpler, less costly, and more workable weapons. That is a criticism which some of us in this body have been making for a number of years. It is true. And the excessively sophisticated, "gold plated" weapons systems on which the military have relied have accounted for both an increase in costs and, in my judgment, a decrease in our basic strength.

Earlier today both the distinguished Senator from Arizona and the distinguished Senator from New Hampshire spoke. The Senator from New Hampshire quoted an admiral who said:

It makes no difference if this country is second. It might as well be fifth or ninth.

I want to make it absolutely clear that the Senator from Wisconsin and virtually all the Senators who may join us in proposing some reductions do not want to see a United States of America second militarily. We feel very strongly that we must have a military force that can match and meet and prevent any kind of aggressive action by the Soviet Union against this country or the interests of this country.

The Senator from Arizona spoke about those who would like to cut the military budget by one-third or one-half. There may be Senators who want to make cuts that large. Certainly the Senator from Wisconsin does not. Two of us proposed a 10 percent reduction in military outlays this year. That would have been an impressive reduction. But 10 percent is not one-third or one-half, and it would not have cut into the military strength of this country. It would have strengthened it.

Having praised the committee for its cuts and for its words of warning to the military establishment, let me mention some additional areas where action may well be taken.

Before I do so, let me mention research and development, because the Senator from New Hampshire does an excellent job in that field, and he did a fine job in his speech today.

#### RESEARCH AND DEVELOPMENT

One of the biggest parts of this bill are the funds for research and development. Last year the Congress authorized \$7.1 billion and Congress appropriated \$6.975 billion for these purposes.

But this year the President asked for \$7.95 billion in new obligational authority for R.D.T. & E., or a billion dollars more than last year. The House committee authorized \$7.96 billion and the Senate committee in this bill is recommending \$7.6 billion.

When one considers what is most likely to happen in the conference committee, it appears that the funds authorized for R.D.T. & E. in fiscal year 1972 will exceed those for 1971 by an amount from \$700 million to \$1 billion. That is a colossal increase of from 10 to 15 percent depending on the final figure.

In the report this increase is justified in part by some unusual thinking. On page 95 the report states that:

The committee recognizes and fully supports the need for a strong technology program. Just the fact that there can be statements by responsible Department of Defense officials which sound the alarm, whether or

not exaggerated, is sufficient cause for the committee's concern. If they are right, then provision must be made for an orderly and progressive increase in funds, and more judicious application of our resources to those fields of technology which are critical. If the statements are in any way misleading, then the increases in funds for technology should nevertheless serve to improve our technical capability to develop more advanced and more effective weapons systems in the future.

Mr. President, that is an incredible statement. It appears to say that we should increase funds for technology even if the alarms about the enemy are grossly exaggerated by Defense officials.

It appears to be an open invitation for them to exaggerate. That is the clear meaning of the statement.

And in view of the fact that some of the best scientists in the United States have charged the top official of the Defense Department in charge of research and development of grossly exaggerating the amounts which the Soviet Union expends on military research, as well as charging him with questionable use of the figures, this statement by the committee appears to this Senator as an open invitation for our military officials to continue their policies of "scare 'em" and exaggeration.

This is an incredible way for a country to operate. We need facts and truth and good evidence now as we have never needed them before. In addition, if military officials exaggerate routinely, one of these days we will fail to pay attention to them when the danger is real. There are other considerations, too. At a time when there are great needs in this country for funds for health, housing, antipollution, the cities, and hundreds of other needs, the fact that one agency representing one set of claims on the public purse is given an increase in funds, even if their demands and facts are exaggerated, is an impossible way to determine priorities.

I hope very much that the committee will reexamine the language in this report which I have just read. We should be encouraging truth, not exaggerations. We want the facts, not partial facts or doctored facts.

I regret that the committee has appeared to reward the tactics which year by year claim an excessive portion of our national wealth through questionable public relations tactics.

#### THE F-14 FIGHTER PLANE

With respect to the F-14 fighter plane, this may be one of the most controversial items in the bill and one of the most hotly debated. I intend to raise a number of questions about the Navy's F-14 fighter plane. Its costs have gone through the roof. Mr. President, this is a fighter plane. This is a plane which compares with the cost of our F-4 of about \$3 million and the cost of a Russian fighter plane of about \$1.5 million. This is a plane that it is officially admitted will cost more than \$16 million per copy, and I believe those costs may be expected to increase further, to perhaps \$20 million or more.

What we need is a new fighter plane whose costs are one-fourth to one-fifth of that amount.

In addition to its costs, there is a very

real question as to whether it is more than marginally better than the existing F-4's, whose costs are in the \$3 million range. In most respects, the new plane is no better than the existing fighter plane we have. The F-14 will be a major issue before the Senate in the days to come.

#### THE B-1 BOMBER

More and more people are questioning the B-1 bomber. Why do we need a new manned bomber in an age of sophisticated missiles? Even if some strategic mission can still be performed by manned bombers, would we not be wiser to refit our existing B-52's into missile-launching platforms to be used at some distance from their intended targets, rather than to send men and planes into a highly defended military target?

There is considerable question as to whether the Soviet Union or this country can, now or in the immediate future, at least, make effective use of missile launching platforms, but there is no question in my mind that both these countries can develop mighty effective anti-aircraft defenses.

Mr. President, the B-52 renovated as a launching platform may not only be a better use of bombers, but it would also be far cheaper.

As a result, during this debate that issue and others related to the manned bomber will be raised.

#### THE MB-70

The money in this bill for the main battle tank will also be questioned. Once again we have a weapons system which is excessively costly and whose performance is only marginally, if at all better than existing or lighter tanks. As in the past, this issue will come before the Senate.

#### CLOSE SUPPORT AIRCRAFT

The question of close support aircraft is an important one. At the present time the military has three such aircraft, either in research or in production. But the services should choose and Congress should hold their feet to the fire to choose among these various planes.

The Navy has selected the British-built Harrier as its close support weapon. Meanwhile, the Army is still pursuing the ill-fated Cheyenne helicopter, which has had several privies of life, and the Air Force is pursuing various prototypes of the A-X close support craft.

Secretary Packard has just announced that he intends to have a competition between the prototypes of the AX to determine which to buy. I think that is highly commendable. It is another example of the very good job that Secretary Packard often does in the Defense Department. He is a most able man. But what he needs to do is have a competition among the AX, the Cheyenne, and the Harrier to determine which one of these three close support planes the military will adopt. Having three overlapping systems suggests why the military budget is excessive.

This is a battle between the services. Instead of solving it by choosing among them, the military is attempting to solve the problem by developing all three.

The time to choose has come.

#### ANTISUBMARINE WARFARE

The same problem of waste and duplication is presented by the antisubmarine warfare issue. An ASW program is needed. But the military is unable to decide which system is most effective and which system to use. Instead of pursuing a series of contradictory actions which are excessively costly; at the moment there are at least six different overlapping programs with a total estimated cost of over \$23 billion. We are building both land based—P-C3—and sea-based ASW patrol planes—S-3A. There is also the DLGN-38 program—the guided missile frigate—and the DD-963 destroyer antisubmarine program.

The SSN-688 hunter-killer sub is a part of the antisubmarine program as is the Mark-48 torpedo.

This program—the antisubmarine program—is out of control. The military is building everything it can think of as an antisubmarine weapon.

They, too, must choose. They, too, must have a list of priorities.

In the days to come, these issues will be gone into carefully.

#### MIRV

Early this year the Senator from Minnesota (Mr. HUMPHREY) made an important speech in the Senate on the issue of MIRV's and its relationship to the hope of an agreement to limit strategic weapons between the United States and the Soviet Union. That issue, I am told, may well be discussed in relationship to this bill.

#### OTHER ISSUES

A group of us who have been working on these and other questions involving our military strength and how we can improve it at less cost may raise other questions as well. There are the issues of conversion of defense industry, why we still have 300,000 troops in Europe 25 years after the end of World War II, what the future should be with respect to our strategic submarine deterrent, and whether we should pursue both ULMS and the EXPO program at the same time. Questions about our policies in Laos and Thailand, the underground testing of nuclear weapons, and the operational testing of weapons before they go into production, are all ones which may well come up in the debate and discussion over this military authorization bill.

Mr. President, I have not mentioned the C-5A. The distinguished Senator from Mississippi did discuss that matter very ably in his statement. The committee has effected, as I recall, a \$75 million reduction, and I think it should be commended on that. However, my staff and I are exploring that issue, and it is possible that it may be brought up also.

#### SECURITY OF AMERICA AT STAKE

What is at stake is nothing less than the security of the United States. Unless we cut the military budget, we may actually weaken the security of this country. There is a basic reason why that apparently contradictory statement is true.

At the present time we are spending such an excessive amount of money on wasteful military items, in cost over-

runs, for unneeded and duplicate weapons, for excessive goldplating, for redundant bases overseas, and for extravagant logistic and supply items, that the basic and fundamental needs of our military defense are shortchanged for funds.

Instead of producing an abundance of fast, light, and inexpensive fighter planes, we are squandering billions on the F-14.

Instead of putting sums into highly useful, invulnerable submarines such as Polaris and Poseidon, we are pushing for an outdated manned bomber.

Instead of the Navy using its limited funds to modernize the U.S. Navy, they continue to press for new aircraft carriers which almost all unbiased experts consider a sitting duck in a missile age.

#### REFORM PROCUREMENT

Unless we reform our procurement practices, the funds we spend for military purposes will continue to be wasted, will promote more inflation, and will weaken our defenses.

If we persist in buying weapons which are so sophisticated they do not work; if we continue to follow practices through which the price of weapons routinely exceeds their projected costs by 50 to 100 percent; if we persevere in a system whereby weapons and supplies are regularly delivered late; and if we continue to cut our combat forces, while adding to the logistic tail so that the ratio between those who are trained to fight and those who have desk jobs grows even more disproportionate, the security of the country will suffer.

We are now wasting billions in military spending. Through more prudent policies and through military reform, we can provide a more than adequate defense for the United States for less money. In fact, if we continue to squander our treasure for obsolete or unworkable weapons as we have done in the past, we will weaken ourselves both militarily and economically.

Waste makes us weaker, not stronger. Profligate spending, whether for military or other purposes, does not strengthen the United States.

#### FINAL ISSUE

Let me raise one final issue. The President has recently announced his new economic policy. We have had a series of the most eminent economists in America come in to comment on that before the Joint Economic Committee. They say economic policy in America will never be the same again, that in fact this is a profound change comparable to the shift that took place under the Roosevelt administration, and there are many complex factors involved. Under it, the wages and salaries of millions of men and women in the United States are frozen. Prices which most businesses charge are also frozen. Millions of Government employees are not to get a wage increase next winter.

The President has also called for budget cuts to offset the increased budgetary deficit occasioned by his tax decrease proposals. In particular he has called for a 10-percent cut in foreign economic aid, and he has proposed that Congress

postpone the effective dates for welfare reform and revenue sharing.

The President has proposed that the main burden of the budget cuts fall on the relatively poor and weak both at home and abroad, on the cities and States which desperately need help, and on the ordinary men and women in the country as well as Government employees whose salaries are frozen while prices will most certainly continue to go up even if the President's program is successful.

But why should not the military be asked to make sacrifices in this period? Why should the military budget go up while the pay for Government workers is frozen? Why should we cut welfare and aid to the cities while we increase funds for the military? That is clearly unfair and inequitable, and unwise.

In my view, we should also make a reduction in the military budget.

#### CONCLUSION

Mr. President, as I have said, I welcome the actions of the committee. I hope very much that the modest cuts in the bill are reflected in even greater cuts in the appropriations bill later in the year. Even more, the President with a stroke of the pen could order a sharp cut in military outlays this year, just as he has already ordered cuts in foreign economic aid and in postponement of the welfare and revenue-sharing programs.

I also welcome the strong words of criticism which the committee made of the defense procurement system. I regret, however, that those words were not accompanied with stronger action in cutting back on the funds for weapons systems which the critics of the defense establishment, which Secretary Packard, and which now the committee itself all state are excessive.

Mr. President, I yield the floor.

#### ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

Mr. BYRD of West Virginia. Mr. President, have the 3 hours under the Pastore rule, with reference to germaneness, expired?

The PRESIDING OFFICER. No. Not until the hour of 2:20 p.m.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

#### RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess until the hour of 2:30 p.m. today.

The motion was agreed to; and (at 1 o'clock and 59 minutes p.m.) the Senate took a recess until 2:30 p.m.

On the expiration of the recess, the Senate reassembled and was called to

order by the Presiding Officer (Mr. FANNIN).

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from West Virginia without losing my right to the floor.

Mr. BYRD of West Virginia. I thank my friend, the able and distinguished senior Senator from Virginia.

#### ORDER FOR RECOGNITION OF SENATOR TALMADGE AND SENATOR GAMBRELL ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the remarks of the distinguished Senator from New Mexico (Mr. MONTONA), the distinguished senior Senator from Georgia (Mr. TALMADGE) and the distinguished junior Senator from Georgia (Mr. GAMBRELL) each be recognized for not to exceed 15 minutes, and in the order stated.

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

#### ORDER FOR H.R. 9727 TO REMAIN AT DESK FOR LATER REFERENCE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that H.R. 9727, to regulate the dumping of material in ocean, coastal, and other waters, be held at the desk, for reference at a later date.

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

#### MILITARY PROCUREMENT \*AUTHORIZATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 8687) to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I have cleared the following unanimous-consent request with the distinguished manager of the bill (Mr. STENNIS), with the distinguished Senator from Wisconsin (Mr. NELSON), with the distinguished assistant Republican leader (Mr. GRIFFIN), and with the distinguished chairman of the Committee on Foreign Relations (Mr. FULBRIGHT):

I ask unanimous consent that, with respect to the five amendments to be offered by the distinguished Senator from Wisconsin (Mr. NELSON) to the pending bill, H.R. 8687, there be a 2-hour limitation on one of the five amendments, the time to be equally divided between the mover of the amendment and the manager of the bill; that there be a 1-hour limitation on each of three of the amendments, the time to be equally divided between the mover of the amendment and the manager of the bill; and

that on the fifth of the five amendments there be a limitation of 1½ hours, the time to be divided equally between the mover of the amendment and the manager of the bill; making a total of 6½ hours on the five amendments.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that time on any amendment to the amendments that I have enumerated be limited to 30 minutes, to be equally divided between the mover of the amendment in the second degree and the manager of the bill (Mr. STENNIS).

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

Mr. BYRD of West Virginia. This is with the understanding that at such time as the Senate reaches any of these amendments for consideration the time agreement entered into with respect thereto will then be in effect.

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

Mr. BYRD of West Virginia. Mr. President, I have discussed with the distinguished manager of the bill the possibility of laying one of these amendments, by the distinguished Senator from Wisconsin (Mr. NELSON), before the Senate at the close of business today, and at the close of morning business on Monday next the time of 1 hour on that amendment would then begin running, with the vote to occur thereon at the conclusion of the hour allotted.

The able Senator from Mississippi is here and can speak for himself, but he has indicated that this would be agreeable. The Senator from Wisconsin (Mr. NELSON), has indicated it would be agreeable. I very likely will proceed accordingly later in the day.

I realize that the distinguished majority leader some time ago entered an order by unanimous consent that upon the conclusion of morning business on Monday next the Senate would proceed to the consideration of the conference report on the draft. I believe that the majority leader would not object to my making this one alteration in the order for next Monday. It would merely mean that there would be a disposition of one amendment—with a time limitation of 1 hour thereon—to the pending military procurement bill on Monday next, with a rollcall vote on that amendment, after which the Senate would then proceed to the consideration of the extension of the draft. I think this would meet with the approval of the majority leader.

Mr. STENNIS. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield.

Mr. STENNIS. Mr. President, I do not want to agree to rescinding the agreement that the pending matter Monday would be the conference report on the draft bill, but I would agree to the modification of it to the extent of carrying out the wishes outlined by the Senator from West Virginia to have at least one rollcall vote on the procurement authorization bill.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished manager of the bill. I feel that at the time the dis-

tinguished majority leader had the order entered, he may have had in mind the Senate's convening at 12 noon or 11 a.m. I do not know. The majority leader is away at the moment, and I cannot consult with him; but I would feel that he would have no objection—in view of the fact that we are coming in at 10 o'clock—to altering the order of business for that day in this slight degree to allow disposition of one amendment to the pending bill, with a rollcall vote, after which the Senate would then proceed at about 12 noon to the consideration of the conference report on the draft bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, later today Senator NELSON will indicate which of the amendments will be laid before the Senate and made the pending question. It is the desire of the Senator from Wisconsin (Mr. NELSON) that we have a yea and nay vote on that amendment. So the Senate is, accordingly, on notice.

I thank the able senior Senator from Virginia (Mr. BYRD) for yielding to me.

#### STATE DEPARTMENT EFFORTS TO ELIMINATE SECTION 503 OF THE MILITARY PROCUREMENT BILL

Mr. BYRD of Virginia. Mr. President, today I learned by the grapevine, so to speak, that the Department of State may seek to eliminate section 503 of the pending legislation.

That section was added to the military procurement bill by the Senate Committee on Armed Services.

The purpose of that section is to end the dependence of the United States on the Soviet Union for chrome ore, a material vital to the defense of this country.

If the Department of Defense wishes to make a fight against that proposal, it, of course, has every right to do so.

As one who feels that the United States should not be dependent on Russia for a vital defense material, I shall do what I can to acquaint the membership of the Senate with the facts and the purposes in regard to section 503.

Mr. President, the vote in committee in adding this section to the procurement bill was 13 in favor. Three Senators were absent when the roll was called that day, but it was unanimous among those who were present.

The committee amendment is identical to S. 1404, which I introduced in the Senate on March 29. The cosponsors of that legislation are the Senator from North Carolina (Mr. ERVIN), the junior Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mr. GURNEY), and the senior Senator from Arizona (Mr. FANNIN).

Hearings were held on S. 1404 by the African Affairs Subcommittee of the Senate Committee on Foreign Relations. Immediately after the hearings, the subcommittee chairman told the press he would recommend against S. 1404. Subsequently, I put into the CONGRESSIONAL RECORD the texts of the statements made by the various witnesses before the sub-

committee, both those who opposed the legislation and those who favored it.

Mr. President, the Senate at long last has an opportunity to decide whether it is logical to vote billions of dollars for defense against possible Russian aggression, and yet be dependent on Communist Russia for a vital defense material.

The issue is simple and it is clear cut.

I have no quarrel with how any Senator might vote. I have no quarrel with the State Department. If it is willing for our country to be dependent upon Communist Russia for a vital material, that is its business.

But the issue is clear cut.

The issue is simple.

Is the United States going to continue to be dependent on Communist Russia for a material vital to the defense of our country?

If the State Department attempts to knock out section 503, then the Members of the Senate will need to decide whether they think it is logical to vote \$21 billion of tax funds to procure military equipment, aircraft, missiles, naval vessels, and so forth, and at the same time be dependent on Communist Russia for a vital defense material.

Yes, Mr. President, the issue is clear cut.

Section 503 is not a long section. The amendment is easily understood, and I ask unanimous consent that, at this point, the text of section 503 of the pending legislation be printed in the RECORD.

There being no objection, the section 503 of the bill was ordered to be printed in the RECORD, as follows:

SEC. 503. Section 5(a) of the United Nations 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 2 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."

Mr. BYRD of Virginia. Mr. President, those who have studied this matter, first the Subcommittee on Stockpiling, chaired by the able and distinguished Senator from Nevada (Mr. CANNON), and subsequently the Committee on Armed Services as a whole, reached the conclusion that something needs to be done so that the United States will not be dependent on Communist Russia for a vital war material.

Now a brief review of this legislation and the need for it:

The United States now 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.

The 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.

That language of S. 1404 is the identical language incorporated in the pending legislation as section 503.

Is not such legislation logical, to say that the President cannot prohibit the importation of a strategic material from a free world country if he permits the importation of such material from a Communist-dominated country?

The legislation actually would apply to only one commodity, chrome ore, and to one nation, Rhodesia.

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.

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.

Since becoming the prime source for chrome 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.

Yes, Mr. President, it is illogical and dangerous for the United States to be dependent on Communist Russia for a strategic material. Why is the Senate being asked to vote \$21 billion—\$21 billion of tax funds—for a military arsenal of aircraft, missiles, submarines, naval vessels, and so forth?

The main reason, Mr. President, is to protect this Nation against possible aggression from foreign nations, the foremost of which, as a potential aggressor, I think everyone would recognize, is the Soviet Union.

So how the State Department could come down here and argue against this provision, I frankly do not see. Of course, they will not come down and hit it head-on. They will have a lot of other side issues that they will bring into it.

I want to try to do what little I can to pinpoint precisely the need for this amendment, and precisely what it would do.

And it would do only one thing: It says that no longer will the United States put itself at the mercy of Communist Russia for a vital defense material.

Mr. President, I want to say frankly that 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, Mr. President, section 503 of the pending legislation would not require that the United States abandon all sanctions against Rhodesia, much as I wish this could be done.

The only commodity affected by section 503 would be chrome ore.

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

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

We are spending billions of dollars for weaponry as a protection against possible Soviet aggression. If there was no possibility of Soviet aggression, we would not need the \$21 billion that we are being called upon to vote upon in the Senate. Russia is the No. 1 reason, and, indeed, almost the sole reason for our huge defense expenditures.

I state again: Section 503 of the military procurement bill addresses itself to only one matter; namely, chrome.

In summary, it does one thing and one thing only: It simply provides that the President can 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.

For the first time, when this bill comes to a vote, the Senate will have an opportunity to pass upon this question.

I emphasize again that this embargo on trade with Rhodesia, including the embargo on the importation of chrome, was by unilateral action of the Chief Executive, and it was not submitted to Congress for approval.

Mr. President, the issue is clear cut. The State Department has a perfect right to attempt to eliminate section 503. But some of us in the Congress who feel that sometimes the State Department is wrong have a right to resist any such attempt on the part of the Department of State.

Section 503 is a defense matter. This is a matter affecting the security of the United States. That is why this amendment is in this bill. It is a military matter. It is a defense matter.

Senators will have an opportunity to express themselves pro and con, of course, as to whether they wish the arrangement continued whereby the United States must rely on Communist Russia for a vital defense material.

My purpose in commenting today, Mr. President, is to try to put into focus the problem involved, the purpose of section 503, the need for it, and the reason why it was incorporated in this measure.

#### ORDER OF BUSINESS

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. FANNIN). The Senator will state it.

Mr. STENNIS. The Pastore rule is not in application now. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

#### EXTENSION OF THE SELECTIVE SERVICE ACT

Mr. STENNIS. Mr. President, I intend to address the Senate briefly with reference to a matter that will be pending on Monday—that is, the conference report on the extension of the Selective Service Act. I want to present a brief summary of that report, for the information of the Members of the Senate, so that it will be in the Record that is before Senators on Monday morning. I do not intend to detain the Senate very long.

As most Senators are now aware, we have a unanimous-consent agreement that the conference report on the selective service bill will become the pending business of the Senate on Monday, September 13. Today I want to make just a few brief remarks about this report.

The selective service bill was sent to Congress by the President on January 28 of this year. The Senate Armed Services Committee began hearings in February and heard more than 40 outside groups and individuals as well as, of course, Secretary Laird; Dr. Tarr, Director of Selective Service; and Assistant Secretary of Defense Roger T. Kelley. The committee also heard Mr. Kelley testify later in the year on the active duty manpower authorizations for fiscal year 1972, which are also included in the bill. The combined record totals nearly a thousand pages.

The House, on April 1, passed and sent to the Senate H.R. 6521, its version of the bill, which amended the Selective Service Act, authorized certain military pay increases, and set the authorized strength of the active duty forces for fiscal year 1972.

After the bill was reported to the Senate on May 5, we proceeded to debate the bill on the floor for a total of 7 weeks. The bill finally passed by a vote of 72 to 16, on June 24, after cloture had been invoked the previous day. Final Senate action thus occurred only 4 weekdays before the expiration of the President's induction authority. As a result of the Senate action, there were 28 differences between the bill as passed by the House and the Senate amendment. Nevertheless, by July 1 the conferees were able to announce agreement on 27 of the 28 differences.

The conferees went to work immediately and worked assiduously on these matters; and, of the 28 differences, we had 27 resolved by the first day of July.

The month of July was spent attempting to resolve the differences over the Mansfield amendment relating to the war in Indochina. The conferees finally reached agreement on all differences between the two Houses, and the conference report appeared in the Record of July 30.

I believe it is abundantly clear that there has been sufficient debate and discussion of this bill.

Procedurally, I believe there were over 60 rollcall votes—I am not certain about the number, but it was approximately that number—with reference to the amendments offered to this bill, and some major subject matters were offered as many as five times. One was the limitation on the power of the President in connection with keeping troops in Viet-

nam. That amendment finally passed on the fifth attempt, substantially the same each time. That is the amendment we spent a month on in active conference.

The bill includes the necessary extension of the President's induction authority for 2 years. Under the President's program these would be years of transition to a volunteer army. Both those who support the volunteer army and those who are skeptical of its feasibility should be able to see that a period of transition such as this will be necessary. Although enlistments have been reasonably good during these summer months—as they always are during this quarter of the year—we will soon reach a point at which serious shortages will occur in the Armed Forces in important skills if we do not approve this bill soon. The bill includes a number of important procedural reforms in the draft which were approved by the Senate and which the House reluctantly accepted in the House/Senate conference. For example, five of the six procedural reforms proposed by the distinguished Senator from Massachusetts (Mr. KENNEDY) will become law if this bill is passed.

The bill includes the largest pay increase ever given to the military services. There has been some misunderstanding about this pay increase and I will explain that in detail soon.

The bill includes, for the first time, a firm congressional ceiling on the number of men the President may induct. I believe that a ceiling of this type, had it been in effect in 1964-65, would have prevented the rapid buildup of ground forces in Vietnam without more careful consideration and, certainly, without Congress' passing more directly on the matter.

The bill restores the President's authority over student deferments. The President has announced his intention to grant no more student deferments and this will abolish what many have considered to be one of the major inequities in the draft system. The bill does, however, prohibit the President from retroactively withdrawing such deferments from those who had obtained them from the 1970-71 regular academic school year.

The bill contains significant reductions in the manpower requested by the Department of Defense. The end strength of the Army for fiscal year 1972 is reduced by approximately 100,000 men.

The bill includes a modified version of the Mansfield amendment concerning the war in Vietnam. The House had voted 219-176 to table an identical amendment. A New York Times editorial on August 2 pointed out that the compromise reached by the conferees "is probably the most that can be achieved in Congress at this time."

As I pointed out on the floor of the Senate July 31, I believe that a good deal of the substance and philosophy of the Mansfield amendment was agreed to by the conferees. The Washington Post editorial of Sunday, August 1, makes this point quite clearly. For the first time, Congress has approved a policy of withdrawal from Vietnam and a policy of negotiating this withdrawal in exchange for

a release of U.S. prisoners of war. As I said then, I believe that any careful study of the words of the amendment as it was approved by the conferees will indicate the importance of this amendment.

I hope that the Senate will consider these matters carefully and that the selective service bill can be passed quickly so that we may proceed to other business of the Senate during this very busy time.

I have some additional remarks to make, Mr. President, with reference to the terms of the pay provisions of the bill. Ordinarily, the pay provisions for the military would not be included in a Selective Service Act renewal, but it was a major part of the bill and was thoroughly considered on the floor of the Senate, and there were several rollcall votes on it.

I want to make a few remarks about the Mansfield amendment as well. There is no doubt that the conferees gave the utmost and the fullest consideration to this matter during the month's period of consideration of the Mansfield amendment. Every effort on the part of the conferees of the Senate was made to get that amendment adopted, first in the form as it passed the Senate, then with the modifications and, finally, we did prevail with some of the substance of that amendment and a great deal of its philosophy.

As I have already stated, this is the first time since the Vietnam war began that there is a legislative determination of a policy question in connection with the war.

I did not vote for the Mansfield amendment but we worked hard to get it adopted. A careful analysis will show that a very substantial forward step was taken in writing into hard law a great deal of the philosophy of the Mansfield amendment.

I have no apologies to make for the action of the conferees on the Mansfield amendment. I have no boast to make about it, either. I am thankful that we were able to get as much of the Senate's position written into it. I, for one, would not yield for anything less than that. I made that well known and stood on that position.

Now I am going to refer to the pay provisions in the law and then make some remarks in summary about the whole report.

The entire matter of military pay will, of course, be discussed in the course of debate. However, at this point, I wish to make certain preliminary observations.

#### SERIOUS IMPLICATIONS OF REJECTING THE CONFERENCE REPORT BECAUSE OF THE PAY PROVISIONS

Mr. President, I anticipate that the Senate will be urged to reject this conference report on the basis that the pay provisions are inadequate. Before discussing the merits of this issue, I would point out to the Senate the serious implications for the bill as a whole if the report is voted down.

The present parliamentary situation is that the Senate has the option of only approving or rejecting the conference report. A motion to recommit is not in order. If the conference report is rejected, the outlook for having any bill

will be seriously jeopardized. Technically, the House conferees have been discharged from this bill. Of course, if the Senate rejects the report, it will be messaged to the House and new conferees of course can be appointed.

Let me point out, Mr. President, that at this point we start over completely and the two bodies are in the same position as when we went to conference initially. All issues will be open.

I state it briefly again, that if the conference report is rejected, it will put the Senate back exactly where it was the afternoon the bill passed the Senate with only 16 votes against it. It would nullify the agreement on the 28 differences in the House and Senate bills. It would nullify that whole month of conferences with reference to the Mansfield amendment. It would put in serious jeopardy the idea of having a bill this year. In fact, I firmly believe that if the bill in its present form cannot be accepted by the Senate, I judge that no bill on the subject matter would be accepted.

The Senate will recall that it was necessary for the House to go before the Rules Committee and waive all points of order under the germaneness rule in order for the bill to be considered as it was in the House. I should note parenthetically that the pay rates themselves would not have been subject to a point of order in the House.

There is considerable risk as to whether they could have all points of order waived if we have to reject this entire process, so there would be serious problems confronting the House if this conference is reopened.

Second, their argument might be made that the Senate can reject the conference report and at the same time instruct the Senate conferees. I am advised that such instructions have only limited meaning. They are not binding on the House and as a factual parliamentary matter, all differences between the Senate and House versions of the bill would again be reopened. There is no procedural device under which they can be kept closed as the report now stands. All of the major 28 differences between the bill as passed by the Senate and House would be subject to adjustment, including, of course, the Mansfield amendment and the various other provisions in disagreement.

If this report is rejected, Mr. President, I think it would be quite some time before a conference report could be passed by both bodies. This delay carries with it the serious implication as discussed later, of having no draft authority.

#### SERIOUS PROBLEM OF GROWING MANPOWER COSTS

Mr. President, the pay provisions in this conference report represent the largest military pay bill in the history of this country. The annual cost of \$2.4 billion exceeds the next highest pay measure enacted in 1963 by over \$1 billion. In trying to divide the military money under the constant pressure to reduce the defense budget, we have the serious problem of providing the funds to procure first-rate weapons for our men.

We may be faced with a situation in which the growing manpower cost actually threatens the problem of sufficient weaponry.

Military manpower costs have increased from 43 percent of the defense budget in 1964 to 52 percent in fiscal year 1972. This represents \$39.5 billion and, Mr. President, I am using personnel costs here in the narrowest sense, that is, cash payments plus food and clothing.

If we use pay costs in a larger context, Mr. President, to include such matters as medical programs, housing, and training costs, this figure for the fiscal year 1972 budget would be close to \$50 billion, or about two-thirds of the total defense budget. By way of comparison, Mr. President, I have been advised that in the Soviet Union only about 25 percent of their defense budget is utilized for personnel costs.

I do not vouch for the figure as to what is done in the Soviet Union. I do not think there is any way to make those estimates anywhere near accurately. However, it is a comparison that is being used, so we try to make some comparison in this field.

My concern is with such a large percent of the budget and with such a rapid increase going for manpower alone, I do not think it is massive or quantity manpower we need. What we need is quality manpower.

Another startling fact, Mr. President, is that since 1964 pay and related costs have risen in dollar terms by \$17.5 billion while manpower has been reduced by 285,000 persons. I should note that 7,000 of this figure does represent civilian personnel reductions in defense.

#### INCREASING MILITARY RETIRED COSTS

I think the Senate should know that military retired pay represents a growing cost that will put an additional strain on the Defense budget and on the Treasury. This cost has increased from \$1.2 billion in 1964 to \$4 billion for fiscal year 1972. We face the prospect, assuming comparable future increases based on patterns of the past, of an annual cost of \$6.9 billion by 1980 for retired military pay alone. Of course, every time we increase the pay to the military, the groundwork is laid for an increase in retirement pay. By 1980 that item alone would run at the rate of \$6.9 billion annually. But still there is going to be objection to the conference report on the ground that the pay increase is not enough.

I point out the foregoing, Mr. President, just to urge that all elements of the defense program must be considered as we debate military pay. This element should not be considered in isolation. It clearly has no business in the selective service bill. It ought to be considered in a general military pay bill. However, there was some logic to putting it in this bill because it is an attempt to switch to another system.

#### HISTORY OF MILITARY PAY INCREASES: RESPONSE TO CHARGE THAT PAY PROVISIONS ARE INADEQUATE

Mr. President, I wish to respond to the premise that the conference report

should be rejected because the pay provisions will be inadequate.

With the \$2.4 billion annual increase in the report the Senate should know that military pay will have been increased in just 8 short years since 1963 by over \$11 billion. Even excluding the conference report, basic pay during this period has been increased 97 percent above the 1963 level and with the conference increases, this percent would be roughly 120.3 percent.

#### COMMENTS ON DETAILS OF CONFERENCE PROPOSAL

Mr. President, I would make the following points with respect to the pay matter of the conference report.

First, there were seven different pay elements at issue in the conference. While some of these were relatively minor, they were matters to be resolved.

The conferences approached this with a view to adjusting each of these elements. There was no effort to come up with a particular annual dollar cost total.

We were trying to take the developing provisions of the bill according to the various elements involved and make reasonable adjustments therein. We had to have respect for the different positions of the two Houses and come up with a sound military pay pattern or plan. That is still relevant as to what is in the bill. Because we did not just count the dollars, but determined what kind of a pay plan or increased pay plan we would have.

This question was in the hands of men that were not altogether ignorant of this problem and of the methods that have to be adopted to balance it off.

I am certainly not an expert in any line. However, for 15 years, I have dealt with this question of military pay. We were all, certainly, by experience in conferences, capable of getting into this matter. We had traveled this road many times before.

Mr. President, as I say, there was no effort to come up with any particular annual dollar cost. We made an adjustment here that we thought was fair and sound. Some compromises—such as the enlistment bonus—were more matters of principle than matters of large sums of money. The Senate bill included higher totals than the House in some areas and lower ones in others. It is easy to see that in such a case, when one House does not support lower totals on all elements of the package, that a series of compromises could produce a figure that was below the figure in the House bill and was below the figure in the Senate bill. For my part, that was purely incidental. It just happened to add up that way.

I am confident in my own mind that we selected the soundest provisions in the House bill and the Senate bill and put them together. That was what we brought back to the Senate. Let me explain this explicitly.

There were three major differences in pay issues before the conferees: basic pay, housing allowances, and the enlistment bonus.

With respect to basic pay, the Senate had voted for increases, all in the lower enlisted grades, involving an annual cost of \$2.667 million as compared to the

House increases of \$1,825.4 million, which increases were also in the lower grades. The House was adamant that these increases were sufficient and on the basis that the average 68-percent increase for those under 2 years' service was adequate. I might point out that under the House version there was a 99.8-percent increase for the E-1—recruit; 100.6 percent increase for the E-2—private; and a 72-percent increase for the E-3—private first class. The House took due note of the fact that their basic pay proposal would have amounted to an increase since 1952 for enlisted personnel with less than 2 years of service of 189 percent compared to 151 percent for those with over 2 years of service. Under the rates initially approved by the Senate the percentage increase would be 216 percent for those with over 2 years' service.

The next major issue that the conferees resolved was the question of quarters allowances. The original Senate bill had a modest increase of \$79 million in Dependents Assistants Act for pay grades E-4—corporal and below. The original House bill, on the other hand, provided for an increase in Dependents Assistants Act of \$184.1 million and an increase of \$640.1 million in Housing allowance for those in pay grades above E-4, including officers. After considerable deliberation, the conferees decided to compromise on the quarters provisions. Both House and Senate conferees felt it was highly important that the career force be provided with increases in quarters allowances in a pay bill of this magnitude. The compromise was attained by taking 85 percent of the original House quarters rates. This seemed a most reasonable compromise as quarters allowances had not been increased since 1963 and the cost of housing has soared since that time. In addition, the Dependents Assistance Act rates were increased from \$79 million under the original Senate bill to \$105.9 million to take account of the increased cost of housing for the lower grades. In other words, that was one category that was increased considerably above the Senate bill.

Finally, the question of the enlistment bonus had to be resolved. The original House bill provided for no enlistment bonus whereas the original Senate proposal did. Over strenuous House objections, the Senate conferees prevailed in including the enlistment bonus as part of the conference report. It should be clear that the enlistment bonus is one of the most important changes which could be made in our pay system in order to help create a volunteer army. The Senate conferees felt that this was a highly important accession by the House conferees.

I was not particularly wedded to the enlistment bonus. I defended it on the floor of the Senate and the committee's position was sustained, so we went to conference and by that time I had seen how difficult it was to get even a 2-year provision as an extension of the draft. I thought that in view of that it was all the more important that the position of the Senate on this bonus be sustained because if we were to have a real trial of the volunteer army this was one of the

main cogs in the wheel. So we held out on that and even though it did not represent a great sum of money, at least not at this point, it represented quite a concession, indeed, on the differences between the two bodies.

In summary, then it can be seen that the annual costs of \$2.4 billion of the conference pay proposal was reached by deliberate and serious consideration of each of the major elements of the original pay proposals of both bills. There was no attempt by either side in conference to work from a single total figure. Rather the approach was to consider the individual elements and the total followed as a result. On no individual issue was the compromise agreed to by the conferees outside the range of disagreement between the House and the Senate.

If that is not a sound way to proceed in conference to try to work out differences and come out with a sound bill, I would like to have someone correct me and give reasons to show that it is not sound.

#### CONCLUSIONS

It is clear that reasonable men will disagree on some aspects of the pay provisions but in light of what I have said, it should be clear that the conference pay proposals are both fair and adequate for not only the first termers but also the important career force.

With respect to our anxiety about "first termers" let us not get the idea that they are going to be "the" Army or "the" services. As much as they are needed there have to be career men and attractions for the categories they are in.

It was considered vital that the career force not be neglected in a military pay increase of this size and the conferees took due note of this in their deliberations on the pay section. I sincerely feel that the conference pay proposal is the best and wisest apportionment of a \$2.4 billion pay increase and I strongly urge that the Senate vote accordingly.

Mr. President, I have certain figures in a comparative table pertinent to what I have said, and I ask unanimous consent that the table be printed in the RECORD at this point.

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

COMPARISON OF FISCAL YEAR 1972 RECOMMENDATIONS

	Admin- istration	House	Senate
Basic pay.....	908.0	1,825.4	2,667.0
DAA.....	79.0	184.1	79.0
BAQ.....	0	640.1	0
BAS.....	0	37.8	0
Enlistment bonus.....	40.0	0	40.0
Recruiter expenses.....	2.9	2.9	2.9
Optometrists.....	0	0.5	0.6
DAA reservists.....	20.0	20.0	0
Annual total.....	1,049.9	2,710.8	2,789.5
Fiscal year 1972 budget deficit.....	NA	+1,660.9	+1,739.6

Mr. STENNIS. Mr. President, 16 Members of this body voted against this bill when it passed and I judge they did so primarily because they were against a draft bill. I have nothing except the highest praise for them being willing to

stand on their convictions and I respect them for it. I want to make that very clear. I respect their wanting to engage in further debate on the bill as a draft bill. But reports are in the press—I do not know whether they are well founded or not—that there is some kind of effort to get together the group that does not want any bill and those who are not too happy in their sentiments about the pay provisions, and have them say, "Well, we will just defeat the whole thing. We will just reject the conference report."

In the final analysis, however one votes, he will not have any complaints or criticism from me, but I want to warn the membership that I believe such an effort is a dangerous course of action. Even though I allow for those who are against the bill because they do not want the draft extended and do not believe in it, I doubt that there are very many in addition to that group who would want to just kill the bill.

As I said, that would put us right back where we were on the 24th day of June. Senate conferees would have to be appointed again. The House would have to appoint its conferees again and all matters of germaneness would have to be waived over there. We would have to go through this conference again, when we have already had 5½ weeks of active conference. Among the questions which we dealt with before were good, controversial ones, such as the war—a fundamental clash between legislative and executive viewpoints—and whether or not we should have any draft or not. These questions will take time to resolve again.

It is all right with me to debate those matters. I have no complaint about that. But I urge my colleagues, on their sense of responsibility, do not make any promises now and do not give the meat ax to this conference report before it has been heard on its merits.

If any Senator wants to get up and accuse the conferees of not approaching these questions in a sound fashion and not trying to reach a sound conclusion, he can make that charge, but if he does so, let him come up with some proof. Do not make it just as an accusation and leave the impression that this matter was not thoroughly and fully considered and worked on and, I think in large part, worked out.

I want to make this clear. I referred to the Mansfield amendment a good deal. In my opinion, there has never been a Member of this body who rose to a greater degree of statesmanship and honesty and honor than did the Senator from Montana (Mr. MANSFIELD) in some conferences I had with him while the conference was going on. This was no ordinary conference. I can assure Senators of that. That man is big between the eyes and mighty high in his principles and in his obligation to the Senate and to the country. Whatever he does about his final decision on this conference report is up to him, but I will be satisfied with what he says. I want to thank him again publicly for being so high minded and so very understanding about the problem that went into this conference.

Mr. President, the conferees will be

prepared to try to answer questions and try to make a presentation in full of this conference report and to engage in debate. I believe in that as a part of our system. All I am saying now is, please do not reach any conclusions and do not reach any agreements.

Regardless, Senators are going to oppose this conference report, and I have asked the Secretary of Defense where he stands on this conference report. I wanted to know explicitly, for the benefit of the Senate. I have here a letter addressed to me, dated today, from Secretary Laird. It will take only a few minutes to read it. I think it is worthwhile. I want to put it in the RECORD.

It reads, in part:

DEAR MR. CHAIRMAN: In your letter of September 3, 1971, you requested the current position of the Executive Branch on the conference report on H.R. 6531 extending the draft authority.

My request went to the executive branch of the Government:

We urge prompt adoption of the conference report. Further delay can only impact adversely on our national security.

The need for early renewal of the draft authority is critical and has not diminished. It is my conviction that Department of Defense manpower requirements cannot be met without the prompt extension of the draft authority contained in H.R. 6531.

He elaborates in some paragraphs on that matter and gives his reasons.

I ask unanimous consent that the next two paragraphs of the letter be included in the RECORD.

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

The conclusion some have reached that the draft is not needed because of favorable recruiting results during the temporary absence of draft calls is grossly in error. Analysis of the lottery sequence numbers of enlistments in July show that about half of the men entering were draft motivated. Young men were acting on the assumption that draft calls would be resumed shortly. Another factor to be considered in evaluating recent recruiting results is that the first quarter of the fiscal year is seasonally the most favorable for recruiting. It is a natural time for young men who have finished high school to start a Service career or to enlist for the purpose of discharging their military obligation under the draft act. It is unrealistic to expect enlistments to hold up after the good recruiting months are past if the authority to draft is delayed or terminated.

The delay has had adverse effects which will show up after the first of the year. The Army will suffer shortages of trained personnel who can be assigned to units. On the average, five months are required to complete initial training and processing. Unless draft calls can be resumed in November, I estimate that the expected shortages will adversely affect the readiness of the Army to a significant degree. In addition, the decline in the quality of personnel needed to meet highly technical training requirements in all Services is likely to continue and worsen. There is no question that the draft authority is needed now in the interest of the national security.

Mr. STENNIS. The letter continues:

We also believe the pay recommendations in the conference report are clearly adequate and fully responsive to Service needs. For enlisted personnel with under two years' service, the pay provisions in the conference

report would eliminate completely the inequities in pay rates which have evolved since 1952. On a cumulative basis, 1952-1971, the basic pay increases in the conference report represent an increase of 189 percent for the "under 2" category compared to 151 percent for career members.

At the same time, the increases provided in quarters allowances for all grades are both equitable and necessary if these allowances are to continue to fulfill their intended purpose.

These quarters allowances are not just for officers; they are for noncommissioned officers and, under the Dependents Assistance Act, for the lowest grade enlisted men as well if they have families or dependents.

The letter continues:

It must be remembered that quarters allowances are paid only to those members who are not provided public quarters. For the service family faced with obtaining adequate housing in the civilian community, the quarters allowance should bear a reasonable relationship to actual housing costs. The rates provided in H.R. 6531 will achieve that purpose.

He mentions there one of the major questions in the minds of the conferees in their deliberations—quarters allowances.

The letter is signed: "Sincerely, Melvin R. Laird."

Mr. President, if there are no questions, I yield the floor.

Mr. CRANSTON. Mr. President, I want to compliment the distinguished chairman of the Armed Services Committee for his very able, effective, and thorough presentation of this legislation. I know that he is doing a very remarkable job, in handling two major bills now pending on the floor of the Senate.

I should like to comment very briefly on the pending measure. I was one of the 16 Senators who voted against passage of the measure in its original form. I opposed it in the form in which it passed the Senate. My opposition is now quadrupled because there are at least four major changes in the bill that make it far less acceptable to be than it was when 15 other Senators and I found it unacceptable.

With respect to the Mansfield amendment and the Vietnam war, I was very interested in hearing, that in the opinion of the Senator from Mississippi, we would not have entered into the Vietnam war, or at least would not have become as deeply embroiled in the war as we have been if the draft measure at that time had carried the ceiling which this measure provides. Specifying the number of men the President is empowered to draft without consulting Congress. In my opinion, we would not have gotten into that war at all in a combat sense had we not had a draft at the time the escalation began.

That is one of the reasons why I now oppose the draft. I do not think we need it now, and I think its abolition would make it certain, that any President, now or in the future, will consult Congress in the future before plunging us into a war.

I believe the evidence has continued to mount showing us that we can get along without a draft. The longer we do without it, as we have been doing without it,

in effect, since midnight of June 30, the greater that evidence will be.

The Mansfield amendment quite plainly has been watered down into a meaningless provision in conference. Senator MANSFIELD himself, in one of the best speeches I have ever heard, made plain his great unhappiness with the present version shortly before Congress recessed.

The war in Vietnam is not at an end. The end of the war in Vietnam is not even in sight. That is why we need the Mansfield amendment, which is the most effective step yet taken by this body to speed the end of that war.

The rising disillusionment over the self-determination that we are supposedly protecting in Vietnam, gives added reason for our sticking to the Mansfield amendment as the day of that most ludicrous election approaches. I know there are many others who share my concern over the present absence of a meaningful Mansfield amendment in the pending measure.

On the pay raise amendment, the Senator from Colorado (Mr. ALLOTT) offered an amendment that was adopted by a substantial vote. This amendment attempted to bring long overdue justice to those in the Armed Forces in terms of compensation, and also would have done a great deal to move us toward a volunteer army to replace the draft. However, the conference considered the basic pay issue separately from various allowances such as quarters and food, and the subsequent compromise created a figure that, surprisingly and shockingly, is actually below both the Senate and House figures.

This was due to the fact that the greatest differences in the House and Senate measures concerned the basic pay figure. The Senate had granted \$2.7 billion and the House \$1.8 billion. The committee retained the House figure of \$1.8 billion, which was hardly a compromise such as is normally anticipated between the House and Senate figures. The only compromise was on the allowance figure, where the House had \$0.9 billion and the Senate \$0.1 billion. The resulting compromise was \$0.5 billion, which split the difference evenly between the House and the Senate. Therefore, there was absolutely no compromise at all on the matter of pay. Thus the conference committee came up with a \$2.4 billion pay raise figure. It seems to me that this should not be accepted. I know that Senator ALLOTT does not intend to accept it if he can avoid it, and I hope that the Senate will take whatever steps are necessary to remedy that situation.

There is a further problem in this particular respect, in that most of the enlisted men in the junior grades do not qualify for quarters, housing, and food allowances, and so, by the agreement to lower basic pay rates, the lower grades continue to get the raw end of the deal, which the Allott amendment sought to remedy.

On another aspect of the measure as it came back from conference, I am very much concerned, as are the Senator from Pennsylvania (Mr. SCHWEIKER) and others, over the fact that the House

conferees refuse to accept an amendment I offered, with Senator SCHWEIKER as co-sponsor, which would have prohibited the induction of young men who fill out their CO claims and file them after receiving their induction notices. Instead, the committee agreed that the local boards should be given discretionary authority to review those cases deemed worthy of alternate service. It has become quite apparent that there are some young men who simply are not fully informed, and who do not know they have the right to file their CO claims prior to the time they receive their induction notices. Under a recent court decision, which reversed what had been the practice, these men are now denied that right. Many young Americans, particularly members of the Amish sect in Pennsylvania, but also many others, are confronted with violating the law or, violating their deeply felt religious beliefs when they discover what the facts really are, and that they are no longer eligible to file for a CO status.

I see no reason for imposing this upon them, and I think we should seek to restore my amendment. If my amendment opens some doors that should not have been opened, as has been suggested, then let us seek another amendment that will not confront these young Americans with this wholly unacceptable choice.

I am also concerned about what happened to the drug rehabilitation amendment, which was designed to improve the handling of the narcotics problem in the service.

The conference committee significantly watered down this amendment in recommending that a study be made by the Secretary of Defense within 60 days of passage, whenever, if ever, that may be, and again I think that is totally inadequate.

There are other provisions in this bill that are not as good as the "ungood" bill which the Senate originally passed. For these reasons and others, I and other Senators intend to oppose this report, and to use every power we have available to us as Senators to prevent its passage.

#### ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, would the Senator from Wisconsin be willing to offer his first amendment at this time so that it may be printed?

Mr. NELSON. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

#### AMENDMENT No. 418

At the end of the bill add a new section as follows:

"Sec. 505. Notwithstanding, any other provision of law, none of the funds authorized by this Act may be obligated or expended in connection with (1) the F-14 aircraft program of the Navy, (2) the B-1 aircraft program of the Air Force, or (3) the F-15 aircraft program of the Air Force until after a final environmental impact statement has been made with respect to such projects pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 and reviewed by the President's Council on Environmental Quality."

Mr. BYRD of West Virginia. Is it the desire of the Senator from Wisconsin that the yeas and nays be ordered on this amendment?

Mr. NELSON. Yes, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Does the Senator ask that time start running immediately on the amendment?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on the amendment not start running today.

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

#### THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. FULBRIGHT. Mr. President, on the evening of September 8, the Kennedy Center for the Performing Arts was officially opened with a performance in the Opera House, written and produced by Leonard Bernstein. On the 9th, the Concert Hall was the scene of the initial performance by the Washington Symphony Orchestra. The Eisenhower Theater will be opened within a short time—about the 18th of October.

The completion of this magnificent structure for the performing arts marks the beginning of a new era in the history of our country. It is, I believe, a symbol that our country is growing up, that it is slowly and painfully emerging from its long adolescence and about to become an adult community with a more mature and responsible attitude toward its role in the world. I believe the Center will be a powerful influence upon the attitude of our people toward those activities which promote a cooperative and human society. Its opening comes at an especially propitious time. Not since the tragic Civil War of a century ago has our Nation been so divided and so troubled. This great building will lift the spirits of our people and reassure them about the inherent humanity and the purpose of our people.

Congress, especially the Senate, played an important and indispensable role in the creation of the Center, along with thousands of private citizens who gave some \$27 million toward its construction—not to mention their contribution as taxpayers.

The total cost of the Center will be approximately \$70 million, of which the taxpayers have given in grants approximately \$23 million and have authorized loans of \$20 million, and private gifts, including gifts from foreign governments, amount to \$27 million.

I might comment that this has been referred to as a very expensive building. This is less than the estimated cost of 1 day of the war in Vietnam, and it is less than one-tenth of the amount we put into the SST, which we canceled, very wisely, a few weeks ago. It is a very small amount, if we view it in the context of some of the expenditures we make which result in little value to the country.

In addition, the site which was acquired long ago by the Federal Government was provided by the original act of Congress in 1958. The land, today, may

conservatively be valued at not less than \$15 million, although its original cost was but a fraction of that sum. I say \$15 million. That is roughly \$1 million an acre. It could well be more than that, but it certainly is not less than that, I think, as a commercial value.

Mr. President, on July 18, 1971, I inserted in the RECORD a brief account of the legislative history of this project. Those who are interested can see the part which the Senate and the House played in this project.

It is clear from this history that the project for a National Center for the Performing Arts originated in the Congress, that Congress conceived the idea, provided the valuable site which was indispensable to efforts of private citizens to solicit and obtain the \$27 million in gifts; it appropriated the \$23 million in grants and \$20 million in loans.

It is, of course, true that four Presidents signed the legislation which provided these funds and the land, as they do all legislation, unless they choose to exercise their power of veto. I am, of course, gratified that none of them did veto any of the bills, and I applaud them for their restraint.

A model of the Center prepared by the architect, Edward Durrell Stone, was shown to President Kennedy and he approved it, which was very important to the success of the project. President Kennedy was more aware of the importance of the arts than most public officials.

The enormous amount of time and energy necessary to bring the project to completion was provided by hundreds of dedicated public spirited citizens under the direction of Mr. Roger Stevens, the chairman of the Board of Trustees. For 10 years, Mr. Stevens has worked tirelessly, overcoming many difficulties, to complete the Center.

I may interject here that the Kennedy Center, which originally was known, in 1958, as the National Cultural Center, is affiliated—a subsidiary, in a sense—with the Smithsonian Institution by the legislation. The name was changed in the legislation which was introduced in December of 1963 and passed early in 1964.

From the comments and criticisms about the Center appearing in the press, it is obvious that the Center as an architectural structure is controversial, just as the site was controversial in 1965 when determined efforts were made to move the Center to downtown Pennsylvania Avenue, a part of the then proposed Pennsylvania Avenue renewal program.

Without any credentials as an expert, I nevertheless venture the opinion that in time, after acquaintance with the building itself and after people have seen the view from the terraces of the Center, it will be acclaimed as one of the truly great structures of the world, situated on the most beautiful site for such a center, that one can imagine.

In conclusion, I wish to pay tribute to all those Members of the present and past Congresses who have supported the creation of this great Center. It will live long into the future and will bring to our great Nation the approval of the people of other nations. This great Center will be not only a suitable memo-

rial to John Fitzgerald Kennedy, but it is also a fitting tribute to the foresight and the sense of values of the Representatives of the people of the United States in the Congress. Future generations will bless them for it.

Mr. President, I am going to ask unanimous consent to have various articles and other material on this subject printed in the RECORD, which I shall not take the time to relate at this moment, but there are one or two of them which I should like to refer to which particularly attracted my attention.

One of the first is an article written on September 7, and published in the New York Times, before the Center was opened, written by Ada Louise Huxtable. It is a most curious article. I want to read a few paragraphs from it, to show just how controversial this subject is. One can see how controversial this matter is when within the mind of a single writer it arouses such great differences of view.

She starts out:

This capital city specializes in ballooning monuments and endless corridors. It uses marbled cotton wool. It is the home of Government of, for and by the people, and of taste for the people—the big the bland and the banal.

Further on in the article, she writes:

From this point of view, however, it is almost an interesting building. If Mr. Stone has been aiming for an architecture that all America can love, he has found it. This is architectural populism. He has produced a conventional crowd pleaser. It is a genuine people's palace.

Which seems to me to be very appropriate.

Then later, she writes:

May all the performing arts flourish. Because the building is a national tragedy. It is a cross between a concrete candy box and a marble sacophagus in which the art of architecture lies buried.

Mr. President, how one can reconcile those two different paragraphs in the same article is beyond my capacity to understand.

Mr. President, I now wish to call attention specifically to an article on September 8—three articles—in the New York Times about Mr. Roger Stevens. I shall not read it, but it is an interesting article which relates the history of Mr. Stevens' personal career, together with a reference to what he has done in carrying out the burdens of raising most of the money privately.

I may say, at the time of the assassination of President Kennedy, approximately \$13½ million had been raised or pledged by private sources. Much of that was during the period in which Mr. Curran Strong, a local citizen of the highest integrity and character, had given very generously of his own funds in the early days, beginning in 1958, prior to the assassination, in order to keep the operation going—that is, the office staff and its operations, pending the time when the organization could be protected and when larger sums could be collected for the purpose of construction.

Mr. Strong deserves a great deal of credit for what he did in those early and difficult days.

In 1961, Mr. Stevens was still the chairman and did, I think, an outstand-

ing job not only in raising money but especially in dealing with all of the innumerable problems that arise in the construction of such a complex building. I believe that this is probably the most complex building ever constructed anywhere in the world. There is no precedent for it. There is nothing that approaches it that incorporates so much of a variety of facilities for the performing arts, whether it be the theater, opera, the dance, music, films—everything one can think of.

Thus I wish to call the particular attention of the Senate to the article on Mr. Stevens, entitled "Master Money-Raiser—Roger Lacey Stevens."

May I also say, in that connection, that the General Services Administration was, in a sense, the supervising agency to which Congress allotted a substantial sum, \$1 million I believe, to oversee the construction from the point of view of spending the money and so forth; so that this is genuinely a public-private cooperative venture in which so many people have had an important part to play.

Mr. President, strangely enough, in New York, the critics there seem to have a chip on their shoulders. They seem to resent the fact that Capital City has been so bold and so presumptuous as to undertake to do anything that deals with the performing arts. Their criticisms, particularly on September 9, strike me as being quite snobbish and superficial in their approach.

On the other hand, the local critics had nothing but praise, particularly Paul Hume, not only in regard to the opening work which was written by Mr. Leonard Bernstein, but also especially of interest to the Senate, I think, and to the Congress as a whole, his comments on September 10 as published in the Washington Post, in which he refers to the flawless acoustics. Whatever one may think of any critic's views of a specific production, I think they are eminently qualified to judge as to whether the acoustics are proper. Mr. Hume, along with Mr. Irving Lowens, in an article published in the Washington Evening Star, both give the center the highest marks of perfection with regard to the acoustics which, after all, are the most important single element in any structure built for the performing arts.

There is also an article written about Mr. Edward Durell Stone, the architect, as taken from the program for the opening night, which is succinct and will be of interest to all Senators, I believe, as well as a statement written by the General Counsel Ralph Becker, who has been the general counsel, I believe, since the beginning of this venture, for some 13 years, and he expresses himself in the program. I bring it to the attention of Senators for their convenience. Also there is a statement written by Mr. Roger L. Stevens, chairman of the board, which is carried in the program and is also relevant to this whole subject.

So now, Mr. President, I ask unanimous consent to have printed in the RECORD the various articles and material on this subject.

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

WITH THANKS FROM THE CHAIRMAN OF THE BOARD

The opening of the John F. Kennedy Center is a reflection of the extraordinary support it has received for the construction of its facilities—support from four Presidents, the Congress of the United States, foundations, corporations and thousands of individuals throughout the country, as well as the governments of more than 30 nations. All this is one measure of the promise and purpose of the Kennedy Center: to enrich not just the quality of life in one of the world's most important capitals, but to enrich the whole nation by strengthening the life of the performing arts throughout America and all they can give to all Americans.

Created by an act of Congress in the administration of President Eisenhower, one of its earliest supporters, and helped in a multitude of ways by President Kennedy, whose name it now bears, the Center took physical form thanks largely to the fullest bi-partisan support in the United States Congress and the strong encouragement of President Johnson.

The Kennedy Center's completion and opening takes place in the administration of President Nixon, one of the Center's early contributors, who together with the Congress made possible an additional matching grant to the Center of \$7.5 million, bringing the total government contribution to \$23 million, not including a garage loan of \$20.4 million.

So many people have been involved in making the Center a reality that it is impossible to do justice to all of them. Still, special mention should be made of the efforts of just a few whose support has been indispensable.

Congressional Trustees led by Senator J. William Fulbright of Arkansas and Congressman Frank H. Thompson, Jr., of New Jersey sparked the early drive for the creation of a national cultural center and, during the last few years, the help of Senator Charles H. Percy of Illinois, one of the Center's Vice Chairmen, has been invaluable.

The contributions of the late L. Corrin Strong, a most enlightened philanthropist, involved much more than financial support, though he and Mrs. Strong have been the Center's most generous individual donors. It is only fair to say that without their aid there might never have been a Kennedy Center.

Other long-time Trustees whose help has been invaluable include Mrs. George A. Garrett, Mrs. Jouett Shouse, Ralph E. Becker, the Center's General Counsel and faithful supporter, Floyd D. Akers, Robert O. Anderson, K. LeMoyné Billings and Robert W. Dowling.

The dedication of former Trustees can be best exemplified by the generosity and virtually unlimited help of Mrs. Albert D. Lasker. Special thanks must also go to Ernest R. Breech, who led the Center's early and highly successful drive for corporate support.

Volunteers and friends of the Center have been legion and in the forefront have been Mrs. Frank Wisner, Mrs. Polk Guest, Mrs. Llewellyn Thompson and Mrs. Hugh D. Auchincloss.

We are particularly grateful for the support, financial and otherwise, which the Center has received from the President's Advisory Committee on the Arts and its indefatigable Chairman, Mrs. J. Willard Marriott.

To Leonard Bernstein we owe a debt of gratitude for creating the work whose world premiere marks the opening of the Center. And without the advice and foresight of Julius Rudel in the resolution of many technical problems and in the planning of future programming, we would not have come as far as we have.

Now that the Kennedy Center is open, the Trustees know that its success will be determined by what transpires within its halls,

and they pledge their best efforts to making them a monument to creativity and vitality.

ROGER L. STEVENS,  
Chairman, Board of Trustees.

KENNEDY CENTER CHRONOLOGY

The September 8, 1971, inauguration of the John F. Kennedy Center for the Performing Arts provides Washington with a cultural center second to none. Four Presidents have participated in making this dream a reality. In 1958, President Eisenhower signed the legislation creating a national cultural center. In 1962, President Kennedy approved a design change to that which we now see on the banks of the Potomac. In 1964, President Johnson signed legislation renaming the Center as the John F. Kennedy Center for the Performing Arts. And in 1971, President Nixon formally inaugurated the Center.

The enactment of the legislation creating the Center was bi-partisan in nature, and the fact that it has been fully supported by four Presidents attests to its wide support. The co-authors of this bi-partisan legislation included Senators Wiley, Saltonstall, and Clark; Congressmen Thompson, Wright, Kearns and Fulton. With the exception of Senator Wiley and Congressman Fulton, they have all served on the Board of Trustees, and Senator Fulbright and Congressmen Thompson and Wright have been members of the Board since its inception in 1958.

When the legislation was first introduced, it provided for a small site on the Mall which would have been insufficient for a performing arts center and which was also being claimed as a site for the Air Museum. Through some very complex negotiations including exchanges of land, the Center was shifted to the beautiful Potomac River site.

The first Chairman of the Center was Arthur Flemming, Secretary of HEW, and its Executive Vice Chairman was L. Corrin Strong, formerly Ambassador to Norway, appointed by President Eisenhower. Mr. Strong provided strong financial support in a time of great need.

Edward Durell Stone was engaged as the architect for the Center in 1959 and produced plans for the Center in 1961. At this time, Roger Stevens was appointed by President Kennedy as Chairman of the Board of Trustees of the Center. Mr. Stevens was instrumental in changing the concept submitted by Mr. Stone; and, in 1962, a new concept evolved which reduced the cost substantially and made the structure even more beneficial and practical. President Kennedy and General Eisenhower approved of this concept.

In 1962, the Center sponsored a telecast across the country to raise money, in which General and Mrs. Eisenhower, speaking from Atlanta, Georgia, joined with President Kennedy on closed-circuit TV to urge public support for the Center. On October 12, 1963, shortly before his assassination, President Kennedy assembled over 100 top business leaders and received their pledge and support to furnish money for the Center. The late President was planning a massive campaign for support when the tragedy occurred.

Although many projects were being renamed for President Kennedy after this tragedy occurred, it was agreed by many members of Congress and other interested persons that because of President Kennedy's dedication and devotion to the arts, the Center would be a fitting memorial to him. His family agreed that it would be appropriate to permit the Center to be renamed after President Kennedy as his sole memorial in the nation's capital. Therefore, in 1964, President Johnson signed legislation authorizing the change in name. The ground-breaking was in 1964 and construction began in earnest in 1967. When President Nixon assumed office in January, 1969, his administration continued to support the Kennedy Center.

In addition to this unprecedented bi-partisan support of four Presidents and the

Congress, millions of Americans—school children, college students, philanthropists, corporations and people from all walks of life—have made individual contributions in memory of the late President. Foreign nations have also memorialized the late President. Austria donated the Opera House chandeliers; Belgium, mirrors; Canada, the Eisenhower Theater curtain; Denmark, artworks and furnishings; Finland, chinaware; France, two Matisse tapestries and two Laurens sculptures; Germany, bronze sculptures; Great Britain, sculpture; Ireland, the Opera House south lounge chandelier; Israel, furnishings for the Concert Hall lounge; Italy, all the exterior and interior marble; Japan, the Opera House curtain; Norway, the Concert Hall chandeliers; and Sweden, the Grand Foyer chandeliers. Congress has furnished matching funds and a borrowing authority for about two-thirds of the cost of the Center.

Thus, four Presidents, untold numbers of Americans and foreign nations have supported and worked unceasingly to provide the nation's capital with a performing arts facility which will equal those found throughout the world. As a result, the American public and foreign visitors may enjoy the finest in the performing arts in this living memorial to John F. Kennedy.

RALPH E. BECKER,  
General Counsel.

#### THE STONES OF STONE

Few Americans of this time have ventured so far in their professional lives or left their imprint in such widely dispersed areas as Edward Durell Stone, who is responsible for the architectural conception of the Kennedy Center for the Performing Arts. For a native of Fayetteville, Arkansas, who graduated from the University of Arkansas to become a professor of his specialty at Yale is, in itself, a millennial transition, but it is only one among Stone's landmark achievements.

Along a scholastic way that included training at Harvard and the Massachusetts Institute of Technology, Stone began his professional career in Boston in the Twenties. His first publicly notable assignment was as an associate in the creation of the Museum of Modern Art in New York in the Thirties, though it was preceded and followed by many involvements with private clients. Along with the celebrated public works, pictured herewith, in Belgium and Pakistan, New Delhi and New York, the stones of Stone stand in Panama and Peru, as well as in many other parts of the United States.

A telling force in the evolution of the so-called International Style, Stone has also been identified with clean lines, relevant detail and a degree of elegance not always associated with contemporary design. He has, in the course of his decades as a distinguished designer, received many accolades and awards, including an honorary degree from the institution of which he is an alumnus. But the badge of merit that transcends all others is the one of his own contrivance which makes a Stone building something more than just another stone building.

#### ARCHITECTURE: A LOOK AT THE KENNEDY CENTER

(By Ada Louise Huxtable)

WASHINGTON.—This capital city specializes in ballooning monuments and endless corridors. It uses marblelike cotton wool. It is the home of Government of, for and by the people, and of taste for the people—the big, the bland and the banal. The John F. Kennedy Center for the Performing Arts, opening officially Wednesday, does not break the rule. The style of the Kennedy Center is Washington superscale, but just a little bit bigger. Albert Speer would have approved.

It has apotheosized the corridor in the 600-foot long, 60-foot high grand foyer (the

length of three New York City Blockfronts), one of the biggest rooms in the world, into which the Hall of Mirrors at Versailles could be cozily nested. It would be a supertunnel without its saving Belgian gift of mirrors.

The corridor is "dressed up," in the words of the architect, Edward Durell Stone, by 18 of the world's biggest crystal chandeliers, with planters and furniture still to come. There is enough red carpet for a total environment.

There are two other flag-hung, polished marble-walled, red-carpeted, 250-foot long and 60-foot high corridors called the Hall of States and the Hall of Nations. They are disquietingly reminiscent of the overscaled vacuity of Soviet palaces of culture. They would be great for drag racing.

The two halls separate the three theaters that are the structure's *raison d'être*: the Opera House, the Concert Hall and the Eisenhower Theater. The grand foyer is the entrance to them all.

The building itself is a superbunker, 100 feet high, 630 feet long and 300 feet wide, on the Potomac. One more like this and the city will sink.

Because it is a national landmark, there is only one way to judge the Kennedy center—against the established standard of progressive and innovative excellence in architectural design that this country is known and admired for internationally.

Unfortunately, the Kennedy center not only does not achieve this standard of innovative excellence; it also did not seek it. The architect opted for something ambiguously called "timelessness" and produced meaninglessness. It is to the Washington manner born. Too bad, since there is so much of it.

The center sets still another record—for architectural default. What it has in size, it lacks in distinction. Its character is aggrandized posh. It is an embarrassment to have it stand as a symbol of American artistic achievement before the nation and the world.

The interiors aim for conventional, comfortable, gargantuan grand luxe. This is gemütlich Speer.

The Opera House, a 2,200-seat hall with superior sightliness and equipment, looks like one of those passé, red-padded drugstore candy valentines.

Its dark red fabric walls are buttoned down with rows of gold knobs and its Austrian crystal lights suggest nothing so much as department store Christmas displays. To this observer, it is singularly depressing.

The 2,575-seat Concert Hall, its acoustic wood walls painted white, has red seats and carpet and is buttoned down with Norwegian crystal fixtures. This at least is cheerful and suggests 1920's modern.

Restaurants on the top terrace floor are in expense-account French by way of Austria, and nearly Scandinavia. They are red.

There are two ways of defending the center's design. One, already popular, is to say that it doesn't really matter and that the only things that count are those badly needed performance halls and how they work.

But nothing justifies wrapping those halls in \$66.4-million of tasteful corn and 17,000 tons of steel—all a conscious design decision—and ignoring it. If you could ignore it, which is hard.

To say that everything else about a landmark structure of this stupefying size is irrelevant is nonsense. The emperor, unfortunately, is wearing clothes. And the world is looking.

The second defense is simply to accept the fact that the center probably represents the norm of American taste. But it is a fallacy to equate the great middle common denomination of popular taste with the country's actual and potential level of creative achievement.

From this point of view, however, it is al-

most an interesting building. If Mr. Stone has been aiming for an architecture that all America can love, he has found it. This is architectural populism. He has produced a conventional crowd pleaser. It is a genuine people's palace.

People have been pouring in, before the opening, through every available crack, in T-shirts and sneakers, hotpants and bermudas, barefoot and barebelled, backpacking babies, tracking across the red carpet and under the chandeliers. The pre-opening charge of elitism because of all that lush decor was rubbish. They are obviously loving it and perfectly at home.

Because it so lacks the true elegance of imagination, it does not put them off at all. They are awed by the scale and admiring of the decoration, which is a safe, familiar blend of theatrical glamor and showroom Castro Convertible.

Stringent economies have made saving simplicities, but the popular style is loud and clear.

For the more architecturally sophisticated, it is hard to admire a failure of vision and art. And it did not have to be. It is not easy to commission creative courage in Washington, but it can be done, as proven by the current plans for the National Gallery extension.

It is particularly hard to know that the one creative design for a new kind of experimental theater remains an unfinished shell within the building, lacking funds.

The center was probably wrong from the start. It was conceived as a giant economy three-in-one package. If it hasn't cost more than three separate buildings, it certainly hasn't cost less, and it has had formidable construction problems as a result of the "simple" concept.

The three houses have had to be separated and insulated from each other for vibration and sound inside and jets outside, and from other floors and functions.

Suspension and sound-proofing have been achieved through incredibly complex and expensive concrete and steelwork that belies the apparent logic of the plan. Structurally, the achievement is considerable, and economically, it is almost a bargain.

The giant steel trusses hidden behind the scenes are far more impressive than the truly awful, gold-epoxy-paint-steel columns that run visibly through the building, which add decorative aluminum fins along the facades.

Environmentally, the center has been severely criticized for its setting and isolation from city life. But many Washingtonians like the idea of driving to a "safe" bastion of culture. Again, it's what people really want.

As completed, the center's plusses include its public amenities—its entrance plaza, riverfront promenade, eating facilities and outdoor terraces with views. And credit as well as sympathy must go to the dedicated and hard-working sponsors who have actually brought three major performance halls to Washington.

May all the performing arts flourish. Because the building is a national tragedy. It is a cross between a concrete candy box and a marble sarcophagus in which the art of architecture lies buried.

#### AT LAST, THE PERFORMANCES BEGIN

(By Nan Robertson)

WASHINGTON.—After 171 years, the public finally heard the sounds of music tonight in the first proper opera house ever built in the capital of the richest nation on earth.

About 2,200 people streamed into the John F. Kennedy Center for the Performing Arts for the initial preview of Leonard Bernstein's Mass. Mr. Bernstein had been asked to compose an original work for the center's opening by the assassinated President's widow, now Mrs. Aristotle Onassis.

Tonight's performance was for anyone who could pay between \$4 and \$15 for a ticket.

Most of the big names and big-money backers will settle back into the plush seats for a second preview tomorrow and the formal premiere Wednesday. Senator and Mrs. Edward M. Kennedy planned to attend all three performances of the Bernstein Mass, a theater piece for more than 200 singers, dancers and players.

#### NIXONS GOING THURSDAY

Thursday, President and Mrs. Nixon will attend the opening concert in an adjacent hall within the gigantic marble box on the Potomac's edge. The third and last big hall of the complex, the Eisenhower Theater, is scheduled for its premiere next month.

The Kennedy Center, the nation's only formal tribute to that President, at least gives Washington a showcase for the performing arts after a history of embarrassingly makeshift facilities dating back to the city's beginnings.

Thirteen years after Congress approved funds for a National Culture Center, seven years after the name was changed to honor Mr. Kennedy and ground was broken by President Lyndon B. Johnson, the center, almost unbelievably, was open today for business and pleasure.

The last ticket for tonight's preview was sold at 11 A.M. today. Men and women, scantily garbed in the wet heat, waited on line to buy tickets for a spectacular first-season smorgasbord of offerings in music, dance, opera and theater.

To almost the last moment, workmen operating at the end of stuttering, steam-powered engines stood high on scaffolding to chisel quotations from President Kennedy on the outside walls. Tourists had already begun to make wishes and throw pennies—and an occasional nickel or dime—into the fountain on the sweeping riverside terraces.

#### ON INVITATION LIST

Those invited to tomorrow's preview in the \$70-million building comprise Governors; the diplomatic corps, including representatives of countries that have given or pledged contributions ranging from 3,700 tons of Italian Carrara marble to Austrian sunburst chandeliers; and members of Congress. Many in the Capitol Hill group were vociferously opposed to the center for years as a frivolous venture.

Wednesday remains the gala night. Many of the Kennedys will be there, headed by Mrs. Joseph P. Kennedy, in the Presidential box.

But Mrs. Onassis will not be there. After promising to attend, she suddenly informed center officials last week that she had decided against it. Her press spokesman in New York, Nancy Tuckerman, indicated that an appearance by Mrs. Onassis at the glittering opening would cause her "some anguish."

Ten days ago, while attending the funeral burial in Poland of Prince Edmund Radziwill, a brother-in-law of her sister, Lee, Mrs. Onassis was mobbed and chased by enthusiastic Polish admirers. She escaped on a passing streetcar and flew back to her home in Greece. Miss Tuckerman quoted Mrs. Onassis as saying she had been "extremely frightened by the incident."

"She loves the center," Miss Tuckerman said, "but she would prefer to come quietly and anonymously" at a later date.

President Nixon, who said he wanted Wednesday to be "Mrs. Onassis's night," with the limelight on her and the Kennedy family, had previously yielded the Presidential box to them. There was no change in the Nixons' plans to save their appearance for the concert opening Thursday.

#### PERESS TO CONDUCT

The Bernstein work will be conducted by Maurice Peress, who assisted the conductor and composer at the New York Philharmonic a decade ago and now conducts the sym-

phony orchestra of Austin and Corpus Christi in Texas.

The week to come will see the world premiere at the Kennedy Center of Alberto Ginastera's opera "Beatriz Cenci"; the American Ballet Theater performance of Duke Ellington's only commissioned ballet score, "The River," never given in Washington before; a concert by Eugene Istomin, Isaac Stern and Leonard Rose; and Beverly Sills heading the cast of Handel's "Ariodante" in its first staged American performance.

Both the Handel and the Ginastera operas will be conducted by Julius Rudel, head of the New York City Opera and music director of the Kennedy Center.

#### FLAWLESS ACOUSTICS

(By Paul Hume)

The National Symphony Orchestra, shining in a new glory like none it has ever known before, opened the Concert Hall of the Kennedy Center last night.

The President and Mrs. Nixon were there, making their initial appearance in the Center. Once the ceremonial opening was over, the true strengths of Washington's new concert hall began to make themselves stunningly evident.

Antal Dorati chose his inaugural program with a keen sense of purpose. He wanted to display as many facets of the hall and the orchestra as he could reasonably combine in a single evening.

To do this he put together two absolute masterpieces in Mozart's G Major Violin Concerto and Stravinsky's "Sacre du printemps." Surrounding these he added works by Beethoven and William Schuman. Neither of these represents its composer at his greatest, but each one has an appropriate tone for festive occasions.

The evening opened with the Handelian overture, "The Consecration of the House," written by Beethoven to mark the opening of the Josephstadt Theater in Vienna in 1823. If the music lacks the kind of energy and thrust of the finest Beethoven, it gave the capacity audience an immediate demonstration of the magnificent quality of classical symphonic sound that Cyril Harris' flawless acoustics provide for the Concert Hall to match those of the Opera House. It was a sturdy reading, but it is not much of a piece.

Stravinsky's epic score, however, is a radically different affair in every way, employing the largest orchestral resources its author ever demanded and testing the largest and smallest areas of dynamics in any hall.

Dorati, having put the orchestra through an unprecedented 12 rehearsals in preparation for the opening concert, enlarged its ranks to 113 instruments to meet the demands of the score. Handsomely seated on risers were the orchestra's strings, brass and woodwinds, augmented to 10 double basses and eight horns, with the requisite battery of percussion on the opposite side, including the necessary double tympani.

Thanks to the risers, and the excellent innovation of keeping the house lights bright during the concert, symphony audiences are now getting their best look at their orchestra.

The virtue of Harris' acoustical plan was nowhere more tellingly demonstrated than at the moment when two tympani play a unison D. It requires an unusual hall to let the ear detect the vital but subtle difference in sound between one and two kettle-drums on a single note. Having nothing to do with volume, it has everything to do with the quality of sound.

A third and exquisite kind of music came when Dorati paired Isaac Stern's radiant playing with a chamber ensemble in what is surely the most ravishing of Mozart's violin concertos.

Again, the ear could only delight in the

clarity and natural texture of sound as the oboes of the concerto's outer movements gave way to the softer flutes for the slow movement. The infinite variety of ideas that flood this music—instrumental, harmonic, melodic—has not changed over the years. But we have not been able to hear them even in great performances in the past, for only a concert hall of genuine acoustical greatness can offer them to audiences with real fidelity. Last night Stern, Dorati, and the members of the National Symphony seemed as fired up by Mozart as they had in the tumultuous reading of Stravinsky.

In the slow movement, they introduced the new hall to its first touch of genuine greatness.

Dorati takes "Sacre" almost literally, as its creator did. There was nothing lacking when the score reached those barbaric horn barges, the cellos and violas their barked-out chords, the full brasses their spasmodic shouts, or the percussion its fullest batteries. It was a reading full of proper poetry and frenzy alike.

William Schuman's "A Free Song" is a setting of lines by Whitman, designed for baritone soloist, chorus, and orchestra. At the close of the program it gave the audience a glimpse of what we will often hear in the way of vibrant choral singing. In this case handsomely provided by the singers of the Pauls Hill Chorale and Norman Schribner's Oratorio Society. The Concert Hall had no difficulty in handling and projecting the largest musical forces. This was apparent in one way during the Stravinsky and another as the Schuman reached its final pages with full chorus and orchestra. It created an impatience to hear things like the Mahler Eighth Symphony or Verdi Requiem, not to mention music with orchestra, chorus, and organ.

Simon Estes was the Schuman soloist, singing with easy flexibility. His Whitman text had the needed clarity, and the chorus sent out every word distinctly.

The National Symphony never sounded as well in its entire Washington history. While it has still largely the same players as in recent seasons, it now plays with a new spirit sparked by Dorati, undergirded by a responsive and enthusiastic board of directors, and in an auditorium that is giving every sign of being one of the world's greatest.

The days and week ahead will bring every kind of music to the Concert Hall. Last night's launching before an audience that repeatedly rose to its feet in tribute, was immensely auspicious.

#### EX-FOES AND SUPPORTERS OF AID TO ARTS HEAR MASS

(By Nan Robertson)

WASHINGTON.—The Congress of the United States, which long frustrated the dream of a national center for the performing arts in this capital, was honored tonight at the almost completed building.

It was Congressional night at the Kennedy Center, with guests from Capitol Hill, the diplomatic corps and the nation's governors invited to hear the second preview of Leonard Bernstein's Mass.

Before the performance, Roger L. Stevens, chairman of the board, gave a two-hour reception for Congress at one of the center's rooftop restaurants overlooking the Potomac. It was let bygones be bygones after Mr. Stevens's struggle to get Federal matching money to erect the structure. Historically and until lately, many members of Congress have been suspicious about subsidizing the arts.

Tomorrow's gala premiere of the Mass belongs to the Kennedy family, which will turn out in force. Center officials continued to deny rumors that Mrs. Jacqueline Kennedy Onassis, widow of the President for whom

the center is named and who commissioned an opening work from Mr. Bernstein, would be there.

As of today, she was still on the Greek island of Scorpios, which is owned by her husband, Aristotle Onassis, is reported holding to her sudden decision last week not to attend.

On Thursday, President and Mrs. Nixon will lend their presence and prestige when the Concert Hall, the second of the center's great halls, opens for a performance of the National Symphony Orchestra under Antal Dorati. The Eisenhower Theater is still being worked on and is due to open next month.

Congress gave \$43-million of the \$70-million needed to complete the structure, which is near the Lincoln Memorial, but only after 13 years of goading. The most vigorous proponents on Capitol Hill have been Representative Frank J. Thompson of New Jersey and Senator J. W. Fulbright of Arkansas, both Democrats.

They triumphed despite a continual but fading drumfire of scoffing and facetious debates, particularly in the House of Representatives.

Last night's initial preview performance was billed as sold-out by 11 A.M. but as late as 30 minutes before the 9 P.M. dimming of the house lights, visitors off the street were able to buy unclaimed tickets. Among these were a doctor and his wife, Dr. and Mrs. Henry Wise of Bethesda, Md., who picked up a pair for \$30 at 8:10 P.M. and found themselves in the Presidential box.

Tonight's repeat performance, which was again conducted by Maurice Peress was by invitation, but tickets remained for public purchase.

#### A CORNUCOPIA OF EVENTS FOR CENTER'S FIRST SEASON

(By Howard Taubman)

WASHINGTON.—For its opening fortnight the John F. Kennedy Center for the Performing Arts is offering a gala festival of music and dance, and the premieres of major contemporary works such as Leonard Bernstein's *Mass* and Alberto Ginastera's opera "Beatrice Cenci" and a new production of the rarely heard Handel opera "Ariodante" guarantee that the first two weeks will be impressive.

But the aim of the center's management is to fill it through the first year and in succeeding seasons with a continuous festival of the performing arts. The center hopes to draw on outstanding talent and productions in the United States and other lands on all the continents and, if it can find the means, to stimulate the creation and production of new works.

After the Bernstein, Ginastera and Handel works have completed their runs, the American Ballet Theater will take over the Opera House for a two-week season. It will be followed by the Alvin Ailey Dance Company and Washington's own National Ballet, each of which will appear for a week.

#### DANCE FESTIVAL LISTED

Later in the season the center will play host to an Afro-Asian Dance Festival and to the dance troupes of Arthur Mitchell and Paul Taylor. The Sierre Leone Dancers will take over the Concert Hall for one evening.

In the Concert Hall, to be inaugurated Thursday evening by the National Symphony Orchestra, which will make the center its home base, a number of visiting orchestras, will perform during the first year. Among the American ensembles will be the New York Philharmonic and the Boston, Philadelphia, Cincinnati, Detroit, New Jersey, Chicago, American Youth, Cleveland and Minnesota orchestras.

One of the most attractive events, Early American in origin, will be a concert presented next Sunday by the Moravian Music Foundation. The Piedmont Chamber Orches-

tra, which has its roots in the North Carolina School of the Arts; the Westminster Choir and soloists will join in a program called "The Dawn of Glory," devoted in part to compositions written in the 18th and early 19th Centuries by Moravians who immigrated to the new republic and brought with them a highly developed musical culture.

#### OPERA SCHEDULE

For opera the center, after the opening weeks, will depend on the Opera Society of Washington and the New York City Opera. The Opera Society, which commissioned and is producing "Beatrice Cenci," plans a production of Verdi's "Falstaff" and one other work later, and the New York company will pay a two-week visit next May.

The concert schedule will include such established performers as Isaac Stern, Eugene Istomin, Leonard Rose, Marilyn Horne, Birgit Nilsson, Alicia de Larrocha, Yehudi Menuhin and Andres Segovia.

The center has booked a wide-ranging variety of jazz, rock and popular performers including the Fifth Dimension, James Taylor, Kris Kristofferson, Pearl Bailey, Diahann Carroll, the Modern Jazz Quartet, Victor Borge, Charles Aznavour, Rod McKuen, Henry Mancini and Duke Ellington.

The theater will be represented by musicals performed in the Opera House and drama in the Eisenhower Theater. The first musical, a revival of the Leonard Bernstein-Lillian Hellman-Richard Wilbur "Candide," will open on Oct. 21. Later there will be a revival of "Lost in the Stars," a run by a touring company of "No, No, Nanette" and one other musical.

The Eisenhower Theater will be opened officially Oct. 18 with a visiting production of Ibsen's "A Doll's House."

#### MASTER MONEY-RAISER

(By Roger Lacey Stevens)

WASHINGTON.—For a man who has always had supreme confidence in himself, it was galling for Roger L. Stevens to confess to President Kennedy that he was failing in his attempt to build a national center for the performing arts.

The President said what Mr. Stevens wanted to hear: "Roger, you've got the toughest money-raising job in America," and urged him to carry on. It took 10 years for Mr. Stevens, who is chairman of the board of trustees for the center, to raise the money and fight the battles over its location, architecture and size of the three performance halls with sniping Congressmen, stubborn local critics and apathetic potential donors.

But the battles are over and tomorrow night the center—originally called the National Cultural Center but renamed the John F. Kennedy Center for the Performing Arts as the nation's memorial to the assassinated President—will open.

The persistence of the tall, blue-eyed Mr. Stevens in pushing ahead against long odds was exhibited on Broadway long before he took on the job of building the Kennedy Center.

He lost \$45,000 in his first venture, a 1949 production of Shakespeare's "Twelfth Night." Instead of discouraging him, the failure excited the gambling instinct that has marked much of his life. Following his own ideas of what is good, he went on to become involved in the production of 125 Broadway plays, including such hits as "West Side Story," "Cat on a Hot Tin Roof," "Mary, Mary," and "Bus Stop."

"If I like a script, I bought it right away," Mr. Stevens explained. "I never asked anybody's opinion whether they liked it."

The result, according to Mr. Stevens: "Twenty-five per cent were hits; 25 per cent were artistic successes (they got good reviews but the public didn't come); 25 per cent of the time the critics were crazy, and 25 per cent of the time I was crazy."

#### A TRIUMPH, A MISTAKE

The same tenacity and willingness to take a risk made him a millionaire real estate broker. "When I would do something in real estate," he said, "I would go ahead on my own. I never bothered with people's opinions or surveys."

The result: His greatest triumph and his biggest financial mistake.

The triumph was buying and selling the Empire State Building in 1951 as the head of a syndicate. At that time, according to Mr. Stevens, "it was the biggest and toughest deal that had ever been put together."

The mistake, he said, "was letting my pride get the best of me up in New Haven when I rebuilt the downtown area. I should have just let go, but I wouldn't let go until it was done. It cost me a tremendous amount of money, to say nothing of effort and time, but I've closed every deal I've ever started."

Mr. Stevens is still fascinated with real estate (he's now fighting with his neighbors in Georgetown over subdividing his lot), but real estate is not as much fun to him as sitting in the rear of the theater (his favorite spot) and hearing a "cheering, roaring audience on opening night."

"He's stagestruck," according to Agnes de Mille, the choreographer, who has worked with him for years. The shy, soft-spoken Mr. Stevens, who has never acted and doesn't even make a good speech, concedes his infatuation with the theater and its stars: "They always exude charm and have marvelous personalities. To do a production with Noël Coward, for example, is worth the price of putting it on."

For all his success, Mr. Stevens displays a facade of modesty. But underneath that modesty is a rebellious streak that he has nurtured since the days of his admittedly unhappy youth.

Roger Lacey Stevens was born in Detroit on March 12, 1910, and reared in Ann Arbor, Mich. He never got along with his mother or his father, a real estate man who lost all his money in 1927 before the Depression.

#### LEFT U. OF MICHIGAN

Mr. Stevens, a graduate of Choate School, dropped out of the University of Michigan after one year because of boredom: "There was nothing new to learn."

"I was against everything then," he recalled, "just like everyone these days."

During the Depression he earned a meager living working in gas stations, on the Ford assembly line and in the wheat fields.

With plenty of time available, he haunted the public libraries and became a prolific reader when "nobody was telling me what to do." Inspired by a schoolteacher living in the boardinghouse in Detroit, he devoured Joyce and Proust and plodded through Thomas Mann's "The Magic Mountain" at 100 pages a day. Even now, reading is his only relaxation; he averages two books a week in addition to mountains of scripts.

After earning a total of \$1,500 from 1930 through 1934, and trying to deal, at first without success, in real estate, Mr. Stevens put together a series of real estate deals and made \$25,000 in 1935. He has not lacked for money since.

On his way to becoming a millionaire he put in an uneventful World War II hitch in the Navy and married Christine Gesell. The couple have a daughter, Christabel, now Mrs. Hugh Gough of New York.

Although Mr. Stevens has mellowed in his 61 years (he supported his parents for 30 years after having rejected them), there is a bitterness that keeps surfacing.

In producing Broadway plays and in making his real estate deals he could, and did, lose his temper. In Washington he found he had to keep his frustrations to himself—a suppression that he is convinced caused a heart attack last year. Now that the Kennedy

Center is built, there is less need to hide his feelings.

"I felt the building should be finished for Jack Kennedy," he said. "It's finished and open. There's not a damn thing anybody can do about it. Congress can scream—anybody can scream. But it's there, and that's what I considered my job."

#### NIXONS ATTEND CONCERT AT KENNEDY HALL (By Nan Robertson)

WASHINGTON.—Richard M. Nixon lent the presence and prestige of the Presidency tonight to the John F. Kennedy Center for the Performing Arts, named in honor of the man who bested him narrowly 11 years ago for the nation's highest office.

This was the opening night of the center's 2,700-seat Concert Hall following the gala premiere last night of Leonard Bernstein's Mass in the adjacent Opera House.

In the Nixon box also were Mrs. Nixon, Mrs. Dwight D. Eisenhower and the contralto Marian Anderson, banned from singing in Constitution Hall near the peak of her art in 1939 because of her race.

Tonight's concert, and those attending it, bore out the sense of both continuity and change that is part of Washington. Mrs. Joseph P. Kennedy, mother of the assassinated President, was there along with her son-in-law and daughter, the Stephen Smiths; Chief Justice Warren E. Burger, and Treasury Secretary John B. Connally, who served in Lyndon B. Johnson's Cabinet and was seriously wounded that November day in Dallas almost eight years ago in the Kennedy motorcade.

#### SYMPHONY PERFORMS

The President's older daughter, Patricia, who was married in the White House Rose Garden three months ago to Edward Finch Cox, attended with her husband and her parents-in-law, the Howard Coxes of New York City.

Tonight's concert was given by the National Symphony, which fought and lost the battle of acoustics in Constitution Hall here for 40 years and has finally settled into a fitting home at the center.

The performance began with Beethoven's "Consecration of the House" Overture, written more than a century and a half ago to open Vienna's Josephstadt Theater. It ended with "Secular Cantata No. 2, A Free Song," by William Schuman, who formerly headed the Juilliard School of Music and the Lincoln Center for the Performing Arts in New York.

The composer, who won the first Pulitzer Prize given for music for "Free Song" in 1943, sat in the Presidential box with his wife.

Also invited to share the Nixons' box was Roger L. Stevens, chairman of the board of the Kennedy center; David Lloyd Kreeger, a patron of the arts who is president of the National Symphony and gave \$50,000 to the center, and their wives.

With them were Mrs. Antal Dorati, wife of the symphony's music director who conducted tonight's concert; and Mrs. Isaac Stern, whose husband was the soloist in Mozart's Violin Concerto No. 3 in G major. Stravinsky's "Rite of Spring" rounded out the program in the tiered, rectangular hall, which has white walls, red seats and 11 huge crystal chandeliers contributed to the center by Norway.

Among other notables in attendance were Sol Hurok, the impresario, and Mrs. John N. Mitchell, wife of the Attorney General.

Mrs. Eisenhower, whose only grandson, David, married Julie Nixon, the President's younger daughter, in 1968, rode from the White House to the center tonight with President Nixon, the First Lady, Patricia and the Cox family.

The widow of President Eisenhower, now

74, is an honorary chairman of the center. It was authorized by Congress during her husband's second Administration.

The center's third great hall, scheduled to open in mid-October, is named the Eisenhower Theater.

Tonight was the Nixons' first appearance at the Kennedy Center for the Performing Arts. They passed up last night's spectacular premiere in the Opera House and turned the Presidential box there over to Mrs. Rose Kennedy, her son, Senator Edward M. Kennedy of Massachusetts, and other members of the family.

Simultaneously with the National Symphony concert, the second official performance of Bernstein's Mass was going on within the building. The two events drew the biggest total so far—5,000 persons—into the Kennedy Center.

Although the huge lobbies can easily contain a bigger crowd, the performances were staggered because of the potential strain on parking and dining facilities within the building.

The Mass began at 7:30, running two hours without intermission. The concert's opening hour was scheduled for 8:30 p.m., running for two hours including the intermission.

Miss Anderson, now nearing 70 and one of the honored guests tonight, was refused permission 32 years ago to give a concert in Constitution Hall by the organization that owns it, the Daughters of the American Revolution. Mrs. Franklin D. Roosevelt promptly quit the D.A.R. in protest against its anti-Negro policies.

The great contralto sang instead at the Lincoln Memorial on Easter Sunday in 1939 before Mrs. Roosevelt, members of the Roosevelt Cabinet and a crowd of 75,000. She went on to establish a world reputation with her luminous voice and presence. She has served for five years of a six-year term on the National Council of Arts appointed to the post by President Lyndon B. Johnson.

#### BERNSTEIN MASS REFLECTS BROADWAY WORK (By Harold C. Schonberg)

WASHINGTON.—There were heated arguments about the John F. Kennedy Center for the Performing Arts even before it opened. Wednesday, the big palace on the Potomac was officially inaugurated, with a performance of Leonard Bernstein's Mass in the Opera House. Because of the nature of the music, still one more element about the center will be controversial. Indeed, the arguments had started with the first public rehearsal last Sunday.

There were those who dismissed the Mass out of hand as vulgar trash, saying derisively that it was worthy of the building. There were those who were distressed about the treatment of the Catholic liturgy, especially the moment where the Cross is destroyed. There were those who said that Bernstein had put his finger exactly on what ails the Church today, and that his Mass was a relevant commentary on religious problems.

And there were those, especially among the youthful members of the audiences, who screamed and applauded and cheered and cried and said it was the most beautiful thing that they had ever heard.

The text of the Bernstein Mass follows the Catholic liturgy, from the Kyrie through to the Agnus Dei. But that is only the framework. Additional texts have been supplied by Bernstein and Stephen Schwartz. In some of the orthodox sections of the Mass, Bernstein has created a stylized, chantlike settings, on the order of what Stravinsky did in his "Symphony of Psalms."

Elsewhere, there is a wild mélange of everything. One can hear rock, Broadway tunes that echo "West Side Story" and "Fancy Free," raga, Beatles, ballads, Copland, chorales, revival-meeting tunes, hymns and marching bands.

The work employs huge forces—more than 200 participants—and the list of credits reads like an honor roll of show business. Settings by Oliver Smith. Choreography by Alvin Ailey. Costumes by Frank Thompson. Lighting by Gilbert Hemsley Jr. Produced by Roger L. Stevens.

The conductor was the talented Maurice Peress, who had been selected by Bernstein as an assistant conductor of the New York Philharmonic about 10 years ago. Mr. Peress is conductor of the Austin and Corpus Christi Symphonies, both in Texas.

In this Mass, which the composer describes as a theater piece for singers, dancers, and players, there is a story line and a set of premises. The Priest-celebrant, a Christ-figure, comes from youth and eventually returns to youth. He has symbolized orthodox religion, but orthodox religion no longer works.

Orthodox religion, implies the text of the Bernstein Mass, certainly has not stopped the butchery in Vietnam. Nor has it supported the pacifistic endeavors of the Berrigan brothers. The "Dona Nobis Pacem"—"Give Us Peace"—of the Mass is a strong antiwar statement. It is at this point that the Celebrant goes mad. He breaks the Cross, despoils the altar, rids himself of his vestments. (Mad scenes for men are rare. One previous attempt was Peter Maxwell Davies's "Eight Songs for a Mad King," composed a few years ago.)

What the world needs, says the Mass, along with Ludwig van Beethoven about 150 years ago, is the brotherhood of man. To emphasize the point, there is a great laying-on of hands when choir boys descend into the audience and press the flesh of everybody in sight. "Pass it on," they whisper. The audience is suffused with peace and love.

Leonard Bernstein's Mass, almost two hours long without an intermission, is a very chic affair. It offers a sentimental response to great problems of our time. Musically, it is a stylistic phantasmagoria that uses the fashionable techniques. Amplification, for instance. Everything is amplified, as at a rock concert—the singers, the orchestra, and there also is lavish use of four-track pre-recorded tape. The result can be ear-splitting.

With this kind of score, it was, of course, impossible to gauge the acoustics of the Opera House. That will have to wait for the performance of the Ginastera opera, "Beatrice Cenci," Friday night.

The fashionable elements include orchestrations by Hershy Kay and Jonathan Tunick. The musical ideas all are Bernstein, but as is customary in Broadway musicals, other hands have helped dress them up. By far, the best sections of the Mass are the Broadway-like numbers—the jazzy, super-rhythmic sections. Bernstein at his best always has been a sophisticated, a composer of skillful lightweight music who can turn out a snappy tune or a sweet-flowing ballad. That is what has made his work on Broadway so superior. And, fortunately, about two-thirds of the Mass is gay and lighthearted.

But in his more serious music Bernstein has tended to sound derivative. When Bernstein struggles with the infinite, he has generally been thrown for a loss, as in his "Jeremiah" or "Kaddish" symphonies. And so it is in the Mass. The serious musical content is pretentious and thin, as thin as the watery liberalism that dominates the message of the work. At the end, both music and text descend into a slick kind of bathos.

For love and the brotherhood of man will not solve our problems. Better housing, jobs for everybody, and adherence to the Bill of Rights will do a lot more. Anyway, the ones who talk loudest about universal love are generally the ones who are the greatest haters. At times the Mass is little more than fashionable kitsch. It is a pseudo-serious effort at rethinking the Mass that basically is, I think, cheap and vulgar. It is a show-

biz Mass, the work of a musician who desperately wants to be with it.

So this Mass is with it—this week. But what about next year?

**MUSIC: VERVE IN "FIGARO": KEENE LEADS CITY OPERA'S PRODUCTION WITH A STRONG SENSE OF RHYTHM**

(By Raymond Ericson)

The New York City Opera's production of "The Marriage of Figaro," given its first performance of the season on Wednesday night, skims lightly, entertainingly and somewhat superficially through the Mozart work. The production has been around a long time, and it is to the singers' credit that they performed with as much verve as they did.

Christopher Keene may have had something to do with this. The young conductor was leading the opera for the first time here, and he brought to it a very strong sense of rhythm, which kept the score effervescent.

His tempos were not rigid, but he stuck to them more persistently than many of his colleagues do. In a few ensembles this seemed to take the singers by surprise, but Mr. Keene was obviously going to lead, not follow. Yet he showed consideration for the voices by keeping the weight of the orchestral tone down.

The acting was deft, although no one characterization cut deeply. The singing was equally assured, but, in having to sing in English, the cast often had to forgo the nuances in the Mozart vocal line. The best singing came from Michael Devlin's youthful Figaro, Johanna Meier's fine, lyrical Countess (barring some shaky opening measures) and Kay Creed's diminutive Cherubino.

There was a pert Susanna from Patricia Wise, an unusually sweet, noncaricatured Marcellina from Beverly Evans, a fatuous Count from John Darrenkamp, an agreeable Bartolo from Edward Pierson. Bernard Pritch's new and competent Basilio, Jack Bittner's crusty Antonio and Syble Young's lively Barbarina were equally pleasant. For all of them "Figaro" was a light comedy. Of the underlying satire there was no trace.

#### ENTERTAINMENT EVENTS

##### THEATER, LAST NIGHT

No Place To Be Somebody, opened at the Morocco Theater; Out of Control, opened at the Actors Playhouse. Reviews will appear in later editions and will be reprinted tomorrow in the editions for which they were not available this morning.

##### THEATER, TONIGHT

Puerto Rican Traveling Theater, dramatized anthology of Puerto Rican short stories. Metropolitan Museum of Art, 81st Street and Fifth Avenue, 7:30.

##### OPERAS, TONIGHT

New York City Opera, Charpentier's "Louise," with Meier, Greenspon, Theyard and Hall, Wilson conducting, New York State Theater, 8:15.

Light Opera of New York, Gilbert and Sullivan's "The Gondollers," 8:30.

##### CONCERTS, TODAY

Jazz Adventures, Clark Terry Big Band, La Martinique, 57 West 57th Street, noon.

Margaret Ann Harnish, violin, Lincoln Center Library-Museum, 6:30.

Original Rock'n'Roll Show, with the Clef-tones, The Cadillac, Harvey and the Moon-glow and the Alan Freed Band, Academy of Music, 126 East 14th Street, 7:30 and 10:30.

Ray Copeland Jazz Band, St. Albans Park, Queens, 7:30.

Albert Armen, Cordovox player, Carnegie Recital Hall, 9.

##### DANCE, TONIGHT

Lonny Joseph Gordon and Kinetic Theater-Dance. Summergarden, Museum of Modern Art, 8.

New York Dance Festival, Delacorte Theater, Central Park at 81st Street. James Cunningham/Acme Dance Company (Lauren's Dream); Eleo Pomare Dance Company (Nother Shade of Blue; Las Desenamardos); Bhaskar (Naga Nirtham; Surya Nirthan); Jose Limon Dance Company (La Malinche; The Exiles); Violette Verdy and Helgi Tomasson (Tchaikovsky Pas de Deux), 8, Tickets distributed at 6.

##### CABARET, TONIGHT

Downstairs at the Upstairs, 37 West 56th Street, Joan Rivers, comedienne.

Dangerfield's, 1118 First Avenue. Kenn Chertok and Joyce Maurer, singers; Rodney, Dangerfield, comedian.

##### VIGNETTES OF THE OPENING: RICH AND UNRICH MINGLE

(By McCandlish Phillips)

Somewhere in the John F. Kennedy Center for the Performing Arts, WASHINGTON.—Rivers of people moved tonight through the valleys called entrance halls here as the rich, the famous and the mighty came thronging in for the premiere. Liberally mixed among them were the unrich, the unknown and the curious.

A democracy of dress prevails in this cultural center of the American democracy. A student in a gray sweatshirt stood near the velvet robe-barriers of the Opera House, near eight young people in vaguely Indian garb. A man in a screaming red polo shirt looked like a cardinal among penguins.

A stout woman wore cream-tone slacks, a slim woman wore hot pants. A man about 55 kept cool in walking shorts.

Two women pushing baby carriages wheeled within four feet of the foyer bar, where men and women of high station were sipping champagne. A man carrying a shopping bag took the curtains in his fingers and gave them an evaluatory pinch.

"Well, we labeled this, Black Tie Optional—you know what that means," an official of the center said.

The tour group sailed over a sea of crimson broadloom and was washed into the Israel Room, a quiet backwater of the center, whose appointments are not yet apparent.

"All of the instruments of the Bible will be on the wall," the guide said. "On the ceiling there'll be a mural from a Biblical story, which I can't remember the story."

"Something from the Old Testament probably," a woman in the group said drily.

The guide knew the precise identity of two works of sculpture by Henri Laurens on the box-tier level outside the Concert Hall, "Ocean Nymph" and a reclining figure called "Autumn," but her enunciation lacked finesse.

"Bottom?" a short woman in a yellow dress asked.

"Aut-umn," the guide said in a low voice, but with exaggerated plainness.

The Grand Foyer, with 18 identical crystal chandeliers, runs 600 feet from one end to the other. "Is that side different?" a man asked, having walked about 280 feet to the center.

"No," he was told, "if you've come this far, you've seen it all."

Senator Hubert H. Humphrey came to the center of the foyer and stopped. "It has a majesty about it," he said. "There's a tremendous beauty to it—without being overly ostentatious. It has class, dignity. I love it."

The former Vice President gazed for a moment at the great bronze head of President Kennedy. "He's got the chin up, that's great," Mr. Humphrey said, holding his chin at approximately the same jaunty Presidential tilt.

Either the Grand Foyer swallows noise or it awes people almost into silence. Perhaps 300 people stood milling in it before performance time, making so little noise that

a blindfolded man might have guessed himself to be among 40 people looking at paintings in an art gallery.

Hundreds of people sought seats for tonight's premiere but were disappointed. Perhaps the ultimate refinement in ticket espionage was carried out by Lili Samaha, who has homes in Maryland and Beirut, Lebanon. "I followed the young man who had the envelopes with the tickets for the embassies who didn't show up," she said. Even at that she did not get in.

A woman in a black gown with red hair fainted at the entrance to the Opera House. Her escort, and five red-jacketed ushers stood near her fallen form and one of them waved a program over her head. "Are those tickets available?" a bystander asked.

A woman of advanced middle age mixed with the premiere throng, celebrity hunting. "You should see the autographs I've got," she told a friend enthusiastically, waving her autograph book. "Averell Harriman and Gregory Peck."

##### THE MASS BLENDS MUSIC, DANCE AND DRAMA BERNSTEIN'S NEW WORK REFLECTS HIS BACKGROUND ON BROADWAY

(By Harold C. Schonberg)

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the pacifistic endeavors of the Berrigan brothers. The "Dona Nobis Pacem—"Give Us Peace"—of the Mass is a strong antiwar statement. It is at this point that the Celebrant goes mad. He breaks the Cross, despoils the altar, rids himself of his vestments. (Mad scenes for men are rare. One previous attempt was Peter Maxwell Davies's "Eight Songs for a Mad King," composed a few years ago.)

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ANIMATED AILEY TROUPE INFUSES A PIECE  
WITH RITUALISTIC POWER  
(By Clive Barnes)

WASHINGTON, Sept. 8.—There is, after all, no business like show business, and the John F. Kennedy Center for the Performing Arts has apparently opened its proceedings with a Broadway musical. It is by Leonard Bernstein, and is called a Mass, but that will deceive few.

All these state and formal offerings that are used to open opera houses tend to be compromises between aspiration and reality, and this compromise, an eclectic, ecumenical, multiracial, multipurpose pageant, is considerably jollier than most. As a Broadway musical it is in the semi-abstract tradition of "Hair." Although it is better groomed, rath-

er shorter and, naturally, as befitting such an occasion, a great deal more respectable.

However, there was a certain wry pleasure in noting Bernstein occasionally slipping his words of peace across in this new tempo of Washington. It is so easy to remember that Bernstein is chic that you sometimes forget that he is also occasionally radical.

The piece begins with an every-man Celebrant (well played by Alan Titus) playing on his guitar and with a sandbox, which is presumably a symbol of time and earth. Then we have Bernstein's asseveration of life and belief in God—expressed in the stylistic outline of a mass, but as one of the songs itself said: "Don't look for content beneath the style."

Thanks to the ingenuity of Gordon Davidson, the director, and Alvin Ailey, the choreographer this is never a staged cantata. They both make adroit use of a limited space offered by Oliver Smith's sparsely effective setting—a row of pews reminiscent of his "Les Noces" setting and separated by a staircase.

In front of this, Mr. Davidson and Mr. Ailey stage a celebration and a fiesta. The dancing—performed by the Ailey Company—has just the right ritualistic power, and Mr. Davidson has combined all his disparate elements—such as a boy's choir, marching brass band and slouching jazzband—into an animated and often even compelling stage picture. He is helped by a very experienced cast, including such Broadway stalwarts as David Cryer and Walter Willison.

The difficulty is the basic triviality of the material. Mr. Bernstein is sincere but bland. He murmurs approvingly of draft evasion and ecology, and he tries rock music as eagerly as he tries to emulate the music of Carl Orff. And yet, it never seems to add up to the sum of his hopes. The writings—by the composer assisted by Stephen Schwartz—is especially banal.

Still, the Opera House is open. It was a cheerful painless occasion, and New York no longer has the ugliest opera house in North America, Washington is to be congratulated heartily on the new complex. It will perhaps never win a beauty prize—but the sightlines are good, the stage is ample and the seats are comfortable. Now it only remains to see what Washington does with its new toy. It should have permanent full-time resident companies of its own—this is too useful a facility to be used merely as a booking house.

CENTER WILL NEED FUNDS TO REALIZE BROAD  
GOALS

(By Howard Taubman)

WASHINGTON.—Four Presidents—Eisenhower, Kennedy, Johnson and Nixon—have played a direct part in creating the John F. Kennedy Center for the Performing Arts. The man whose memorial the center has become had such an institution partly in mind when he said a few weeks before his death: "I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well. I see little of more importance for the future of our country and our civilization than full recognition of the place of the artist."

It was Dwight D. Eisenhower who on Sept. 2, 1958, signed into law the National Cultural Center Act, which provided for a Government-owned site and specified that funds for the building must be raised by voluntary contributions. When the time limit expired in September, 1963, Mr. Kennedy signed amending legislation extending the fundraising deadline. Early in 1964, Lyndon B. Johnson pushed through a bipartisan measure making the center a memorial to Mr. Kennedy and authorizing a Federal matching contribution of \$15.5-million. Almost two years ago, Richard M. Nixon obtained legislation authorizing \$7.5-million more in matching funds.

JOHN ADAMS'S PREDICTION

These four Presidents, like some others before them, had been aware that Washington as a world capital could not afford to be second-rate in the arts. And, indeed, it was John Adams who predicted when the young nation was struggling to establish itself firmly that the time would come when his grandchildren would be able to devote themselves to cultural pursuits.

But does a huge building, however, well-endowed with auditoriums, backstage facilities and opulent foyers for glamorous assemblies, in itself assure the pursuit and enjoyment of worthy cultural goals?

Obviously not, but buildings of some sort are required, and anyone who knows a little of Washington history will agree that there have been occasions when an existing hall or the absence of one led to acute embarrassment. Only 32 years ago a new American star, Marian Anderson, was forbidden the use of Constitution Hall for a concert because she was black. And only several years ago the Australian ambassador, who wished to introduce his country's ballet with the proper diplomatic flourish, had to transport his party by bus to Baltimore because no adequate stage was available in the capital.

A SUITABLE FRAMEWORK

The first significance of the new center, then, is that the capital at long last has a place where all the performing arts, our own as well as those of other lands, can be presented in a suitable framework.

The next question often raised about the center is: Will it be anything more than a showcase for the famous and established?

Roger L. Stevens, chairman of the board, and Julius Rudel, the center's music director, have said repeatedly that they wanted the programming to be creative. With the three opening productions in the Opera House—Leonard Bernstein's new Mass, Alberto Ginastera's new opera, "Beatrice Cenci," and the new production of Handel's rarely heard opera "Ariodante"—they have offered proof of their willingness to be adventurous.

The test of a commitment to be creative will come in the months and years ahead but, as everyone who has been around the arts realizes, such a commitment must be backed with money. World-famous artists and ensembles will surely fill the center. New works and young artists may not, and the Kennedy Center will have to find the means to present them, for it knows that this is one of its obligations.

WELCOME FOR ALL ASPECTS

Another question perturbing some observers is: Will the Kennedy Center, a tax-supported institution, be for the exclusive relaxation and display of the rich and the chic?

The center's board and management have made abundantly clear that they want every aspect of the performing arts, from the most lofty to the most popular, to be welcome and that provisions must be made for people who can afford to pay little or nothing for tickets. On these issues, too, time will tell whether the broadest goals can be realized, and here, too, the goals can become reality only with adequate financial support.

Such support may come from private sources—individual, business and foundation—but much of it, knowledgeable observers believe, must come from government. Resistance is expected from quarters that have cried out against putting tax money into "frills" such as the arts.

LARGE SUMS FOR STADIUMS

But there is now ample precedent in America for government support of amenities that please, excite and enrich the lives of the people. Government units in various parts of the country, including the capital, have provided large sums for stadiums where profes-

sional football and baseball teams charge whatever the traffic will bear. Government units have also made considerable contributions toward cultural centers, and it is now fixed Federal and state policy that government has a responsibility for the creation and dissemination of the arts.

The Kennedy Center, even more than such art meccas as Lincoln Center in New York and the Los Angeles Music Center, can be a focal point for all America. With enough financial support, it could bring into being such needed institutions as a national theater and a national opera. Besides attracting creators, performers and audiences to itself, it could help to radiate the performing arts to regions that have had, if anything, no more than a glancing exposure to them.

"MASS" TREMBLES ON THE EDGE OF GREATNESS  
(By Irving Lowens)

The Kennedy Center last night began its official life as a national showcase for the performing arts in the most auspicious fashion, presenting the world premiere of Leonard Bernstein's long-awaited "Mass," an extraordinary work which trembles at the edge of greatness.

"Mass" is most assuredly Bernstein's most eloquent statement of the condition of man in our age of anxiety, a matter which has been something of an obsession with him throughout his career.

And it may well go down in the history books as his finest achievement—at least until Sept. 8, 1971—as a serious composer.

This is not a Mass in the liturgical sense. "Mass" is the title of "a theater piece for singers, players and dancers" (as it is accurately described in its subtitle) utilizing, as its center, portions from the liturgy of the Roman Mass.

The time-hallowed Latin words of the traditional Roman Mass, as evocative as poetry, form the central core of "Mass."

Ringling this central core, as the rings around Saturn, is a stunningly imaginative procession of commentaries and meditations, in music and action.

The chorus sings the solemn words of the Confiteor: "Confiteor Deo Omnipotenti!" (I confess to Almighty God).

Instant segue to a rock group. The singer belts out:

If I could, I'd confess  
Good and loud, nice and slow  
Get this load off my chest  
Yes, but how, Lord—I don't know.  
Bang. A blues singer moans:

Well I went to the holy man and I confessed  
Look, I can beat my breast with the best  
And I'll say almost anything that gets me  
blessed  
Upon request.

The idea of using a basic text with a series of glosses (Bernstein calls them strophes) is disarmingly simple but most ingenious. Bernstein puts it to brilliant use, developing it into a novel and very convincing dramatic unit.

The larger dramaturgy of "Mass" is, logically enough, determined by the structure of the Roman liturgy.

Gradually, one becomes aware of the fact that the singers, dancers and players on the stage are, in reality, the surrogates for the people who are not on the stage, for the now people, the flower-children, the soul-brothers, the squares, the protesters, the conformists, for all those who are seeking answers to troubling questions.

One also becomes increasingly aware of the significance of the Celebrant of the Mass, of the figure who stands between man and God and speaks to the Godhead in behalf of his fellow-man.

The Celebrant begins as a simple regular guy in blue denims, who doffs his guitar in favor of an unadorned smock. As the piece

proceeds, his garb grows increasingly elaborate, almost imperceptibly, until he approaches the splendor of a prince of the church.

And arching over the whole interplay of the evolving drama is the deepening realization of the unbridgeable gap between the human and the divine, the terrible realization that some questions have no answers.

The link between the Celebrant and the Godhead snaps.

He, too, is merely human. And old. And tired. And alone—very much alone—in a universe that he does not understand.

Out of this sense of loneliness, of the most intense poignancy, Bernstein achieves a most remarkable catharsis. Despite the lack of answers, Bernstein tells us, man cannot lose faith. He still must sing "laude, laudatum eum," even though he cannot know that which he is praising.

And as the song of praise grows, the people on stage touch each other, and embrace, and comfort each other in the knowledge that they are not alone.

The yearning of the audience to participate in this strange Mass, has, by this time, become so intense that it is almost tangible. The artificial barrier between those doing and those watching breaks, the boy choristers leave the stage, walk down the aisles, hands extended, to touch those of the men and the women along the aisles.

"Pass it along," the children whisper. And before you know it, you are reaching over to touch the hand of your neighbor, and to take comfort from his humanity.

The work concludes, as it must, with the inevitable words: "The Mass is ended; go in peace."

The perceptive reader may have noticed that I have studiously avoided any discussion of the musical score of "Mass" until a very late point in this review.

The reason why is linked up with my first paragraph, which points out the work "trembles at the edge of greatness."

It does not achieve it, and I fear that the music is the reason why.

Bernstein is a fantastically gifted man of music. And he is also a fantastically gifted man of the theater. If the score he had written equalled the book...

But it doesn't. The composer Bernstein draws, in "Mass" upon a wide variety of musical idioms, not least of which is that of the Broadway musical. In some instances, the use of Broadway is spectacularly right. But in others, it is just as spectacularly wrong.

Musically speaking, the most affecting portions of "Mass" are those in which Bernstein relies upon his formidable lyrical gift, those in which the melodic line is slow and easy and touching.

The big brassy things don't have it. They have a certain snappiness, a certain vulgarity, that detracts from the power of the dramatic conception.

But "Mass" is a noble failure, daring, creative, and in every way suitable to the occasion and worthy of the plaudits which were heaped on it (and on the composer) by the awed audience in a 10-minute ovation. It is a bigger work in stature, flawed as it is, than many contemporary "masterpieces" by composers of lesser humanity.

As to the production, it was an absolute dream, a delight from beginning to end.

The direction by Gordon Davidson, terse, no wasted motion, expressive, was a knockout.

Alvin Alley's choreography was exceptionally strong, some of the best I have seen from him, and it was beautifully executed.

The set by Oliver Smith—a starkly simple staircase, with the central section in white, stretching upward into infinity and reaching downward into the audience—was very powerful in its symbolism.

Costumes (Frank Thompson), lighting (Gilber Hemsley, Jr.), musical direction (Maurice Peress), singing (the Norman Scribner Choir and the Berkshire Boys Choir) were everything anyone could ask for.

Of the cast of more than 200, one individual must be singled out for special acclaim—Alan Titus, the 23-year-old American baritone who triumphed in the key role of the Celebrant. The part is, it is true, one of the juiciest that could possibly come the way of a young artist. If the spectacular success he achieves in "Mass" does not rocket him into national prominence very quickly, I will be much surprised.

The other big star of the occasion was the Kennedy Center opera house, which was tested as perhaps no other opera house has been tested by the exceptional range and variety of sounds, both natural and electronic that Bernstein put into it.

I am overjoyed to be able to say that it passed the acoustical test easily. It is a fine house, intimate, with great warmth and good balance between what goes on in the pit and on stage. And miracle of miracles, there was not the slightest indication that outside, only a few hundred feet away, the big jets were coming and going from National Airport on their regular simulated bombing runs. Washington can relax with the opera house—it's great.

BERNSTEIN'S MASS: "A REAFFIRMATION OF FAITH"

(By Paul Hume)

Toward the beginning of Leonard Bernstein's Mass, its central figure, the priestly Celebrant, turns directly toward the audience in the Kennedy Center Opera House, opens his arms to their full width, and says, "Let us pray: Almighty Father, bless *this* house and protect all who are assembled here."

At that moment, Mass performs the specific function for which it was called into existence: to dedicate a great center for the arts. The entire Mass is a shattering experience that signally honors its creator, the center and the memory of the man for whom the Center is named.

Last night as on two previous evenings the audience shouted its enthusiasm for everyone, but, above all, for Bernstein. He was forced to cross the stage in a slow, triumphal procession, embracing everyone in the company within his reach.

The central message of Mass and its crucial challenge is the place and function of religion in a world of violence. The hope of reconciliation held out in its final moments underscores Bernstein's program note that says, "the intention of Mass is to communicate as directly and universally as I can a reaffirmation of faith."

The emotional impact of Mass on the audience is achieved through a rich amalgam of the theatrical arts. The great Opera House stage is a magnificent setting for more than 200 singers, dancers, actors, and musicians who weave into a luxuriant fabric a thousand details of personal hopes and frustrations, anger and bitterness, and humanity's ultimate plea for peace.

Mass is more than music, more than theater. Essentially plotless, its power to overwhelm comes from what Bernstein and his writing associate, Stephen Schwartz, have perceived in the liturgy of the Roman Mass, and the contemporary commentary in which they frame it. Mass can be interpreted on a variety of levels: theological, social, personal and sacerdotal.

The central action of Mass surrounds its Celebrant from the moment he strikes the first chord on his guitar and gathers around him a swarm of eager, happy choir boys, to the awful, shuddering climax of the "Agnus Dei" when he is attacked and tormented by those he thought were his people, so that he

hurls the consecrated sacraments of bread and wine to the floor and, in the words of the score, goes "berserk." It is a terrifying moment that produces a physical shudder in many who have seen it.

Only after the wrenching collapse can the ultimate, healing reconciliation gradually evolve. There is a long moment of planned silence after an orgy of sound that is the largest peak of sheer volume in Mass. Not a person of the entire company on the stage or in the pit moves a muscle. Audiences at previews sat similarly immobilized until finally, quietly through the house there stole the sound of a single flute. It acts like an ointment of miraculous soothing power.

In its wake there stirs throughout the whole congregation, so recently infuriated, a spirit of love that begins as they speak to each other, "Peace be with you." Each turns to his neighbor to embrace him in genuine love. That moment is enlarged to take in the entire audience as the boys of the choir walk out and touch and greet the person sitting on the aisle of every row of the main floor. It has happened on four nights that these people in the audience have turned to those next to them to pass along a kiss or the grasp of a hand or a word of peace.

Bernstein and Schwartz have hesitated to raise the most probing questions of religious belief. Bernstein uses an ingenious technique of having both a formal choir, which sings the entire Latin text of the Mass, and a chorus out of which solo singers interject in English from time to time to interrupt the action of the Mass. Bernstein's own background enters the work with singular power at the one point in the Mass where Hebrew is used. The choir first sings "Sanctus, Sanctus," and then, "Kadosh, Kadosh, Adonai."

The English commentary gives special thrust to the basic tenets of the Mass. For instance, when the choir sings "Credo," a soloist comes in with, "I'll never say credo, how can anybody say credo?"

Even the Celebrant, his mind wracked by intolerable tensions, throws the wine to the floor, and then says, "It's supposed to be blood—it is blood." But somehow a question lingers.

The case of the Berrigan brothers is implicit in the verses Bernstein chose for his Celebrant to read from the Epistle: "Brothers, this is the Gospel I preach, and in its service I have suffered many hardships, yea even unto imprisonment."

One of the young singers reads a letter that begins, "Dear Mom and Dad," and lovingly urges his parents not to worry about him although he is on his way to prison, for, he says, "I am now a man."

Later, his young wife writes about her first visit to him in prison and says, "He spoke of how we will grow through this."

One of the most poignant moments in Mass occurs when the Celebrant prays "for those who have died" and lists some of their names. It is impossible not to think: "and for John, and Robert, and Martin."

The frequent social comments in Mass are barbed. During the "Gloria," the choir sings, "Half the people are stoned and the other half are waiting for the next election."

A soprano sings, "There once were days so bright . . . and I sang 'Gloria'" but she goes on to say, "And now it's strange, somehow though nothing much has really changed I miss the 'Gloria,' I don't sing 'Gratias Deo.' I can't say quite when it happened." Is Bernstein reminding his listeners of how many people find "Gloria" and "Gratias Deo" harder to say these days?

And what of his Celebrant, his priest? Mass throws a spotlight on the terrible pressures that bear down on priests today. At the opening of Mass, the Celebrant is happy with his choir boys and his young parishioners. But each time he takes another step toward carrying out his supreme priestly function

of preparing and celebrating the Mass, the sense of separation (and opposition) from his congregation increases.

At the Offering, after he places the vessels for the bread and wine on the table and leaves to put on his final garment, some of his people launch into a "Calf of Gold" orgy in front of the altar, only to stop, suddenly abashed when he returns.

The nature of their final, crushing thrust is clear in Bernstein's score when, in the "Agnus Dei," his directions to the singers and dancers bristle with these words: "menacing, wild, attack, savage, barbaric, nasty, relentless, stamp." The Celebrant is forced to retreat farther and farther from his altar until, just as he completes the Consecration, their threats carry him over the edge of reason.

The bitter sting in their attack is that it comes as they advance toward him singing, "Dona nobis pacem!" It is the insistent, demanding cry of the world to its teachers of religion, "Give us peace!" and the world runs out of patience and will not wait any longer when offered sacraments but no peace.

While Mass is theater and dance, it is above all music. Certainly from the "Agnus Dei" to the end, it is the greatest music Bernstein has ever written.

There is a pit orchestra entirely of strings, plus organ and percussion. On stage are two rock bands, a big brass, marching band, and a woodwind ensemble.

Six loudspeakers placed at the back of the main floor and each balcony carry frequent taped sequences, which in at least two episodes, rise to the huge levels of volume possible only through electronic means.

The opening of Mass is a jubilant outburst of dancing and singing, full of joy at the prospect of celebrating a great sacred mystery but one filled with life. It has the feeling that every Mass should have at its outset.

The first hymn is taped, a brilliant vocal round that leads into the choir's bounding "Kyrie." Bernstein's phenomenal melodic gifts come out in every vein and his genius in choral writing quickly outstrips anything he has done before. Writing for greater instrumental resources than he has previously used, he has given Mass a special richness of texture to which the organ makes a particular contribution.

Mass moves in an unbroken line from beginning to end. But Bernstein scatters through it a brilliant array of musical forms and styles whose variety builds, without interrupting, sustained emotional power. Like a great mosaic it is a work from which no single episode can be removed.

The sermon is a stunning dialogue between Celebrant and congregation on the theme, "You cannot imprison the Word of the Lord." It is followed by a racy, jazzy scherzo on "God said, 'Let there be light,'" that is sheer magic with some nasty overtones.

The "Sanctus" is a bright dancy passage after a Lord's Prayer whose simplicity is beautifully right. The Celebrant has moments of inner doubt and questioning (and affirmation). He sings to himself, "When my courage crumbles, when my faith is tossed and tried, when the things I trust lie shattered in the dust, I go on, right then, I go on to say I will celebrate another day." Who has told Bernstein so much of the self-questioning and doubts, the loneliness that assails priests these days?

The Alvin Ailey Dancers make one of the major contributions to Mass, from the moment of their first, uninhibited happiness to movements that catch the hushed mystery at the heart of the ceremonies. And they add unique thrusts to the scenes of menace and brutal attack.

However, one person dominates the entire work. Alan Titus is the young man who with unerring feeling for nuance of meaning, blessed with an expressive lyric baritone, and

able to wear blue jeans and faded shirt or rich ecclesiastical robes with equal ease, carries the role of Celebrant.

The degree to which Titus mirrors the broad emotional range of the part is matched by the beauty of his singing and a manner of convincing sincerity. In an unprecedented "Mad Scene," he proves an actor of convincing power. At the close of this scene, apparently forever broken in spirit, having torn off his ceremonial robes, and crying out, "Can't you see? Underneath there is nothing but me." I am only a man like you," he disappears into the darkness beneath the stage.

But then, as reconciliation goes forward, Titus reappears, completely unobtrusively, to stand at the far side of the stage, once again one with his people, who turn to him and say, "Peace be with you."

Surrounding him is a company directed by Gordon Davidson, who splendidly moves platforms filled with rock bands, large masses of singers and dancers, massive choir stalls and individual actors like single blocks in a grand design. The Berkshire boys and a choir trained by Norman Scribner work beautifully with the chorus and soloists. The stage is filled with glowing colors in simple sets by Oliver Smith and handsome costumes by Frank Thompson.

The guiding hand that controls the whole machine is that of conductor Maurice Peress, a Bernstein protege with a genius for handling the largest forces with authority. At one with the inner spirit of the music, he enhances its subtlest touches of sound, its lovely instrumental lines and huge tonal forces as well as its dramatic probings with consummate skill.

Bernstein does not leave his audience comfortless at the end of Mass.

At its close, as the work of reconciliation is going on, choir and chorus join to sing, "Almighty Father, incline thine ear: bless us and all who have gathered here. Thine angel send us, who shall defend us all, and fill with grace all who dwell in this place. Amen."

And the hushed voice of Leonard Bernstein is heard throughout the house which he has dedicated. He speaks the traditional words of farewell: "The Mass is ended. Go in peace."

Mr. FULBRIGHT. Mr. President, finally I ask unanimous consent that a short statement entitled "John F. Kennedy: Government and the Arts" which also appeared in the program for the opening night be printed in the RECORD.

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

JOHN F. KENNEDY: GOVERNMENT AND THE ARTS

In the closing days of the presidential campaign of 1960, Saturday Review submitted the following questions to the candidates. It elicited from John F. Kennedy the comments reproduced (right), probably his most extensive policy statement on the role of government in the arts.

#### QUESTIONS

1. Are you in favor of a Secretary of Culture (parallel to the Ministry of Fine Arts in some European countries) with cabinet rank and broad authority in this field?

2. To what extent should the Federal Government assist in the support of symphony orchestras, museums, opera companies, etc.?

3. Through its grants to foreign nations, the Federal Government has, in effect, underwritten cultural activities in many friendly nations. What is its responsibility to such activities in this country?

4. Would you, if elected, continue the Cultural Exchange program with the USSR and its satellites?

5. If so, on the same scale as now? On a larger scale? On a reduced scale?

6. Do you believe this comes properly under the jurisdiction of the State Department, or should it be administered by a Secretary of Culture?

7. What are your views on the National Cultural Center which has received a Congressional grant of land in Washington? Would you recommend the use of public funds to bring it into being?

8. Do you consider the encouragement of art, in the broadest sense, and artists a function of the Federal Government or one more properly left to state and municipal authorities?

9. As the the "Voice of America" is broadly representative of the people of the United States, it also represents its culture. How effectively do you think this is being done at the present time?

10. Would you support a program to give pay TV equal status with free network television as it now exists?

## ANSWERS

1. The government cannot order that culture exist, but the government can and should provide the climate of freedom, deeper and wider education and intellectual curiosity in which culture flourishes. If I thought the addition of a Secretary of Culture to the Cabinet would insure culture, I would be for it. I do not think such a department would accomplish the purpose. It might even stultify the arts, if wrongly administered. We have more than enough conformity now.

The platform of the Democratic Party proposes a Federal advisory agency "to assist in the evaluation, development and expansion of cultural resources of the United States. We shall support legislation needed to provide incentives for those endowed with extraordinary talent as a worthy supplement to existing scholarship programs."

If the people send me to the White House, I shall push this program. A gifted child deserves the finest education this nation can provide. He is a national asset, whether his gift is to paint, write, design a jet airliner or a dramatic set, or explore the cosmos with a radio telescope. His worth cannot be estimated in the ledgers of the budgeteers.

2. The Federal Government already operates the National Gallery and the Freer and Corcoran Galleries, plus the magnificent Smithsonian museum. The Library of Congress is perhaps the world's greatest repository of culture. The National Archives preserves the historical record of the nation. I favor expansion of all these facilities so that all citizens have easier access to the cultural resources now centered in Washington. I do not believe Federal funds should support symphony orchestras or opera companies, except when they are sent abroad in cultural exchange programs.

3. The Democratic Party has accepted the responsibility of participating in the advance of culture. We fight for an end to apathy and a renaissance of purpose in America. We intend that our children be prepared, in education, health and vision, to challenge a world of exploding technology—of great present danger but unlimited hope. Our children will reach, literally, for the stars. Ours is the renesant party—the party of humanity, of strength, of leadership.

Our philosophy is quite simple. When an organism stops growing, it starts dying. This is true for nations as well as men, and for spirit and mind as well as material things. I am determined that we begin to grow again, and that there be an American renaissance in which imagination, daring and the creative arts point the way.

4. Certainly.

5. On a larger scale. If every student in the USSR and the satellites could tour the United States and compare what they see with what they have been told, I would have little fear of future wars. Conversely, Ameri-

cans have much to learn abroad. One of our greatest strategic shortages is knowledge of foreign languages.

6. The State Department.

7. The National Cultural Center should be erected as speedily as possible. The private contributions have been welcome and helpful, and I hope will continue.

8. The encouragement of art, in the broadest sense, is indeed a function of government. It has always been so, in a tradition that extends from the most glorious days of Greece. It will be the responsibility of the advisory agency, which will be appointed in accordance with the pledge of the Democratic Platform, to decide in what manner this shall be done.

At this moment, the Federal Government acts as art patron to only one person—the Consultant in Poetry and English at the Library of Congress. And his salary is paid through a private, anonymous bequest.

I think we can do better than that, if only by alleviating the unfair tax burden borne by writers, painters and other creative artists. They may exist on small incomes for years to perfect their skills, and then be plundered by the Treasury in a single year of plenty.

But the problem is not simply one of money. It is one of attitude. It is a question of whether we are more interested in reading books or making book, in Maverick or Macbeth, Zorro rather than Zola, Peter Gunn or Peter Gynt. In this day of crisis, "Wisdom is better than strength . . . a wise man better than a strong one."

If this nation is to be wise as well as strong, if we are to achieve our destiny, then we need more new ideas for more wise men reading more good books in more public libraries. These libraries should be open to all—except the censor. We must know all the facts and hear all the alternatives and listen to all the criticisms. Let us welcome controversial books and controversial authors. For the Bill of Rights is the guardian of our security as well as our liberty.

9. The Voice of America should be revitalized and strengthened. The Voice is only one part—short-wave broadcast—of the United States Information Agency. Short-wave radio is the media best suited to carrying news, commentary and music. At this time, the most popular program is American jazz, which, incidentally, is very good propaganda. The news operation should be speeded. It is in a life-and-death competition with Radio Moscow and Tass. With television becoming more important the world over, I feel that the USIA should also concentrate on producing documentaries for foreign broadcast.

10. Pay TV is currently being tested in both the United States and Canada. I prefer to reserve judgment until these tests give definitive evidence upon whether pay TV is in the current interest.

Sincerely,

JOHN F. KENNEDY,  
U.S. Senator.

Mr. FULBRIGHT. Mr. President, as I said before, I feel very proud to be a Member of a body which has had a part in the creation of what I believe to be one of the most outstanding centers of the arts to be found anywhere in the world.

#### DEATH OF FORMER SENATOR BOURKE HICKENLOOPER

Mr. FULBRIGHT. Mr. President, suddenly and with little warning, our former colleague Bourke Hickenlooper from Iowa left this world earlier this week.

Bourke Hickenlooper and I came to the Senate at the same time. We served together on the Foreign Relations Com-

mittee for 20 years, and for 6 of those years Senator Hickenlooper was the ranking Republican member while I was the chairman.

Even before this situation threw us constantly together, we had become good friends. He was a man with a wide and deep interest in foreign affairs, a keen sense of responsibility, and a delightful sense of humor. He worked hard at his job and did it well. His interests were varied, including such diverse subjects as atomic weapons and cultural exchanges. He brought a fine legal mind and sense of responsibility to all that he did.

Mrs. Fulbright joins me in extending our deepest sympathy to his son and daughter.

I ask unanimous consent to have printed in the RECORD at this point an article written by Robert F. Levey and published in the Washington Post on September 5, 1971.

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

[From the Washington Post, Sept. 5, 1971]

EX-SENATOR B. B. HICKENLOOPER DIES

(By Robert F. Levey)

Bourke Blakemore Hickenlooper, a four-term Republican senator from Iowa who helped shape the country's atomic and foreign policies after World War II, died in his sleep early yesterday while visiting friends on Sheiter Island, N.Y. He was 75.

Mr. Hickenlooper had flown to New York from his Chevy Chase home Friday for a Labor Day weekend visit with Henry R. Holthausen. During dinner Friday, he complained of abdominal pains, and went to bed. He was found dead shortly after 4 a.m. yesterday.

Known as "Hick" to his friends, he had retired from the Senate in 1969, saying he was "all tired out." At the time, only one Republican and seven Democrats outranked him.

Born in Blockton, Iowa, the only child of farmers and the grandson of a state legislator, Mr. Hickenlooper as a child would reportedly stare at a picture of his grandfather orating on the floor of the Iowa House and promise: "I'll be there some day."

#### ELECTED GOVERNOR

He made it in 1934, after earning a bachelor's degree from Iowa State College and a law degree from the University of Iowa, and practicing privately in Cedar Rapids.

In 1938, he was elected lieutenant governor, and in 1940 he was re-elected. Two years later, partly on the strength of the massive publicity he received when he rescued a Cedar Rapids woman from drowning in the Cedar River, Mr. Hickenlooper became governor.

Urged to run for the Senate in 1944 by the staunchly anti-Roosevelt Iowa Republican Party, Mr. Hickenlooper easily defeated incumbent Democrat Guy Gillette.

In the 24-year Senate career that followed, Mr. Hickenlooper was best known for his 1949 investigation into what he called the "incredible mismanagement" of Atomic Energy Commission chairman David Lilienthal, and for his 1963 "Hickenlooper Amendment"—later defeated—that would have cut off U.S. aid to any country that cancelled prior agreements with American businesses.

#### LILIENTHAL DISCLAIMER

The Lilienthal affair arose when the senator, as chairman of the Joint Atomic Energy Committee, learned that about a cupful of uranium was missing from an AEC laboratory in Argonne, Ill.

In the course of two weeks of hearings, he castigated Lilienthal for failing to report the missing uranium to the FBI, even though

Lillenthal said he had not known it was missing until shortly before Hickenlooper did.

Lillenthal called the charges against him "un-American," and declined to step down. Meanwhile, a newspaper editorial of the time wondered if Hickenlooper wasn't "seeing Communist spies under his bed."

The affair ended with the committee refusing, 9 to 8, to ask for Lillenthal's censure. But Lillenthal stepped down six months later, charging his career had been ruined.

Mr. Hickenlooper's 1963 trade amendment followed the seizure of three U.S. oil companies in Cuba and Argentina. It was bitterly opposed by the Kennedy administration, which argued that its passage would threaten all U.S. diplomacy, particularly in Latin America.

Mr. Hickenlooper introduced the amendment as a rider to that year's foreign aid bill. It closely followed a Supreme Court ruling that in effect denied the right of an American sugar company to contest the seizure of its profits by the Castro regime.

He saw his amendment as purely a matter of giving the U.S. businessman his day in court. The Supreme Court's ruling, he wrote in a 1964 letter, presumes that "any inquiry . . . into the acts of a foreign state will be a matter of embarrassment to the conduct of foreign policy."

The amendment was finally defeated on the Senate floor, 45 to 35.

In his last two terms, and particularly during President Eisenhower's second term, Mr. Hickenlooper's chairmanship of the Senate Republican Policy Committee and his ranking Republican status on the Foreign Relations Committee made him one of the party's leading spokesmen.

#### AGAINST RIGHTS ACT

In horn-rimmed glasses and a red-headed crewcut, he twice tried to block Democratic nominees to the post of director of the United States Information Agency.

He objected to the 1964 civil rights act because "it would lead to bureaucrats snooping into every area of American life." And he vigorously supported Republican presidential nominees Richard Nixon in 1960 and Barry Goldwater in 1964.

Meanwhile, Mr. Hickenlooper promoted peaceful uses of atomic energy and railed against a proposal that the U.S. share its atomic secrets with its European allies.

But he often warned, as he did first in 1949, that he would have "no qualms about our using (the bomb) . . . strategically where it would be an efficient means of ending the war."

Mr. Hickenlooper was the "Senate's most doctrinaire Republican" under President Kennedy, a columnist wrote in 1961. He once chided Kennedy—in a foreshadowing of later debate on Vietnam—for "not consulting once with the Congress in advance of decisions."

#### LIKED CAMPAIGNING

But despite his official position of leadership, he was generally conceded to be below Republican Minority Leader Everett McKinley Dirksen in influence.

Mr. Hickenlooper once told an interviewer that his favorite side of politics was campaigning.

His favorite campaign story had to do with his name—which in a joint column Joseph and Stewart Alsop once described as "exactly the name an English satirist would choose for an Iowa Republican."

Once, Hickenlooper said, in a small Iowa farm town he introduced himself four times to a woman. Each time she asked him to repeat his name. Finally, she said: "You know, there must be something wrong with me. That name sounds like Hickenlooper to me."

After his wife's death last December, Mr. Hickenlooper had reportedly sold the home at 5511 Cedar Pkwy., Chevy Chase, in which the family had lived since 1945. **Friends said**

he was planning to move into a Washington apartment this month.

Mr. Hickenlooper is survived by a son, David, of Bloomfield, Iowa; a daughter, Jane Oberlin, of Des Moines, and four grandchildren.

Mr. STENNIS. Mr. President, will the Senator yield to me momentarily on this subject?

Mr. FULBRIGHT. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. I appreciate the remarks the Senator from Arkansas has made, Mr. President, and I join wholeheartedly in the sentiments he has expressed as to the late Senator. I considered him one of the most valuable men that we had in this body. I never saw him go off the deep end on anything without thinking the matter out, and I never saw him lose his patience, though I have seen him under a lot of pressure. I regret very much his passing, and join in expressing condolences to the survivors of this late outstanding Member of this body.

Mr. FULBRIGHT. I thank the Senator. He was a very fine man indeed.

#### THE EFFORTS OF THE COMMITTEE ON FOREIGN RELATIONS TO OBTAIN THE 5-YEAR MAP PLAN

Mr. FULBRIGHT. Mr. President, since 1969, the Committee on Foreign Relations has attempted, without success, to obtain from the Department of Defense its "5-year plan" for the military assistance program in order to assist the committee in appraising the executive branch's legislative requests for authorization of military aid. Finally, on July 28 the committee, by a vote of 15 to 0, voted to invoke a provision of the Foreign Assistance Act of 1961 which requires a cutoff of funds for the program involved unless within 35 days following a request from an appropriate committee or the General Accounting Office for "any document, paper, communication, audit, review, finding, recommendation, report, or other material" concerning the foreign aid program either the material is furnished as requested or the President, in effect, invokes the doctrine of Executive privilege. As a consequence of the committee's action, on August 30 the President, by memorandum, directed the Secretary of State and the Secretary of Defense "not to make available to the Congress any internal working documents which would disclose tentative planning data on future years of the military assistance program."

The issue involved here is far more important than what is being planned for military aid in the years ahead. It goes to the heart of the problem of correcting the imbalance of power between the legislative and executive branches that has come about over recent decades.

Because of the significance of this matter to Congress as an institution, I ask unanimous consent to have printed in the RECORD the entire series of correspondence on the subject between the committee, the Department of Defense, and the General Accounting Office; statements made by me on August 18 and August 31; and copies of a number of pertinent editorials.

There being no objection, the material

was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
May 21, 1969.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: Sometime ago I asked the General Accounting Office to conduct a review for the Committee on Foreign Relations of the training of foreign military personnel under the military assistance program. It is my understanding that GAO personnel have not been given access to certain planning information and other documents concerning the training program. I hope that you will look into this matter and insure that the GAO investigators are given access to all of the pertinent information necessary to comply with the Committee's request.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

THE SECRETARY OF DEFENSE,  
Washington, June 26, 1969.

HON. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I have your letter of May 21 concerning the review being conducted at your request by the General Accounting Office of the training of foreign military personnel under the Military Assistance Program and the delay in granting access to GAO personnel to certain planning information and other documents concerning the training program.

I understand that GAO representatives have requested copies of documents relating to the training program as follows:

1. "the formal Five Year Plan for the Military Assistance Program, the input of the Military Advisory Groups to the program and information concerning changes made in the program as a result of the reviews of the Unified Commands, the military services and the component elements of the Office of the Assistant Secretary of Defense, International Affairs."

2. Performance Evaluation Group (PEG) reports on Korea and possibly other countries;

3. A copy of a report prepared by your staff at the request of the Honorable Ralph Earle, Assistant Secretary of Defense, concerning the status of foreign military training systems."

I understand that the Military Assistance Program for the current fiscal year—1970—was made available to the GAO prior to receipt of your letter. Information concerning the current fiscal year program is available, as in the past, to the GAO after the President submits his budget to the Congress.

With respect to copies of the entire Five Year MAP plan (1970-1974), I understand that in the past copies have not been made available to the GAO, or to the Chairman, Committee on Foreign Affairs, House of Representatives. I also understand that the reason the entire Five Year Plan was not made available is because it is regarded as a staff study, an entirely tentative planning document at the staff level, which provides in a uniform format certain outside limits to be used by MAAG's and the Unified Commands in the development of a preliminary annual program. It is published as a basis for "further planning only." (A detailed description of the Plan is attached.) The preliminary annual program is usually extensively adjusted when the President makes his decision as to the size of his budget submission. It has been considered that the Congressional presentation is the official Executive Branch position of MAP requirements for the current fiscal year which should be defended and judged on its merits.

The release outside the Executive Branch of all tentative planning documents involving the next five years on a program such as the Military Assistance Program, which is particularly subject to change as world conditions and political considerations may dictate, could be misleading and subject to debate outside the Executive Branch long prior to the time when the Executive Branch finalized its recommendations to the President for the next fiscal year. I seriously doubt that the release of the entire Five Year Plan would be in the public interest. However, since the Committee is particularly interested in the training program, and in order to fully cooperate with the Committee, I would be happy to have responsible officials give a detailed briefing on the Five Year Plan, as it relates to training, to any person or persons designated by you.

With respect to the request for the reports concerning the status of foreign military training systems, some of these contain opinions and recommendations by certain Military Assistance Advisory Groups, the release of which outside the Executive Branch could risk adverse reactions from some of the governments concerned and tend to inhibit the value of future reports. We are, however, preparing copies of the factual material in these reports without statements of opinions and these will be made available to the GAO representatives.

The Performance Evaluation Group Report on Korea is not available at the present time. However, we will try to obtain a copy of this and communicate with you further.

Sincerely,

MELVIN R. LAIRD.

#### MILITARY ASSISTANCE PLANS

"Military assistance plans" are five-year, time-phased schedules of action, by areas and by countries, intended to assure that each year's Military Assistance Program conforms to a consistent purpose which has been projected well ahead. The five-year period begins with the second year after the fiscal year in which the plans are prepared by the Unified Commands (i.e., the first military assistance plans were prepared in FY 1960 to cover the period FY 1962-66). The military assistance plans are revised annually and projected an additional year, thus maintaining the five-year projection.

Policy guidance for the Military Assistance Program is formulated annually by the Departments of State and Defense. The Department of Defense annually distributed a "Military Assistance Basic Planning Document" to the Unified Commands which includes the agreed guidance together with order-of-magnitude dollar guidelines. Using this guidance and supplementary instructions issued by the Unified Commands, each MAAG, with the assistance of the USOM and Embassy furnishes the Unified Command information for the development of its country section of the Unified Command plan.

The Unified Command military assistance plans are reviewed by the Departments of State and Defense for conformity with policy and by the Military Departments for supply feasibility. As revised in these reviews, the plans are then returned to the Unified Commands as a basis for further planning only, including the preparation of the Military Assistance Program for the next budget year.

THE SECRETARY OF DEFENSE,  
Washington, D.C., November 21, 1969.

HON. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your letter of 21 May 1969 regarding GAO access to documents concerning the MAP training program.

My earlier response of 26 June indicated that we would communicate further with

you regarding GAO access to the CINCPAC Performance Evaluation Group Reports which are internal inspection reports of the Pacific Command. I am pleased to inform you that our review of this matter has been concluded and that CINCPAC will furnish briefings on the salient training facts contained in these reports at GAO request.

I trust that this action will facilitate completion of the GAO review undertaken at your request.

Sincerely,

MELVIN R. LAIRD.

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
February 26, 1971.

The Honorable MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: I refer to my letter of May 21, 1969, and your reply of June 26, 1969, concerning the General Accounting Office's request, on the Committee's behalf, for access to the Five Year Plan for the military assistance program. You stated that "the reason the entire Five Year Plan was not made available is because it is regarded as a staff study, an entirely tentative planning document at the staff level which provides in a uniform format certain outside limits to be used by MAAG's and the Unified Commands in the development of a preliminary annual program."

As you know, Section 252(a)(1)(A) of the Legislative Reorganization Act of 1970 requires that each report of a Senate committee include "An estimate, made by such committee, of the cost which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year . . ." In view of this requirement, it is necessary that the Committee be provided with a copy of the Five Year Plan and similar long-range planning materials relating to the military assistance program. It will be impossible for the Committee to arrive at realistic estimates of the long-range cost of the military aid program unless it has access to these materials.

I ask that the Committee be supplied with a copy of the Five Year Plan and a listing of all other planning materials which would be helpful to the Committee in evaluating long-range cost estimates of the military assistance and sales programs.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

OFFICE OF THE SECRETARY OF DEFENSE,  
Washington, D.C., March 10, 1971.

HON. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Secretary Laird has asked that I acknowledge your letter of February 26 requesting that the Senate Foreign Relations Committee be provided a copy of the Five Year Plan and similar long-range planning materials relating to the military assistance program.

Your request is receiving careful consideration and we will be in further touch with you as soon as possible.

Sincerely,

RICHARD G. CAPEN, JR.,  
Assistant to the Secretary for Legislative Affairs.

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
April 30, 1971.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: As a former member of the Legislative Branch, I am sure that you

understand the need for Congress to have access to reports, records, and other information in the possession of Executive Branch departments and agencies to enable it to carry out its Constitutional responsibilities.

President Nixon, as did Presidents Kennedy and Johnson before him, recognized the importance of Congress's right to obtain such information to the proper working of our system of checks and balances. On April 7, 1969, he wrote to Congressman John E. Moss, Chairman of the Foreign Operations and Government Information Subcommittee of the House Committee on Government Operations, that his " . . . Administration was dedicated to insuring a free flow of information to the Congress . . ." and stated that the doctrine of "executive privilege must be very narrowly construed" and "will not be asserted without specific Presidential approval." I enclose, for your convenience, a copy of that letter and his memorandum which spelled out the procedural steps for invoking "executive privilege."

On a number of occasions in recent years the Department of Defense has refused to supply the Committee on Foreign Relations with specific reports and other information, such as the following:

#### ITEM, DATE OF REFUSAL, AND REASON

Command and Control Study of the Gulf of Tonkin Incident; April 4, 1968; March 5, 1969; January 16, 1971; "considered to be a privileged Executive document"—"inappropriate to disseminate it outside the Executive Branch."

Five-Year Plan for the Military Assistance Program; June 26, 1969; regarded as a "tentative planning document."

History of U.S. Decision Making Process on Vietnam Policy; December 20, 1969; July 21, 1970; " . . . be contrary to the national interest to disseminate it more widely."

In none of the instances where the Committee has been denied access to reports or documents has the doctrine of "executive privilege" been formally invoked through the procedures outlined by President Nixon. The growing practice of departments and agencies to refuse to provide information to Congressional committees, without the President claiming executive privilege, is a dangerous trend which erodes the authority of Congress and threatens to exacerbate further relations between the two branches. I do not believe that a no-man's land concerning Congress's right to access should exist. I, therefore, respectfully request that either the Committee be furnished with the documents listed or that the President formally invoke "executive privilege" as authority to withhold them.

Another facet of this general problem relates to the right of access of the General Accounting Office to records and information from Departments and agencies. For example, last year the Committee asked the General Accounting Office to make a detailed study of the use of excess materials in the Military Assistance Program. It is my understanding that efforts to perform the study have been hampered by the reluctance, and sometimes refusal, of Department of Defense offices in Washington and overseas to give the GAO access to records and information pertinent to the study. In Greece, for example, the GAO sought to obtain access to U.S. force objectives, lists of Military Assistance Program supported units, and equipment allowance data, all of which are needed to comply with the Committee's request. The GAO staff was advised by officials of the Joint United States Military Aid Group, Greece, that the European Command had prohibited the release of most of the data requested, and that, in some instances, instructions for the prohibition came from the Office of the Assistant Secretary of Defense, International Security Affairs. Furthermore, I was advised that the general problem of GAO access to Department of Defense records and informa-

tion has worsened in the past year, especially in cases where the GAO has been on assignments requested by this Committee. I am disturbed by the fact that the GAO's review efforts have been hampered by delays and refusals of officials of your Department. The refusal of departments and agencies to give the GAO access to needed information is the same as denying that information to the Congress.

I would appreciate your giving the Committee your views on the access problem in general, as well as advising me if executive privilege is being invoked by the President as authority to withhold the documents listed.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

THE WHITE HOUSE,  
Washington, April 7, 1969.

HON. JOHN E. MOSS,  
Chairman, Foreign Operations and Government Information Subcommittee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Knowing of your interest, I am sending you a copy of a memorandum I have issued to the heads of executive departments and agencies spelling out the procedural steps to govern the invocation of "executive privilege" under this Administration.

As you well know, the claim of executive privilege has been the subject of much debate since George Washington first declared that a Chief Executive must "exercise a discretion."

I believe, and I have stated earlier, that the scope of executive privilege must be very narrowly construed. Under this Administration, executive privilege will not be asserted without specific Presidential approval.

I want to take this opportunity to assure you and your committee that this Administration is dedicated to insuring a free flow of information to the Congress and the news media—and, thus, to the citizens. You are, I am sure, familiar with the statement I made on this subject during the campaign. Now that I have the responsibility to implement this pledge, I wish to reaffirm my intent to do so. I want open government to be a reality in every way possible.

This Administration has already given a positive emphasis to freedom of information. I am committed to ensuring that both the letter and spirit of the Public Records will be implemented throughout the Executive Branch of the government.

With my best wishes,

Sincerely,

RICHARD NIXON.

MARCH 24, 1968.

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

(Establishing a procedure to govern compliance with congressional demands for information)

The policy of this Administration is to comply to the fullest extent possible with Congressional requests for information. While the Executive Branch has the responsibility of withholding certain information the disclosure of which would be incompatible with the public interest. This Administration will invoke this authority only in the most compelling circumstances and after a rigorous inquiry into the actual need for its exercise. For those reasons Executive privilege will not be used without specific Presidential approval. The following procedural steps will govern the invocation of Executive privilege:

1. If the head of an Executive department or agency (hereafter referred to as "department head") believes that compliance with a request for information from a Congressional agency addressed to his depart-

ment or agency raises a substantial question as to the need for invoking Executive privilege, he should consult the Attorney General through the Office of Legal Counsel of the Department of Justice.

2. If the department head and the Attorney General agree, in accordance with the policy set forth above, that Executive privilege shall not be invoked in the circumstances, the information shall be released to the inquiring Congressional agency.

3. If the department head and the Attorney General agree that the circumstances justify the invocation of Executive privilege, or if either of them believes that the issue should be submitted to the President, the matter shall be transmitted to the Counsel to the President, who will advise the department head of the President's decision.

4. In the event of a Presidential decision to invoke Executive privilege, the department head should advise the Congressional agency that the claim of Executive privilege is being made with the specific approval of the President.

5. Pending a final determination of the matter, the department head should request the Congressional agency to hold its demand for the information in abeyance until such determination can be made. Care shall be taken to indicate that the purpose of this request is to protect the privilege pending the determination, and that the request does not constitute a claim of privilege.

RICHARD NIXON.

U.S. SENATE,

COMMITTEE ON FOREIGN RELATIONS,

July 12, 1971.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: As you know, the Committee on Foreign Relations has on several occasions requested that your Department furnish it with a copy of the Five Year Plan for the Military Assistance Program.

I enclose for your information a copy of my letter to you of February 26, 1971 concerning the need for the document in order to comply with the requirements of the Legislative Reorganization Act of 1970. That letter was acknowledged on March 10. After receiving no further response I wrote to you again on April 30, asking either that a formal claim of executive privilege be invoked as the reason for refusing to furnish the Committee with the Plan, the History of the Decision Making Process on Vietnam Policy, and the Command and Control Study or that the documents be provided to the Committee. After recent disclosures in the press, the History and the Command and Control Study documents have now been made available to the Committee. But there has been no response to the Committee's request for the Five Year Plan for the Military Assistance Program.

As you may know, the Committee has not yet begun its markup of foreign aid legislation. The information contained in the Five Year Plan will be of assistance to the Committee in evaluating the Administration's request for military aid and I believe that this issue should be resolved before the Committee begins mark-up of foreign aid legislation. I would appreciate an early reply stating whether the document will be available or a claim of executive privilege made.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

U.S. SENATE,

COMMITTEE ON FOREIGN RELATIONS,

July 28, 1971.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: As you know, on the Committee's behalf, I have asked the Depart-

ment of Defense on several occasions for a copy of the Five Year Plan for the Military Assistance Program to assist the Committee in considering foreign aid legislation and in overseeing the military aid program. On April 30, 1971 and July 12, 1971, following the Department's earlier refusal to furnish it, I wrote to you and asked that either the document be furnished or that the President formally invoke executive privilege as a reason to withhold it. There has been no substantive reply to either letter.

I had hoped that, in the interests of better relations between the Congress and the Executive Branch, your Department would be more cooperative and not force the Committee to use the authority of Section 634(c) of the Foreign Assistance Act of 1961. Under the circumstances, you have left the Committee with no alternative. As you know, this section provides that foreign assistance funds shall be cut off for any activity thirty-five days after the Committee requests a document relating to the foreign assistance program unless either the document has been provided, as requested, or the President certifies that he has forbidden that it be furnished and gives his reasons for refusing to do so. The section is quoted below for ready reference:

"(c) None of the funds made available pursuant to the provisions of this Act shall be used to carry out any provision of this Act in any country or with respect to any project or activity, after the expiration of the thirty-five-day period which begins on the date the General Accounting Office or any committee of the Congress charged with considering legislation, appropriations or expenditures under this Act, has delivered to the office of the head of any agency carrying out such provision, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in its custody or control relating to the administration of such provision in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested, or (2) a certification by the President that he has forbidden the furnishing thereof pursuant to request and his reason for so doing."

Today the Committee on Foreign Relations voted to invoke this authority. Pursuant to that provision, this letter is to request formally that you furnish the Committee with the current Five Year Plan for the Military Assistance Program for all countries. In view of the fact that the document requested involves all countries receiving military aid, the Committee is of the view that under this provision funds for the entire military assistance program shall be suspended thirty-five days from this date until one of the conditions specified is met. The Committee has decided to defer further action on foreign aid legislation until this matter has been resolved.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

THE SECRETARY OF DEFENSE,  
Washington, D.C., August 5, 1971.

Senator J. W. FULBRIGHT,  
U.S. Senate,  
Washington, D.C.

DEAR BILL: I have received your letter of July 28th in which you again request the "current Five-Year Plan for the Military Assistance Program for all countries" and advised me of the Committee action with reference to the invocation of Section 634(c) of the Foreign Assistance Act of 1961.

Please be assured that I want to be cooperative in furnishing your Committee all the

necessary information relating to the administration of the Military Assistance Program for the Committee to perform its legislative functions.

As to your specific request, however, we have no document or documents which constitute a "current Five-Year Plan for the Military Assistance Program" in the Department of Defense. It is, therefore, impossible for us to identify a specific document which would satisfy your request.

At the lower working levels of the Department there has, from time to time, been extensive planning for military assistance programs for various countries. Such planning has taken various forms, none of which have proved entirely satisfactory. In March 1970, a change of the planning format at the Military Assistance Advisory Group (MAAG) level was directed by the Deputy Assistant Secretary of Defense for Military Assistance and Sales (ISA), but due to the uncertainties inherent in these programs, the revised format for MAAG planning was never implemented. Consequently, there has not been a formal submission of five-year plans from the MAAGs since that prepared in 1969 for FY 71-75. We are now moving toward the new format for planning at the MAAG level, and MAAG plans for FY 73-77 should be forthcoming for the several countries this fall. As I am sure you must appreciate, however, the planning at the various MAAGs in no way constitutes an approved program. There is no approved program for Military Assistance for other than the current fiscal year.

In order to be of assistance to you, I have directed the preparation of planning materials and factors, which should be completed by the first part of September, which I will transmit to you.

Since, to the best of our knowledge, there is no such thing as a current Five-Year Plan for the Military Assistance Program, Section 634(c) of the Foreign Assistance Act of 1961 would not in this instance be applicable.

As I indicated to you earlier, this matter was processed pursuant to your letter of April 30th for consideration with respect to the issue of Executive Privilege, but it is impossible to resolve that issue since there is no such document or material such as that you requested.

I understand that you have separately requested the Joint-State-Defense policy memorandum on military assistance and arms transfers, to which request, the State Department will respond.

Sincerely,

MELVIN R. LAIRD.

U.S. SENATE,

COMMITTEE ON FOREIGN RELATIONS,  
August 6, 1971.

HON. MELVIN R. LAIRD,  
Secretary of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: I have received your letter of August 5, in which you stated: "... we have no document or documents which constitute a 'current Five-Year Plan for the Military Assistance Program' in the Department of Defense. It is, therefore, impossible for us to identify a specific document which would satisfy your request."

I hope that the Committee's request will not get bogged down in a dispute over semantics. By requesting the "current" plan the Committee, of course, meant that it wished to obtain the *latest* materials available on long-range country-by-country planning for the military assistance program. In view of the lengthy correspondence between the Committee and the Department on this subject, there should have been no doubt about what type of materials the Committee sought.

In your letter of June 26, 1969, a copy of

which I enclose, you referred repeatedly to a "Five-Year Plan." You said, for example:

"With respect to copies of the entire Five-Year MAP plan (1970-1974), I understand that in the past copies have not been made available to the GAO, or to the Chairman, Committee on Foreign Affairs, House of Representatives. I also understand that the reason the entire Five-Year Plan was not made available is because it is regarded as a staff study, an entirely tentative planning document at the staff level, which provides in a uniform format certain outside limits to be used by MAAG's and the Unified Commands in the development of a preliminary annual program."

There was a plan then and, according to your letter of August 5, 1971, there is now. You said: "... there has not been a formal submission of five-year plans from the MAAGs since prepared in 1969 for FY 71-75." If these are the latest plans available, this is the information the Committee would like to have. The Committee realizes fully that these are only planning documents and that they do not, in any way, constitute an approved long-range program. As you know, the Committee's requests have never referred to plans for an "approved" program.

The Committee appreciates your offer to provide it with specially prepared "planning materials and factors." The Committee will be glad to have them. However, this does not meet the Committee's need to have direct access to the Executive Branch's basic planning data on military assistance. Therefore, the Committee reiterates its request of July 28. If the latest Five-Year Plans were prepared in 1969, these would be the "current" plans for purposes of the Committee's request. The Committee considers that the thirty-five-day time limit in section 634(c) is still running from July 28, 1971, the day the Committee acted. However, it has submitted the entire exchange of correspondence between the Committee and the Department on the subject to the General Accounting Office in order to settle any doubts on this point.

Since you stated in your letter of August 5 that "... MAAG plans for FY 73-77 should be forthcoming for the several countries this fall," the Committee respectfully requests that it be furnished with a copy of these plans when they are completed.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
August 6, 1971.

MR. ELMER B. STAATS,  
Comptroller General of the United States,  
Washington, D.C.

DEAR MR. STAATS: As you know, on July 28, 1971, the Committee on Foreign Relations voted to invoke section 634(c) of the Foreign Assistance Act of 1961 in an effort to obtain a copy from the Department of Defense of a Five-Year Plan for the military assistance program. The Secretary of Defense has replied, stating that it is "... impossible for us to identify the specific document which would satisfy your request."

In view of the extensive correspondence between the Committee and the Department of Defense on this subject, the Committee does not believe that there should be any doubt about what type of materials it seeks and has reiterated the Committee's request to the Secretary of Defense. I enclose a copy of the Committee's entire correspondence on this subject for your information.

I would appreciate having your views as to whether the Committee's request of July 28, considering the history of it, is sufficiently precise to constitute a proper request under section 634(c) of the Foreign Assistance Act

for the "Five-Year Plan" or a similar subsequent plan, referred to in Secretary Laird's letter of June 26, 1969. I also seek your views as to whether the thirty-five-day time limit under section 634(c) continues to run from July 28, 1971, notwithstanding the Secretary's letter of August 5.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

THE SECRETARY OF DEFENSE,  
Washington, D.C., August 31, 1971.

HON. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: With reference to your letter of August 6th, the President has directed the Secretary of State and me not to make available to the Congress any internal working documents which would disclose tentative planning data on future years of the military assistance program which are not approved Executive Branch positions.

Enclosed is the President's memorandum, dated August 30, 1971.

Sincerely,

MELVIN R. LAIRD.

MEMORANDUM FOR THE SECRETARY OF STATE  
AND THE SECRETARY OF DEFENSE

THE WHITE HOUSE,

Washington, D.C., August 30, 1971.

It has been brought to my attention that the Senate Foreign Relations Committee has requested various internal working papers and planning data of the Executive Branch relating to the Military Assistance Program.

As you know, the policy of this Administration, as directed in my memorandum for the Heads of Executive Departments and Agencies, dated March 24, 1969, is to comply to the fullest extent possible with Congressional requests for information. In pursuance of this policy, the Executive Departments and Agencies have provided to the Congress an unprecedented volume of information. In addition, Administration witnesses have appeared almost continuously before appropriate committees of the Congress to present pertinent facts and information to satisfy Congressional needs in its oversight function and to present the views of the Administration on proposed legislation.

The precedents on separation of powers established by my predecessors from first to last clearly demonstrate, however, that the President has the responsibility not to make available any information and material which would impair the orderly function of the Executive Branch of the Government, since to do so would not be in the public interest. As indicated in my memorandum of March 24, 1969, this Administration will invoke Executive Privilege to withhold information only in the most compelling circumstances and only after a rigorous inquiry into the actual need for its exercise. I have accordingly conducted such an inquiry with regard to the Congressional requests brought to my attention in this instance.

The Senate Foreign Relations Committee has requested "direct access to the Executive Branch's basic planning data on Military Assistance" for future years and the several internal staff papers containing such data. The basic planning data and the various internal staff papers requested by the Senate Foreign Relations Committee do not, insofar as they deal with future years, reflect any approved program of this Administration, for no approved program for Military Assistance beyond the current fiscal year exists. Furthermore, the basic planning data requested reflect only tentative intermediate staff level thinking, which is but one step in the process of preparing recommendations to the Department Heads, and thereafter to me, for one-

year programs to be approved for the ensuing budget year.

I am concerned, as have been my predecessors, that unless privacy of preliminary exchange of views between personnel of the Executive Branch can be maintained, the full frank and healthy expression of opinion which is essential for the successful administration of Government would be muted.

I have determined, therefore, that it would not be in the public interest to provide to the Congress the basic planning data on military assistance as requested by the Chairman of the Senate Foreign Relations Committee in his letters of July 28 and August 6, 1971, to the Secretary of Defense.

I, therefore, direct you not to make available to the Congress any internal working documents which would disclose tentative planning data on future years of the military assistance program which are not approved Executive Branch positions.

I have noted that you and your respective Departments have provided much information and have offered to provide additional information including planning material and factors relating to the military assistance program to the Senate Foreign Relations Committee. These planning materials and factors will enable the Congress to consider current year approved programs in light of considerations bearing on the future which can now be foreseen. In accordance with my general policy to provide the fullest possible information to the Congress, I will expect you and the Secretaries of other Executive Departments to continue to make available to that Committee all information relating to the military assistance program not inconsistent with this letter.

RICHARD NIXON.

STATEMENT BY J. W. FULBRIGHT, CHAIRMAN,  
COMMITTEE ON FOREIGN RELATIONS  
U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
August 18, 1971.

There is attached a letter to the Committee on Foreign Relations dated August 17, 1971, from the Comptroller General of the United States, Mr. Elmer B. Staats.

It will be recalled that on July 28, 1971, the Committee on Foreign Relations voted unanimously to invoke the authority of Section 634(c) of the Foreign Assistance Act. This authority, which requires the head of any agency to provide to appropriate Congressional committees documents requested for purposes of legislation, has the effect of terminating certain types of foreign assistance provided the documents are not forthcoming or unless the President formally certifies his reasons for denying the request.

The relevant language from the attached letter from the Comptroller General reads as follows:

"Accordingly, upon written notification from your Committee that the thirty-five day period has passed and that neither the latest Five-Year Plan nor an appropriate Presidential certification has been received, we will immediately advise the President and the Secretaries of Defense, State, and Treasury that until such time as the requested documents are furnished or the President makes an appropriate certification that they may not be furnished, funds for the entire Military Assistance Program will not be available for further obligation or expenditure."

It will be recalled that Secretary Laird on August 5, 1971, stated that, "... we have no document or documents which constitute a 'current Five-Year Plan for the Military Assistance Program' in the Department of Defense. It is, therefore, impossible for us to identify a specific document which would satisfy your request." In this connection, at-

tention is called to the testimony of Lt. General Robert H. Warren, Deputy Assistant Secretary of Defense for Military Assistance and Sales, when he appeared June 24, 1971, before a subcommittee of the Committee on Appropriations. At that time General Warren was asked to supply a five-year projection of the Military Assistance Program. He said he had "no authorization" to release this information. He added in an official reply to this request that, "over the years, the Five-Year Plan for the Military Assistance Program has been," viewed, "as an internal tentative staff planning document." This official reply stated further that, "inasmuch as a determination by the President relative to the release of the Five-Year MAP Plan outside of the Executive Branch is required in these circumstances, the Department of Defense is unable to comply with the subcommittee's request pending the Presidential determination."

In making public this letter from the Comptroller General, I am pleased to note that the Comptroller General agrees with the Committee on Foreign Relations in the applicability of the penalty provisions of the Foreign Assistance Act to the request which the Committee submitted on July 28. It is essential to the successful functioning of our Constitutional system that the Executive Branch and the Congress deal with each other in a straightforward manner. I believe the record shows beyond any reasonable doubt that the Department of Defense has a document or documents which it has repeatedly referred to as a "Five-Year Plan" and that any efforts that might be made now by the Department of Defense to deny the existence of such a document or documents or to substitute therefor "planning materials and factors," as suggested by the Secretary of Defense in his letter of August 5, would not be a serious or adequate response to the Committee's request for information essential to the performance of its legislative role.

COMPTROLLER GENERAL  
OF THE UNITED STATES,  
Washington, D.C., August 17, 1971.

HON. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate.

DEAR MR. CHAIRMAN: Reference is made to your letter of August 6, 1971, concerning the Committee's invocation of section 634(c) of the Foreign Assistance Act of 1961, 22 U.S.C. 2394(c). The facts giving rise to the questions raised in your letter of August 6th are set forth below.

By letter dated July 28, 1971, you formally advised the Secretary of Defense that the Committee on Foreign Relations had voted to invoke section 634(c) of the Foreign Assistance Act of 1961 to force the furnishing of "the current Five-Year Plan for the Military Assistance Program for all countries." The Committee vote and your letter of July 28 followed several unsuccessful attempts to obtain a copy of the plan from the Department.

In that letter you correctly pointed out that section 634(c) provides that Foreign Assistance funds shall be cut off for any activity thirty-five days after the Committee requests a document relating to such activity unless either the document is furnished or the President certifies that he has forbidden that it be furnished and gives his reasons for refusal.

In response to your letter of July 28, 1971, the Secretary of Defense on August 5, 1971, advised you that it is impossible for the Department to identify a specific document which would satisfy your request as the Department has no document or documents which constitute a "current Five-Year Plan for the Military Assistance Program." On

August 6, 1971, you advised the Secretary that the Committee in requesting the "current" plan meant that it wished to obtain the latest materials available on long-range country-by-country planning for the military assistance program. In that letter you pointed out that in view of the lengthy correspondence between the Committee and the Department on this subject, there should be no doubt about what type of materials the Committee sought. As an example, you quoted a letter of the Secretary of June 26, 1969, in which he repeatedly referred to a "Five-Year Plan" and pointed out that according to the Secretary's letter of August 5, 1971, there is a Five-Year Plan now in existence. You stated that if the plans referred to in that correspondence are the latest plans available then that is the information that the Committee would like to have. Finally you reiterated the Committee's request on July 28, and pointed out that the Committee considers that the thirty-five day time limit in section 634(c) is still running from July 28, 1971, the day the Committee made its formal request.

In your letter of August 6, 1971, you requested our views as to whether—considering its history—the Committee's request of July 28 is sufficiently precise so as to constitute a proper request under 634(c) of the Foreign Assistance Act and whether the thirty-five day time limit under section 634(c) continues to run from July 28, 1971, notwithstanding the Secretary's letter of August 5.

While it is of course possible that a formal demand under 634(c) could be framed in such manner that the President and the department involved would be unable to comply because of vagueness or lack of specificity, in view of the long history of the Committee's attempts to obtain the Five-Year Plan and the Department's response to those attempts in which it acknowledge the existence of such plans, we view the July 28 request as sufficiently clear to indicate to the Department the documents or materials desired. For that reason we are of the opinion that the thirty-five day time limit under section 634(c) commenced with the July 28, 1971, request and continues to run. Under the facts and circumstances here involved, any other conclusion would allow the Department to effectively extend the statutory thirty-five day period of section 634(c) and we do not believe that such an extension is proper or allowable under the law.

Accordingly, upon written notification from your Committee that the thirty-five day period has passed and that neither the latest Five-Year Plan nor an appropriate Presidential certification has been received, we will immediately advise the President and the Secretaries of Defense, State, and Treasury that until such time as the requested documents are furnished or the President makes an appropriate certification that they may not be furnished, funds for the entire Military Assistance Program will not be available for further obligation or expenditure. In reaching our decision that all funds for the Military Assistance Program will not be available, we are mindful of the fact that Senator Roberston in explaining an earlier provision in the Mutual Security Appropriation Act of 1960, which parallels the language appearing in section 634(c), took care to point out that the language was drafted to avoid a cut-off of all funds and would only cut off those funds in a country or related to a project under investigation. See 105 Cong. Rec. 19256. However, since the Committee request is for a Five-Year Plan which relates to all countries receiving military assistance, we agree with the position taken in your letter of July 28 that in this case section 634(c) requires the conclusion that all funds for the Military Assistance

Program will cease to be available upon expiration of the 35 day period unless the material or an appropriate certification by the President is furnished to the Committee.

I am sending copies of this letter to the Secretary of Defense and the Secretary of State.

Sincerely yours,

ELMER B. STAATS,  
Comptroller General of the United States.

STATEMENT BY SENATOR J. W. FULBRIGHT IN CONNECTION WITH INVOCATION OF EXECUTIVE PRIVILEGE REGARDING SUPPLYING 5-YEAR PLAN ON MILITARY ASSISTANCE TO THE SENATE

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
August 31, 1971.

I am sorry the President has by invoking the doctrine of executive privilege, refused to give the Committee on Foreign Relations, on behalf of the Senate, the five year projections for the Military Assistance Programs. This was the right of the President under the specific legal provisions of the Foreign Assistance Act of 1961, as amended.

This decision of the President I find hard to understand, especially since the information was requested on a confidential basis and in the light of earlier statements about the desire of this Administration to be open and forthcoming in its relations with the American people and the Congress.

On March 24, 1969, the President instructed members of the Cabinet that, "the policy of this Administration is to comply to the fullest extent possible with Congressional requests for information." He added that, although there might be occasions when disclosure of certain information "would be incompatible with the public interest . . . this Administration will invoke this authority only in the most compelling circumstances and after a rigorous inquiry into the actual need for its exercise."

The refusal of the Executive Branch to provide this material for use of the Senate, even on a confidential basis, makes it most difficult to legislate in the area of foreign military assistance. Whether the Senate will feel that it can with its own resources develop sufficient information to provide an adequate basis for an objective judgment of the military assistance program will be a decision which will be made after the present recess when the pending foreign aid proposals of the Executive Branch are examined.

It is my personal view that the state of the American economy and, especially, our balance of payments situation makes it essential that the burden on the United States of outright gifts of military equipment and training to over thirty countries must be scrutinized most carefully this year. That scrutiny requires that the Congress have available to it the Administration projections for military assistance for the next few years—information which is not now to be forthcoming.

The apparent unwillingness of the Administration to provide information essential to the legislative process makes it all the more important—indeed urgent—for the Congress to adopt legislation on the subject of executive privilege. The legislation now under consideration by the Ervin Subcommittee on the Separation of Powers would do no more than generalize the requirement of formal Presidential invocation of executive privilege which now applies only to the foreign assistance program. Perhaps in time it will be found essential to take stronger measures. For the moment, however, it would seem prudent at least to require the President to take personal responsibility and explain his reasons for with-

holding information from Congress and the people. Senators will await with interest the action of the Ervin Subcommittee. I, for one, would like very much for the Senate to adopt legislation in this field before the end of the current session.

[From the Washington Post, Aug. 20, 1971]

SECRETARY LAIRD, SEN. FULBRIGHT AND  
MR. STAATS

It is hard to understand why, at this point in time, Secretary of Defense Laird should be playing semantic games with the Senate Foreign Relations Committee on a matter involving secrecy of information. Yet that is what he appears to have been doing early this month when the committee requested a copy of "the current Five-Year Plan for the Military Assistance Program for all countries." Mr. Laird refused to comply on the ground that such a plan doesn't exist and the committee, backed now by a report of the Comptroller General, has threatened to cut off all military assistance funds on the first of September if he persists. As a result, the Defense Department now faces this situation: it must either produce material the secretary says doesn't exist or get the President to invoke executive privilege to shield that same material or lose the funds for a program the administration insists is vital to national security. It is all, we think, pretty silly.

Mr. Laird's defense is that the old system under which such plans were prepared was abandoned in March, 1970, and "the revised format" for new plans "was never implemented." So, he says, there is no "current" plan although there may be new plans forthcoming sometime this fall. Thus, he contends, he cannot meet the committee's request for a "current" plan.

Weak as that defense is, it might stand up if the committee had made its request out of the blue. But Senator Fulbright, its chairman, has been trying for years to get information out of the Pentagon on long-range planning for military assistance. The Pentagon simply doesn't want to provide it and Secretary Laird seems to have hit upon a game of semantics in an effort to avoid the hard issues. But his ploy is so weak that it ought, to pain even his staunchest supporters. We find it difficult to believe that since March, 1970, no one in the Pentagon has thought beyond the next fiscal year in planning military assistance budgets. And we find it equally difficult to believe, in light of the long record established by the committee, that Secretary Laird doesn't know exactly what it wants from him.

There may be, of course, some good reasons why the committee is not entitled to this information—although they do not spring readily to mind. The argument advanced most often is that public release of such a plan would embarrass the government in its diplomatic relations, an argument we have heard a great deal about in another context recently. Two things can be said about that. One is that the committee is not asking for public disclosure. The other is that the same argument, if sustained here, can be used to keep from Congress almost any information about international affairs that the Pentagon or the State Department wants to keep to itself.

This particular dispute, however, is only part of a far larger battle, and that is why it is hard to understand Secretary Laird's maneuver. Many members of Congress have set out to try to win for the legislature a greater role than it has had in the last decade or so in the making of military and foreign policy. High among their goals is a greater sharing with the Executive branch of the kind of information sought by the

committee in this case. One need only read the record of hearings last month before a Senate judiciary subcommittee to understand how serious this effort on Capitol Hill is and how many delicate questions are involved. Yet Mr. Laird has chosen in the middle of such a discussion to brush off a serious request for information and give Congress still another example of executive secrecy.

It may be that Secretary Laird believes that information about long-range military assistance planning falls into the category of material which must be kept from Congress and over which the President must throw the blanket of executive privilege. If that is the case, he ought to be forthright and draw the battleline. If it is not the case, and we suspect the Pentagon would be well advised not to try to draw the line here, the secretary ought to comply with the committee's request.

[From the Philadelphia Inquirer Aug. 21, 1971]

SECRECY BREEDS DISTRUST

For two years the Senate Foreign Relations Committee has been trying to obtain the Pentagon's five-year plan for military assistance to foreign countries, and for two years Secretary of Defense Melvin R. Laird has refused to release it.

Finally, in July, the committee voted, 15-0, to cut off all foreign military aid unless the plan was turned over or the President formally explained why it was being withheld. Secretary Laird then informed the committee that the "document or documents" it sought did not exist and so he could not produce it or them—a transparent dodge, since Mr. Laird knows perfectly well what information the committee is demanding.

Now, the head of Congress' watchdog agency, the General Accounting Office, has upheld the committee and ruled that the foreign aid funds must be cut off as of Sept. 1 unless the Administration produces the document (or documents) or the explanation.

On the specific issue, it is difficult to understand why Secretary Laird should take such an adamant stand. Conceivably, there would be some inconveniences involved if the Defense Department's long-range plans for military aid spending, country by country, were revealed, but it seems to us that the convenience of Congress, which must appropriate the money—and, for that matter, the convenience of the American public, which must put it up—surely should take precedence.

There are, however, a couple of larger issues at stake, and all those concerned in the controversy are aware of them.

These are issues which were underscored by the uproar over the Pentagon Papers and by the sundry attempts to place restrictions on the President's war-making powers—excessive secrecy in the Executive Branch and Congress' attenuated prerogatives in the framing of national policy.

If the dreary story of our involvement in the Vietnam War demonstrates anything, it is that the Executive Branch does not necessarily know best; it is that an uninformed Congress will make uninformed decisions or none at all; it is that secrecy breeds distrust and that neither Congress nor the public can be expected to support policies unless they have the basic data upon which to make their judgments.

The White House has recently taken action to tighten up on what it considers to be security information. One of the best ways of accomplishing that aim would be to distinguish between what should be secret and what should not and to operate on an assumption which is the bedrock of our free society—that the public can be trusted.

[From the Louisville Courier Journal, Aug. 24, 1971]

OPENING THE FILES ON MILITARY AID  
DISTRIBUTED ABROAD

The military aid doled out by the Pentagon to "friendly" governments around the world plays an important part—in theory if not always in practice—in our self-appointed Cold War role as global peacekeeper. But it is dawning on a lot of Americans these days, as they look at Pakistan and Greece and Taiwan and Spain and some of the other recipients of our arms largesse, that maybe we're due for a spell of rethinking about the moral price of such a policy.

Which is the best reason in the world, it seems to us, for telling the American people more about the military assistance program than the Nixon administration has been willing to tell so far. For while some secrecy is necessary if a government is to function efficiently, the Pentagon Papers have shown clearly how secrecy also can be employed to cover up mistakes or to implement policies that the people might not support if they had full knowledge of how and why decisions were being made.

Military aid can be especially important to the conduct of clandestine foreign adventures—witness the secret war still being fought with American-supplied arms and ammunition in Laos. So it's encouraging to see Congress reasserting its role in foreign affairs by threatening to cut off all military aid to foreign nations by Sept. 1 unless the Pentagon supplies particulars of its Five-Year Plan for foreign military assistance, or unless President Nixon officially invokes the doctrine of executive privilege to keep this information secret.

Defense Secretary Laird has insisted that no such plan has been developed. But that charade was penetrated—inadvertently, no doubt—by the Deputy Assistant Secretary for Military Assistance and Sales, Lt. Gen. Robert H. Warren, who conceded to the Senate Foreign Relations Committee in June that a Five-Year Plan exists and is used as a planning document. Apparently the General's testimony was enough to convince the Controller General of the United States, Elmer B. Staats, who has now ruled that unless the information is released or the President stands on executive privilege, his office will withhold military-aid funds already appropriated by Congress.

According to an analysis by Sen. William Proxmire, the U.S. will spend more than \$2 billion on foreign military aid this fiscal year. Mr. Nixon should instruct the Pentagon to tell Congress which "friendly" nations are getting the money, and for what. If he won't tell, his refusal will be instructive, too.

[From the New York Post, Sept. 2, 1971]  
BLACKOUT ON SECRET WARS?

Pursuant to its usual policy in such matters, the Nixon Administration is now responding to Senate requests for a look at a new packet of Pentagon papers by insisting that the documents are hush-hush and directing that the Foreign Relations Committee shut up.

The recent history of the case dates from about a month ago, when Secretary of Defense Laird, asked to provide details of long-term Pentagon planning for military aid abroad, informed committee chairman Fulbright (D-Ark.) that "we have no document or documents which constitute a 'current five-year plan for the military assistance program.'"

Laird's talent for elusive semantics being what it is, the committee continued to press for facts and voted in favor of suspending all military aid unless they were produced.

Perhaps imprudently, the committee specifically reminded the White House of the President's authority to withhold documents by resorting to "executive privilege."

President Nixon has just exercised that extraordinary option without, however, justifying it in any convincing manner. Laird to the direct contrary, he concedes that pertinent documents exist. Although he seems unsure whether they contain only "tentative planning data" or "basic planning data"—he uses both terms—the policy is the same: the material will be kept from Congress and the public.

Fulbright is curious about how this attitude can be reconciled with the Administration's professed anxiety about the balance of payments problem since millions of dollars' worth of military equipment for giveaways is involved. But that is not the extent of the committee's interest. One of the most fundamental questions is: apart from Laos, how many other secret and semi-secret wars does the Administration plan to finance?

It is vital that Congress pursue its inquiries ever more energetically now—and that it challenge the Administration's apparent view that legislators are supposed to vote blindly for military assistance without getting any factual assistance from the military.

[From the Washington Post, Sept. 5, 1971]  
THE SECRET SUMMER

In its own peculiar and even alarming way, this has been what you could call the "secret summer." In case you've forgotten (we have not) summer had just begun when the Pentagon Papers burst on the scene. There were those agonized moans about how their publication would shake the Republic to its foundations and about how desperately the government needs to maintain secrecy and from our side, about the First Amendment and the people's right to know. All that came and went. The Republic, we have noticed, seemed to survive, the First Amendment fared reasonably well, and the administration announced a major project of re-classifying secret material that everyone concedes either is not or should not be secret. That event seemed to set the tone for the rest of the season.

First came the security crackdown at the Pentagon, the Rand Corporation and elsewhere—a program not of re-classifying material, but of misplaced and brutal retaliation. As reports trickled in from those points, it began to seem as if the security officers were treating loyal and diligent people who bothered to use their top secret clearances as suspects. S. L. A. Marshall addressed himself to some of the preposterous, not to say outrageous, aspects of that barn door operation in a column on this page last week.

Even while all this got underway, Secretary of Defense Laird set off to create a new category of secret information. This is information that is cloaked with the mantle of executive privilege although it doesn't exist. If the logic of that sentence doesn't quite parse, bear in mind that this is the secret summer. The information we have in mind is the administration's five-year plan for military assistance abroad. Senator Fulbright and the Senate Foreign Relations Committee wanted it. Secretary of Defense Laird said he couldn't supply it because it didn't exist. When the Senator persisted, President Nixon declared the "non-existent" plan covered by executive privilege. In fact, we have some difficulty understanding just how the doctrine of executive privilege covers that plan, if it does exist, which we assume it does. We hope and expect the capital will be hearing a lot more about that once Congress gets back.

Then this week came the news that some State Department officials have had lie detectors shoved at them in an effort by the FBI to find out who leaked to the press some information about the disarmament talks with the Russians. Under the heading, For the Record, we cite some of Secretary Rogers' comments on that affair elsewhere on this page today. Instead of a nonexistent Defense Department plan we seem to be dealing with a nonexistent State Department crime. Foolishly, it turns out, we had thought lie detectors—a particularly loathsome and demeaning and ineffective instrument of sleuthing—had disappeared from Foggy Bottom along with the sate of the late Senator Joseph McCarthy.

We intend to return to these fruits of the secret summer individually in coming days. For now we thought it might be of some use to look over the harvest as a whole. Security harassment of loyal officers after the Pentagon Papers have been printed, invocation of "executive privilege" to cover the whole future military assistance program, administration of lie detector tests to State Department officials—has it occurred to anyone in government that this systematic misapplication of doctrine and technique does not do much for its legitimate argument about the necessity of preserving national security secrets?

EDWARD P. MORGAN, ABC NEWS WASHINGTON,  
WITH THE SHAPE OF ONE MAN'S OPINION

What we've got here—with a vengeance—is government by secrecy.

Some secrecy, obviously, is necessary to the transaction of affairs of state. Every regime, Republican or Democrat, unfortunately overdoes it but the Nixon administration is making it a way of life and this is not just alarming, it will be disastrous to the checks and balances of the American system if it isn't headed off.

The pattern of disaster is plain. By calculation, the executive branch is emasculating the power and influence of Congress. The latest example of this emerged yesterday. President Nixon invoked "executive privilege" to block the Senate Foreign Relations Committee from extracting from the Pentagon figures to show what the Defense Department is planning to spend over the next five years on foreign military aid.

Committee Chairman Fulbright has been trying, unsuccessfully, for two years to get Defense Secretary Laird to hand over such information on the hardly unreasonable grounds that the committee needs the data in drawing up aid legislation. Another motive, which would hardly seem unreasonable either, was to find out what the Pentagon might have up its sleeve in terms of new foreign involvements. Fulbright, Senator Symington and others have complained bitterly in the past that the U.S. has been committed secretly to huge military involvement in Laos, for example, without the public or more than a handful of members of Congress knowing anything about it.

On the case in point, Laird has contended, in effect, that the Pentagon doesn't plan five years ahead—how odd!—that what figures it does have are highly tentative and conjectural and therefore would be confusing and damaging to reveal. This is a quibble on the important principle involved, namely that Congress is entitled to know how executive departments are planning to spend the taxpayer's dollar, and Fulbright stipulated that the information was requested on a classified basis anyway.

This is only one instance of presidential power at work. The White House now has the biggest staff in history. Henry Kissinger's office alone reportedly employs more than 150 people, all out of reach of a Congressional

committee, including, of course, the president's chief foreign policy adviser himself.

President Nixon has virtually junked the White House news conference. He has met less frequently with reporters than any President in modern times—and has dominated radio and television in prime time to carry his message "direct to the people" more frequently than any chief executive in history.

Mr. Nixon hasn't had a full dress news conference since *June first*. This means that the press has not been able to quiz him directly on such monumental events as his decision to go to Peking barring a couple of questions at a "quickle" encounter, or his 180-degree switch in direction with his new economic plan, both of which decisions were reached in utmost secrecy.

Some secrecy here was admittedly required. But government by secrecy is neither required nor desirable. Congress has one vital power left: the power of granting or withholding funds. It should use it, judiciously, but aggressively.

This is Edward P. Morgan, ABC News Washington, with the Shape of One Man's Opinion.

#### UNITED STATES-JAPANESE RELATIONS

Mr. FULBRIGHT. Mr. President, the attention devoted to the President's proposed trip to China should not detract from the more immediately important issues involving United States-Japan relations. Because of Japan's remarkable economic power and dynamism, it can represent a strong force for stability and peace in Asia, and it must not become subordinated in our policy priorities for that area of the world. It is very important to maintain the viability of the Mutual Security Treaty and a continuing attitude of mutual respect and confidence. The Okinawa Reversion Treaty, which I understand will soon be sent to the Senate for its advice and consent for ratification, is an important milestone in the evolution of U.S. policy in East Asia.

It is against this background that we must consider the recent, rather unhappy diversions in the otherwise relatively placid course of United States-Japan affairs. The failure to consult Japan prior to Mr. Kissinger's visit to Peking and the economic problems which have been brought dramatically forward in recent weeks constitute an unfortunate and hopefully transient unsettling influence. It is encouraging that President Nixon has decided to meet with the Emperor of Japan in Alaska during the Emperor's brief stopover on his trip to Europe.

Nevertheless, an ominous event threatens to mar that occasion. Disregarding the concern of many environmentalists and other concerned Americans, as well as the objections of the Canadian and Japanese Governments, the administration has announced it will conduct a gigantic nuclear test at Amchitka, literally in the wake of the Emperor's visit. The tragic irony of this juxtaposition of events is quite clear. At a time when we should pay careful attention to the symbolism of our actions, the triggering of a nuclear experiment in the very State in which the Emperor of Japan will first visit America is patently misconceived. It is all the more disturbing considering the irrelevance of the test to any real secu-

rity need of the United States—a test of a nuclear warhead for an ABM system which will probably never be used and would probably not work even if it were. The administration has indicated that no final decision had been made on whether to hold the test. It is surely appropriate on this occasion to urge a reconsideration of the desirability of conducting the Amchitka test. The welcoming salute to the Japanese Emperor should not have a nuclear echo.

#### MILITARY PROCUREMENT AUTHORIZATIONS, 1972

The Senate continued with the consideration of the bill (H.R. 8687) to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

#### UNANIMOUS-CONSENT AGREEMENT ON NELSON AMENDMENT

Mr. BYRD of West Virginia. Mr. President, what is the number that has been assigned to the amendment which was offered to the pending bill earlier this afternoon by the distinguished Senator from Wisconsin (Mr. NELSON)?

The PRESIDING OFFICER. It is amendment No. 418.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday, immediately upon the conclusion of the period for the transaction of routine morning business, the Senate resume consideration of H.R. 8687 and that the time of 1 hour then begin running on the amendment by Mr. NELSON, No. 418.

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

#### UNANIMOUS-CONSENT AGREEMENT ON CONSIDERATION OF CONFERENCE REPORT ON THE EXTENSION OF THE DRAFT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately upon the disposition of amendment No. 418 to the military procurement bill on Monday, the Senate then proceed to the consideration of the conference report on the extension of the draft. I think that would be in accordance with the wishes of the distinguished majority leader.

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, and I presume that this will be the final quorum call of the day.

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.

#### PROGRAM FOR MONDAY

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

The Senate will convene at 10 a.m. After the recognition of the two leaders under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes and in the order stated: Senators MONTROYA, TALMADGE, and GAMBRELL.

Upon the conclusion of the orders recognizing the Senators named, there will be a period for the transaction of routine morning business for not to exceed 15 minutes with statements limited therein to 3 minutes.

At the conclusion of the routine morning business, the Senate will proceed to the consideration of the pending question before the Senate, which at that time will be amendment No. 418 offered by the distinguished Senator from Wisconsin (Mr. NELSON), an amendment to the military procurement bill, which would provide that none of the funds authorized by the military procurement bill would be obligated or expended in connection with certain aircraft programs until after a final environmental impact statement had been made with respect to such programs.

Under a previous agreement 1 hour has been allotted to amendment No. 418. At the expiration of the time allotted to that amendment, there will be a yeas-and-nays vote on the amendment. The yeas and nays have already been ordered. That vote should occur at about 12 noon, unless an amendment to the amendment were to be offered—and there is presently no indication of such.

Immediately upon the disposition of amendment No. 418 offered by the Senator from Wisconsin (Mr. NELSON), the Senate will proceed to the consideration of the conference report on the extension of the draft.

#### ADJOURNMENT TO 10 A.M., MONDAY, SEPTEMBER 13, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock on Monday morning next.

The motion was agreed to; and (at 4 o'clock and 16 minutes p.m.) the Senate adjourned until Monday, September 13, 1971, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate September 10, 1971:

#### U.N. SESSION REPRESENTATIVES

The following-named persons to be representatives of the United States of America

to the 26th session of the General Assembly of the United Nations:

- George Bush, of Texas.
- Christopher H. Phillips, of New York.
- Charles C. Diggs, Jr., U.S. Representative from the State of Michigan.
- Edward J. Derwinski, U.S. Representative from the State of Illinois.
- Daniel P. Moynihan, of New York.

The following-named persons to be alternate representatives of the United States of America to the 26th session of the General Assembly of the United Nations:

- Alan B. Shepard, Jr., of Texas.
- Arthur A. Fletcher, of Washington.
- Mrs. Gladys O'Donnell, of California.
- W. Tapley Bennett, Jr., of Georgia.
- Bernard Zagorin, of Virginia.

IN THE ARMY

The following-named officer to be placed on the retired list, in grade indicated, under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

- Lt. Gen. John Arnold Heintges, [redacted] Army of the United States (major general, U.S. Army).

IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be major

- Aceto, Vincent R., [redacted]
- Bailey, Robert S., [redacted]
- Bonito, Louis J., [redacted]
- Fay, Joseph T., [redacted]
- Shore, Edward R., Jr., [redacted]
- Vander Wende, Martin J., [redacted]

To be captain

- Angritt, Peter, [redacted]
- Biddix, Harold A., [redacted]
- Cadoria, Sherian G., [redacted]
- Craft, Thomas H., [redacted]
- Curbow, Elmer E., [redacted]
- Drew, Joseph E., Jr., [redacted]
- Dumas, Edwin H., [redacted]
- Duncan, William H., Jr., [redacted]
- Englis, Marc G., [redacted]
- Gosselin, Raymond A., [redacted]
- Harris, James A., [redacted]
- Huskey, William J., [redacted]
- Johnson, Jorge H., [redacted]
- Kester, Kenneth E., [redacted]
- King, Edward D., [redacted]
- King, Robert A., [redacted]
- Kitchell, Gaither H., [redacted]
- Kostelnik, Leonard A., [redacted]
- Linnen, James R., [redacted]
- Logan, James E., [redacted]
- Malooof, George E., [redacted]
- Matthiesen, Jerry A., [redacted]
- Moreau, Donald M., [redacted]
- Morton, James M., [redacted]
- Mount, Dorothy M., [redacted]
- Moye, James M., [redacted]
- Murdock, Benton D., [redacted]
- Oliver, John B., Jr., [redacted]
- Osborn, Thomas E., [redacted]
- Parham, Bobby D., [redacted]
- Patton, Robert C., [redacted]
- Pence, Hobert L., [redacted]
- Rigabar, William R., [redacted]
- Scott, Leon C., [redacted]
- Siebert, Richard J., [redacted]
- Snyder, L. B., II, [redacted]
- Steinike, Mary L., [redacted]
- Vidourek, John C., [redacted]
- Williams, Roger D., [redacted]
- Wugofski, Eugene T., [redacted]
- Ziporin, Philip, [redacted]

To be first lieutenant

- Abney, Howard M., Jr., [redacted]
- Amick, David B., [redacted]

- Aragon, Randall, [redacted]
- Balk, Melvin W., [redacted]
- Bolick, Miles A., Jr., [redacted]
- Bryant, Hurley D., Jr., [redacted]
- Burns, Robert H., Jr., [redacted]
- Calentine, Jack E., [redacted]
- Carpenter, John D., [redacted]
- Catalfamo, Francesco, [redacted]
- Chapman, Abner B., III, [redacted]
- Childs, Ernest L., Jr., [redacted]
- Clark, Hugh D., [redacted]
- Clausen, Juanita J., [redacted]
- Coleman, Charles E., [redacted]
- Dabbiere, Ronald A., [redacted]
- Dennison, Calvin B., [redacted]
- Dumlao, Hernani, [redacted]
- Dunn, William C., [redacted]
- Fernandez, Federico J., [redacted]
- Frankel, Ronald S., [redacted]
- Gibson, Richard L., [redacted]
- Goffin, Richard W., [redacted]
- Haines, Kendall R., [redacted]
- Heister, Peter B., [redacted]
- Helsel, Robert A., [redacted]
- Hines, Jimmy R., [redacted]
- Hogan, Joseph E., [redacted]
- Howe, Roger E., [redacted]
- Humm, Gayle A., [redacted]
- Illingworth, Alfred B., [redacted]
- Jesse, Norris F., [redacted]
- Judkins, James C., Jr., [redacted]
- Krejcarek, Donald J., [redacted]
- Lauder, Clark H., III, [redacted]
- Leftault, Francis E., [redacted]
- Lindsay, Jock C., [redacted]
- Long, Francis A., Jr., [redacted]
- Marsden, Henry H., III, [redacted]
- Marshall, Michael, [redacted]
- Mulrine, Thomas V., [redacted]
- Murphy, Richard L., [redacted]
- Newsham, Thomas D., [redacted]
- Ozaki, Joe K., [redacted]
- Paramore, Ronald L., [redacted]
- Peach, Michael J., III, [redacted]
- Phillips, Michael R., [redacted]
- Pinkerton, Robert C., [redacted]
- Porter, David L., [redacted]
- Price, Jerry S., [redacted]
- Raflo, Charles P., [redacted]
- Raines, David R., [redacted]
- Rekant, Stanley I., [redacted]
- Roberts, James J., [redacted]
- Roddy, Michael A., [redacted]
- Russell, John C., [redacted]
- Ryder, Francis O., [redacted]
- Salko, Joseph E., [redacted]
- Sandlin, Rodney V., [redacted]
- Sax, James A., [redacted]
- Schneck, Gene L., [redacted]
- Schnyder, Nicholas A., [redacted]
- Scott, Robert E., [redacted]
- Seibel, James H., [redacted]
- Seigrist, Charles D., [redacted]
- Shaffer, Suzanne E., [redacted]
- Sheil, Timothy J., [redacted]
- Small, Richard F., [redacted]
- Smith, Charles A., [redacted]
- Smith, Edward B., [redacted]
- Smith, Thomas G., [redacted]
- Stewart, Harry W., [redacted]
- Swingler, Judith F., [redacted]
- Tartler, Andrew R., [redacted]
- Taylor, Wayne A., [redacted]
- Thomas, Michael E., [redacted]
- Todd, John T., [redacted]
- Verbeck, Guido F., III, [redacted]
- Viner, Tommy J., [redacted]
- Vlader, Juan R., [redacted]
- Whalen, William J., [redacted]
- Wier, Larry T., [redacted]
- Williams, Gene, [redacted]
- Williams, John J., [redacted]
- Wolfe, Jack W., [redacted]
- Woods, John G., [redacted]
- Zeiler, Timothy M., [redacted]

To be second lieutenant

- Bailey, Sedell, [redacted]
- Bennett, Dennis H., [redacted]
- Brito, John S., [redacted]

- Bryant, Robert B., [redacted]
- Campbell, William J., [redacted]
- Coakwell, McConnell A., [redacted]
- Cripps, Dennis L., [redacted]
- Feuge, Larry E., [redacted]
- Folsom, James D., [redacted]
- Gall, Roger L., [redacted]
- Herzog, Robert C., Jr., [redacted]
- Hollander, Bruce W., [redacted]
- Hyde, Dean E., [redacted]
- Jozwiak, Vincent R., [redacted]
- Knapp, George C., Jr., [redacted]
- Lathouwers, Janice M., [redacted]
- McAteer, Daniel D., [redacted]
- McGaha, William R., [redacted]
- McLaughlin, Gary F., [redacted]
- McNeill, Evan J., III, [redacted]
- Meyers, John J., II, [redacted]
- Miller, Larry G., [redacted]
- Morreale, Dennis L., [redacted]
- O'Connor, Donald D., [redacted]
- Park, William D., [redacted]
- Prondzinski, James H., [redacted]
- Rulison, Vernon C., [redacted]
- Schwarz, Jerrold W., [redacted]
- Shaw, Edward J., Jr., [redacted]
- Strube, Richard L., Jr., [redacted]
- Thomas, Charles C., [redacted]
- Thompson, Bernice D., [redacted]
- Vossler, William T., [redacted]
- Wahl, Robert G., [redacted]
- Witte, Carlton, R. V., [redacted]

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

- Beadle, Everett T., [redacted]
- Bryant, Clarence J., [redacted]
- Conatser, Michael A., [redacted]
- Cox, Charles W., III, [redacted]
- Fernandez, Jaime R., [redacted]
- Fine, Darwin E., [redacted]
- Freytes, Dennis O., [redacted]
- Greene, Robert E., [redacted]
- Hayashida, Sander S., [redacted]
- Henderson, James H., [redacted]
- Hext, Bryan R., [redacted]
- Hopper, Michael B., [redacted]
- Kepl, Maxwell F., Jr., [redacted]
- Landis, Thomas W., [redacted]
- Lau, Randall H. C., [redacted]
- Lees, Michael A., [redacted]
- Magee, Daniel A., [redacted]
- Pumphrey, Robert S., [redacted]
- Miller, Harry O., [redacted]
- Roach, Paul W., II, [redacted]
- Siberon, Angel I., [redacted]
- Van Dyke, Melvin R., [redacted]
- Weeks, Kenneth D., [redacted]
- Young, Robert M., [redacted]

The following-named scholarship students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

- Bishop, Raymond C., [redacted]
- Dovich, John J., Jr., [redacted]
- Ellis, William H., [redacted]
- Forman, Robert W., [redacted]
- Saienga, Steven E., [redacted]
- Schricker, Jack W., [redacted]
- Riccardelli, Richard F., [redacted]
- Von Merveldt, Joseph P., [redacted]

SECURITIES AND EXCHANGE COMMISSION

Philip A. Loomis, Jr., of California, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1972, vice Richard B. Smith, resigned, to which office he was appointed during the last recess of the Senate.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Herman Kleine, of Maryland, to be an Assistant Administrator of the Agency for International Development, vice Albert H. Moseman, resigned.