On the occasion of the 125th anniversary of the founding of the academy, the ideals and achievements it best represents have been summarized by President Nixon:

THE PRESIDENT'S MESSAGE

As the Sisters of the Visitation observe the one hundred twenty-fifth anniversary of their founding in Frederick, Maryland, I want to express my warmest congratulations and best wishes on an anniversary to which your achievements have brought national significance.

The guidance you have given to the young ladies whom you have schooled has become through their lives a source of strength for the nation and has immeasurably contributed to the excellence of secondary education in our country.

The rich traditions and spiritual values which you have imparted have enabled your students to lead fuller and more significant lives and to enhance the lives of others. There could be no greater service than this to God or to the future of our country.

As we go forward to meet the new challenges of peace and to build a generation of peace, your prayers and your good works will be more needed than ever. It is on behalf of countless fellow citizens that I express my personal admiration for the achievements that span your history and wish you and your endeavors every future success.

RICHARD NIXON.

HON. WILLIAM J. PORTER, NEWLY APPOINTED AMBASSADOR

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, the recent designation by the President of the Honorable William J. Porter to serve as Ambassador and chief delegate of the United States at the Paris peace talks is a well-deserved act of recognition of the talent, dedication, and excellence which have characterized the impressive career of public service of Ambassador Porter, who, I am pleased to remark, is a resident of my 10th Congressional District.

A recipient of the President's Award for Distinguished Federal Civilian Service, throughout a varied and highly creditable career, Ambassador Porter has demonstrated a degree of competence and skill in diplomacy which may well be a source of encouragement and hope. Ambassador Porter's career in diplomacy began in a most crucial year, 1936, in which he served as the private secretary to the U.S. Ambassador in Budapest. The sensitiveness of the diplomatic assignments entrusted to him is well-evidenced in his appointment as Deputy U.S. Ambassador in Vietnam from 1965 until 1967, and his subsequent appointment as Ambassador to the Republic of South Korea.

It is indeed a pleasure to note the high caliber of public servants with the competence and sense of public duty of Ambassador Porter, and his fine and invaluable contributions exemplify the best our Nation's Foreign Service has to offer.

SENATE—*Thursday, September 23, 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:

God of the Ages, Eternal Father, before whom nations rise and fall, and pass through times of trouble, be with us in this land in our time of trouble to judge us, guide us, and save us. If we have turned from Thy way, reverse our way, and help us to repent and find new direction and clearer light. Enable us to break out of old ways which have served their time and exhausted their usefulness and to find new and wiser ways for the future. Spare us from compounding the problems by our own willfulness. Release Thy grace in us that our cleansed and revitalized spirits may be part of the solution. Lead us to the new life promised in Thy word to those who seek to know and to do Thy will.

In His name which is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 22, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees 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

Mr. MANSFIELD. Mr. President, I will withhold further recognition and business until after the distinguished Senator from Vermont (Mr. AIKEN) is recognized and eulogies to our late departed colleague, WINSTON L. PROUTY, have been completed.

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

SENATOR WINSTON L. PROUTY— IN MEMORIAM

Mr. AIKEN. Mr. President, Newport, Vt., a small city of 5,000 persons, located near the Canadian border on the southern shores of Lake Memphremagog is a trading center for the hundreds of farmers in one of the most productive dairy counties of the Nation; it is a mecca for fishermen the country over who try their luck for the salmon and rainbows which run the waters of the Clyde, the Black, the Willoughby, and the Barton Rivers in the spring and the pickerel and perch which are waiting to be taken through the ice in South Bay during the winter.

Newport is the largest town in an area which is noted for the finest of wood products of birch and maple and softwoods for building purposes—and above all else a community where neighbor knows neighbor—where French and English commingle as the spoken languages—and the border between Vermont and Quebec is sometimes almost indistinguishable.

This is the community which produced WIN PROUTY, where he grew to manhood, and which he so well typified during his long and distinguished career as businessman, public servant, and good neighbor.

WIN PROUTY was more than a colleague to me; he was a coworker and a friend.

A review of the Senate records will show that we worked together in this body for the same objectives most of the time.

Senator PROUTY'S record in both the House and the Senate consistently shows his concern for the poor and the aged and his strong belief in equal educational opportunities for all.

In addition to his work on his own committees, WIN PROUTY consistently supported all important agricultural legislation, especially measures affecting the rural electrification and rural development programs.

While a Member of the House, he supported the St. Lawrence Seaway when powerful business interests were trying to block the necessary authorizing legislation.

At the time of his death, Senator PROUTY was the ranking Republican member of the Rules Committee and the Special Committee on Aging, and he was the senior Republican on six subcommittees.

He served with distinction as a member of the Commerce Committee, the Committee on Labor and Public Welfare, and the District of Columbia Committee, a post he relinquished last year for a place on the Rules Committee.

During his tenure on the District of Columbia Committee, a detailed survey by the General Accounting Office was made of the three inner city areas of the District at his request.

This work provided valuable source material about urban poverty which has helped in drafting corrective legislation.

As the ranking Republican on the Education Subcommittee he played a major role in the enactment of broad new laws providing advance funding for elementary, secondary, and higher education programs; insured Federal funds for liberal arts as well as the sciences; and financial support for special courses needed by handicapped children.

It was a Prouty amendment in 1966 that expanded the social security pro-

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gram to include 2 million previously ineligible persons.

His endeavors also had a strong impact on manpower legislation and he was one of the first to advocate a guaranteed annual income.

These accomplishments were no surprise to his constituents, for Vermont has a long and distinguished record of achievements in the fields of education, labor, and social legislation.

Vermont was the first State to abolish slavery, the first to establish a complete school system from the primary grades through college, the first to have a minimum wage not governed by Federal law, the first to cooperate with the Federal Government in all five phases of the social security program, and the first to establish a 39-week period for unemployment compensation.

This Vermont tradition of freedom and equality was consistently demonstrated by WIN PROUTY during his years in the National Capital.

At this time I will leave it to others to comment at greater length and in more detail on his accomplishments in Washington and go back to the WIN PROUTY I knew in Vermont more than 30 years ago, first as a young alderman in his home city of Newport, later during his three terms as mayor, from 1938 to 1941, and during his three terms in the Vermont Legislature, in 1941, 1945, and 1947.

WIN PROUTY'S service to his community and State during those years was notable.

He never was the conservative-minded—let-well-enough-alone—person that some would make him out to be.

In the 1930's, he was one of the organizers of the Vermont Young Republicans, a group of progressive young people who wanted their views to be known and sought the social and political changes which were sorely needed at that time.

It was in those days that WIN PROUTY became a leader of the liberal wing of his party—and in those days people knew full well what was meant by the terms "liberal" or "conservative."

The real test of his progressive thinking came in 1947 when he was elected speaker of the Vermont House of Representatives.

The late U.S. District Judge Ernest W. Gibson, one of my closest friends and one of the strongest individuals in Vermont political history, was Governor that year.

He had drafted a bold and farseeing set of proposals relating to taxation, law enforcement, State development, and other progressive measures for the legislature to consider.

His program faced strong opposition from the more conservative forces in the house, but WIN PROUTY, as speaker, proved to be equal to the task cut out for him.

As speaker and a strong supporter of the Governor's program, WIN proved to be a remarkably effective leader.

To be sure, he had the support of a dedicated group of members in the house, but he was a leader who charted the legislative strategy which wrote the Gibson proposals into law.

The 1947 Vermont Legislature is still remembered as one of the most progressive in the history of our State.

The notable progressive triumphs of that year were also PROUTY triumphs and contributed strongly to WIN'S election to the U.S. House of Representatives in 1950.

For 20 years, WINSTON L. PROUTY made his mark in Washington—dedicating his work for the sick, the poor, for the working people, and the youth of our Nation.

He did not go at his work with a brass band and is a lot of ballyhoo, but I found him to be, in his own quiet way, cooperative, determined, and effective colleague.

And now after 33 years of public service WIN PROUTY has been called home.

He now rests on a plateau overlooking the eastern shores of Lake Memphremagog—and the community where he was born and raised.

On the hill across the lake lies the North Country Hospital due soon to be modernized largely because of WIN PROUTY'S efforts.

The people of this area will have better care for their health—the youth will have better opportunity for education and the poor will find their lot in life greatly improved as a result of WINSTON PROUTY'S understanding and devotion to their welfare.

And what he has done for his hometown of Newport he has done for the people of the Nation.

The marker over his resting place is very modest, indeed, and I understand will remain so—but the service he has given to humanity is a greater monument than any which could be built of stone and metal.

But to show the esteem in which he was held and the sorrow which has come over our State with his passing, I ask unanimous consent to have printed in the RECORD editorials which have appeared in many Vermont periodicals and also an excerpt from the Paul Harvey news of September 11, 1971.

And once again, let me extend the sympathy of Mrs. Aiken and myself to Jennette Prouty and the members of the Prouty family.

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

[From the Newport (Vt.) Daily Express, Sept. 14, 1971]

SENATOR WINSTON PROUTY

Flags are flying at half mast today. A symbol of mourning for Sen. Winston L. Prouty.

For over 20 years this proud product of Newport served in Congress effectively working for education and for the social betterment of our senior citizens.

Prouty worked his way up through the ranks, first as mayor of this city, then State Representative and Speaker of the House.

From there he moved on to Washington, D.C., and Congress where he served eight years in the United States House of Representatives. He then succeeded Ralph Flanders in the Senate where he effectively labored for the elderly and the young for over 12 years.

Vermont's junior Senator was well recognized across the nation as a champion of increased Social Security benefits and other programs that related to our senior citizens.

One would be amiss, however, not to mention Prouty's efforts to secure better hospital facilities and health care center.

His position as a ranking member of the Senate and Public Welfare Committee and top Republican member of the Senate's Special Committee on Aging is a testimony to the esteem with which he was held on Capitol Hill. The benefits that our elderly are presently enjoying crowns his efforts on their behalf and will be a lasting tribute to his memory.

Strange as it may seem, Prouty traveled the road to success as a public servant without subscribing to the formula so often declared essential for reaching the pinnacle of success.

He was quiet, frugal with words and shy, never one to seek the spotlight or grasp for the microphone.

His quiet nature was at times described as a political liability.

Yet as a Vermonter, this trait came closer to fitting the image of a resident of the Green Mountain State than flamboyancy. The voters accepted him this way and sent him back to Congress repeatedly for two decades of productive work that benefited the whole nation.

While in Washington Prouty's office door was always open toward the Green Mountains. Those with a cause, found a champion who was eager to work for the betterment of those he represented. Yet life for him on Capitol Hill could not have been easy. He was dogged by ill health during much of his life, yet he managed to place the welfare of others first as he strove to bring improvements in the lot of his fellow Americans.

Aiding this soft-spoken man in his goal was his wife, Jennette, who has made a tremendous impression upon the people of his state both as a warmhearted person and an able campaigner.

We in the city of "Win's" birth join her in mourning the passing of one of Washington's most effective legislators.

[From the Benning Banner, Sept. 13, 1971]

U.S. SENATOR WINSTON L. PROUTY

Many of the thousands of people in Vermont who consistently voted for Sen. Winston L. Prouty would probably not have recognized the state's junior senator if they met him on the street. His distaste for campaigning and his avoidance of personal contact on his infrequent visits home combined to make him a name rather than a personality in the state.

But the people voted for him nonetheless, exhibiting an ingrained trust in a man who perhaps represented the last of the breed of quiet and conservative Vermonters who for so long dominated the political scene. They admired Sen. Prouty for his party loyalty, for his dutiful support of party leaders both inside and outside Vermont. They felt instinctively that he would not be an instrument of the inevitable changes that have made so many conservative and even moderate Vermonters nervous in recent years.

In the 20 years he spent in Washington Sen. Prouty did not aim his sights high, but he quietly took on some causes that he understood, a broadening of Social Security, an upgrading of vocational education and an effort, so far unsuccessful, to assist parents struggling to keep children in college. More recently, Sen. Prouty had turned his attention to the restoration of rail passenger service that eventually might spread to Vermont. These were not the causes that make headlines, but they were perhaps the ones best understood by the ordinary middle-of-the-road citizens who admired Winston Prouty.

Sen. Prouty doggedly continued his efforts to make the changes he sought in areas that would benefit the elderly, the students and their parents. His congressional scope was not a broad one, but he stuck to his beliefs in the things he wanted, and in many cases he was successful. He was a shy man, not given to making speeches about either his beliefs or his accomplishments. But there are probably thousands of elderly citizens, as well as students and children, who owe a debt of gratitude to this man who recognized their needs and did his best to meet those needs.

[From the Burlington Free Press
Sept. 13, 1971]

PROUTY A REAL VERMONTER

U.S. Senator Winston L. Prouty had all of the characteristics of the typical Vermonter. He was lean, silent and far from sociable, except with friends.

He was shy with strangers and disliked political campaigning. Yet the people of Vermont trusted him and for nearly 40 years kept him in public life.

People can sense honor in a public servant and Vermonters felt they could trust "Win" Prouty.

A long-time associate recalled this week an incident which was the mark of the man. It was the famous 1964 campaign and the Republican Party was in trouble. Funds for Prouty's campaign against Frederick Fayette of South Burlington had hit the bottom of the barrel. Suddenly out of the blue a group, concerned with American foreign policy, offered the Prouty organization a check for $5,000 to help defray the expenses of the closing days of the campaign. Prouty promptly rejected the contribution and told an aide: "It's one thing to accept money from domestic firms and people to conduct a campaign but if you accept money from a foreign policy group you could find yourself one day in a position of owing a favor to a group which might endanger the security of your country."

Win Prouty loved his country and he always put her first.

Many Vermonters often remarked that Prouty was shy and reticent to the point of absurdity. This was not entirely true but it is explainable. When he was a small boy, working around the family lumber plant in Newport, he met with an accident which cost him his right thumb. He was terribly conscious of the loss of the thumb and even when he was in group pictures kept the hand behind his back. People unaware of the injury wondered at the lack of strength of his handshake, which was far from the hearty hand-wringing feats of strength exhibited by other office seekers.

Yet Prouty was a good campaigner, when he wanted to be. When he defeated Governor Harold Arthur for the Republican nomination for Congress he fooled the experts, who had seen Arthur defeating him for the nomination for lieutenant governor. He did it by covering the state of Vermont, practically afoot, meeting the people and asking them to help him out. And they liked him and they elected him.

He had strong blocs of votes, which stuck by him even when he was up against powerful opposition. Although some labor leaders supported his opposition, a good number of the rank and file always stuck with him. Postal workers swore by him. When Postmaster General Arthur Summerfield got Congress to approve and President Eisenhower to sign a bill giving a wage raise, which Prouty thought was niggardly, he voted to override the Republican President's veto—and he was not the type of Republican Congressman who did that sort of thing lightly. He especially liked Eisenhower. And the President later signed a more generous bill for postal workers.

His biggest bloc of boosters were the handicapped, the education leaders and the elderly of Vermont. Perhaps because of his boyhood disability he was a leader in legislation to aid handicapped people. He, alone, is responsible for the law which today blankets older people under Social Security, whether they were covered or not when the law was passed.

He led the fight for 1970 passage of the increase in Social Security benefits and was studying proposals for national health insurance when death took him Friday in Boston.

He sensed that his time was short but he fought the good fight to the end and died with his boots on.

He was a member of that merry group of young Republicans of the 1930s that included U.S. Circuit Court of Appeals Judge Sterry Waterman, Supreme Court Justice Milford K. Smith, the late Gov. Ernest W. Gibson, the late Willsie Brisbin and many others who in their early and less serious days made politics fun to cover.

[From the Reformer, Sept. 13, 1971]

WINSTON L. PROUTY

The New York Times, in its obituary notice on Senator Winston L. Prouty, described him as "hardbitten," which is a singularly strange word to apply to this essentially gentle man. Presumably The Times used the phrase to characterize Senator Prouty as a thoroughgoing professional, dedicated to his party and to the Senate.

The purpose here is not to analyze phrases, but to point out the totally differing views held by so many people of this 65 year old Vermonter who died in Boston last Friday evening. He had a public career that spanned 38 years. He was a city councilman in his native town of Newport; then mayor. Next he went to Montpelier as a state legislator, rising to the powerful position of speaker of the House. He was elected to the United States Congress in 1950, and to the United States Senate in 1958.

This is a remarkable record of public service, but the fact remains that voters in his town and in this state returned him to office again and again simply because he was effective.

He cared little for publicity, even less for campaigning. Despite nearly 20 years in Washington, the Senator's name probably was virtually unknown in most of the country.

Yet what Winston L. Prouty proved was that flamboyance and publicity have nothing to do with Congressional effectiveness. His specialties were Social Security and Education, two subjects that vitally interest many politicians only at election time. The Senator, however, kept his attention focused on them during routine, often dull, many times tedious Congressional procedures, when ideas become law, not political platforms.

Because of his great and dedicated work in both fields, he made an impact on the American people, not just Vermonters.

He was a quiet man, a good man, an effective and dedicated public servant, and his death, coming only a year after his greatest-ever electoral vote of confidence, is truly sad.

"Not long ago I said that Win Prouty does not speak often, but when he does, everyone listens," said President Nixon. "Through his many lasting contributions to the nation's well-being, Senator Prouty will continue to speak to all of us for a long time to come."

[From the Times-Argus, Sept. 13, 1971]

SENATOR WINSTON L. PROUTY

US Sen. Winston L. Prouty served his native town of Newport, his state and his country well for 33 years in public life.

Although an eminently successful politican he did not enjoy political campaigning, seldom visited the state and in fact in his last campaign a year ago he planned only a brief campaign, and then concluded that abruptly before its scheduled ending.

But his committee assignments in the Senate led him into drafting legislation for the assistance of the underprivileged and the elderly, and in rail passenger service.

To both these tasks he devoted his energies and his talents and it was typical of Winston Prouty that he achieved notable, but unspectacular success, in every field.

Most of the programs now in existence in this nation to help the disadvantaged and the elderly bear some imprint of Sen. Prouty.

He was unspectacular in Vermont, yet one of its most successful politicians.

He was unspectacular in the Senate, yet one of the most successful members in the most exclusive club in the world at stamping his imprint on legislation involving his committee interests.

The senator's death last Friday saddened his native state, the thousands who knew him and the thousands who were the beneficiaries of his work for them in the Congress.

It has to be said of Sen. Prouty that his death is mourned most by those who were the closest to him. Such is not always the case.

[From the Rutland (Vt.) Daily Herald]

U.S. SENATOR WINSTON L. PROUTY

A political tradition was ingrained in the Prouty family. One of U.S. Sen. Winston L. Prouty's uncles was governor of the state and another was chairman of the U.S. Interstate Commerce Commission. The senator got his start in politics at the local level as mayor and councilman in Newport and as one of the early activists in the Vermont Young Republican Club when that organization had much more influence in state politics than it does now.

It was one of the contradictions of Win Prouty's nature that despite his interest and ambition in politics, he didn't have the zest for it that is characteristic of most politicians. It would have been an exaggeration to say he was enthusiastic whenever he launched one of his campaigns, but he was a plugger who persisted in the face of disappointment and defeat.

By rights Sen. Prouty should have been governor of the state. He was fresh from a triumphant session as speaker of the 1947 House of Representatives, once described by the late W. Arthur Simpson as "the most progressive and productive" in the state's history, when he was defeated in the 1948 primary election for lieutenant governor by Harold J. Arthur. Arthur at the time had never held any elective office other than clerk of the House. If Prouty had not been upset in that primary election he would have succeeded Ernest W. Gibson as governor in 1950 when Gibson resigned to become federal judge, and the retiring governor would have felt much more comfortable about leaving the office in Prouty's hands.

Sen. Prouty had his revenge in the very next election when Arthur surprised everyone by running for Congress instead of governor, while Prouty's neighbor Lee E. Emerson switched his candidacy from Congress to the governorship. Holding the title of governor and having proved to be Prouty's nemesis in the 1948 election, Arthur was favored to repeat in the 1950 primary race for Congress. Instead Prouty came back to win the nomination and the election and began a career in Washington as congressman and senator which didn't end until his death Friday.

Sen. Prouty was dogged by ill health during much of his life. Even as a young man he was subject to stomach ailments and sinusitis, a complaint which wasn't helped by the Washington climate. He often seemed to be literally allergic to campaigning. On the campaign trail he was perennially beset by aches and pains, but seemed to avoid any serious illness until later in life after he succeeded Ralph Flanders as U.S. senator.

Twice married, Sen. Prouty showed unusually discriminating judgment in his choice of wives. Both were active participants in his political career and gave him the kind of moral support that he required more than most successful politicians. The second Mrs. Prouty is an exceptionally able campaigner in her own right.

Despite ill health and frequent absences from his seat, Sen. Prouty was ranked as an above average performer as a legislator. He had a solid record of accomplishment particularly in the field of social security.

[From the Burlington (Vt.) Free Press, Sept. 11, 1971]

SENATOR PROUTY

The death of U.S. Senator WINSTON L. PROUTY has deprived Vermont, the nation and the world of one of America's most conscientious and effective public servants.

Senator PROUTY's career in public life began almost four decades ago when he was elected to the Newport City Council. After that he served in a succession of local and state positions of responsibility, including Mayor of Newport, State Representative, and Speaker of the Vermont House of Representatives.

In 1950 he was elected to the first of his four terms as Vermont's lone member of the U.S. House of Representatives. He distinguished himself during those eight years, notably as a member of both the Veterans Affairs and Foreign Affairs Committees.

Then in 1958 he won the first of his three successful campaigns for the U.S. Senate. During his 12½ years as a member of the nation's highest legislative body, he enjoyed a well-earned reputation as a leader of great ability, integrity and achievement.

Senator PROUTY's accomplishments in the field of education were universally recognized. Indeed, often these accomplishments were compared by leading educators to those of the great Justin Smith Morrill.

Vermont's junior Senator also was recognized as the nation's foremost fighter for increased Social Security benefits and other important programs for our senior citizens.

In addition to all of this, Senator PROUTY was a pioneering leader in the promotion of modern hospital facilities and health care centers. And he made lasting contributions in the fields of labor and transportation and commerce.

He built this record of accomplishments as a ranking member of the Senate Labor and Public Welfare Committee, as the top Republican member of the Senate's Special Committee on Aging, and as an influential member of his other Senate committees.

Senator PROUTY could not have accomplished as much as he did without the deep respect of fellow Senators, from both sides of the aisle, and the support they gave him. Although he was an extremely shy person, unusual for a political leader, he possessed a warm personality which radiated friendship and trust.

He shunned undue publicity, and therefore he may not have been among the best known of Senate leaders. But by any measure WIN PROUTY was among the most respected and most effective of Senate leaders.

America mourns the passing of this soft-spoken legislator of achievement, to whom all Vermonters are indebted for a lifetime of public service. The good works of Senator WINSTON L. PROUTY will long endure as fitting memorials to one of Vermont's most remarkable sons.

EXCERPT FROM PAUL HARVEY NEWS, SEPTEMBER 11, 1971

Senator Winston Prouty deserves a proper epitaph . . . but who of us is up to it.

Politics aside . . .

Personally, Prouty was the kind of man all of our wives wish their husbands were.

Ultimately honorable . . . almost a caricature of the typical Vermonter . . . Thin, quiet, 34 years in state and national politics.

As Mayor of Newport and then Congressman and then 12 years United States Senator, Prouty was a man of immense compassion—but did not flaunt it.

He did more than he talked about—for older people, for schools. Worked so diligently to try to improve railroad passenger service.

Senator Prouty died yesterday; a stomach ulcer had become malignant; he was 65.

He gave the profession of politics a dignity and an ethical acuity which it's never seen too much of and doesn't see enough of anymore.

Mr. AIKEN. Mr. President, I could go on and talk about WIN PROUTY for a long, long time. However, I know that others have something to say.

I am now glad to yield to my colleague the junior Senator from Vermont.

The PRESIDENT pro tempore. The junior Senator from Vermont is recognized.

Mr. STAFFORD. Mr. President, I thank my colleague, the senior Senator from Vermont.

Mr. President, it is difficult to find words to express my sorrow at the passing of a close friend, a distinguished colleague, an outstanding legislator, an able leader, and a real gentleman.

Senator WINSTON L. PROUTY of Newport, Vt., a quiet and gentle man, has passed on. Now is the time for us, colleagues in the Congress, to express our appreciation and gratitude to him who served his State and his country both in the House of Representatives and the Senate so ably for many years.

Although a senior colleague, a man who preceded me in my seat in the House of Representatives, WIN PROUTY never failed to give his advice when called upon, but never attempted to force his advice upon me or anyone else.

It was while traveling the State together that I began to know WIN PROUTY as a man of quiet integrity, a man with natural reticence, combined with a propensity for hard work and clear statements, who won the respect of Vermonters. When I came to Washington in 1960, Senator PROUTY assisted me in getting settled and helped me learn my new duties as a Congressman.

As his power and influence grew in the Senate, Senator PROUTY never changed. He remained hard-working and humble, unspoiled by all the grandeur that surrounded him.

As a legislator, WIN PROUTY was known as a behind the scenes worker who shunned the glare of publicity, but got things done. He championed the causes of the elderly, the poor, and the sick.

His work on expanding the social security program is landmark; he felt the program ought to provide security and set out to see that it did—quietly, effectively, and without fanfare.

Senator PROUTY began his career in politics by running successfully for mayor of his hometown of Newport, way up in northern Vermont, near the Canadian border. He concluded it as a U.S. Senator from Vermont and second-ranking Republican member on the Commerce, and Labor and Public Welfare Committees. In the interim, he served as speaker of the house in the Vermont General Assembly and as a U.S. Representative. It was a career which confounded the pundits, because Senator PROUTY was no tub-thumping politician; he won as a thoughtful man, who spoke only when he had something to say in a State that believes strongly in thoughtfulness and reticence.

A true Vermonter, in every sense of the word, WIN PROUTY epitomized the State and as its representative in Congress, he was a true reflection of the State he hailed from.

Mr. President, it is one thing to lose an able colleague and another to lose a trusted friend. I have lost both.

President Nixon, a personal friend of Senator PROUTY's for many years, said:

Through his many lasting contributions to the Nation's well-being, Senator PROUTY will continue to speak to all of us for a long time to come.

I can say as the man who was appointed to fill Senator PROUTY's seat that he will continue to speak to me.

Mr. President, WIN PROUTY gave 33 years of his life to public service. Thirty-three years marked by steady and consistent advancement of the welfare of the people he served.

He was a public servant of the highest caliber, and the loss to his State of Vermont, the Senate, and the Nation is a considerable one, and to me, personally it is a great loss.

Mr. President, my wife Helen and I extend our very deepest sympathy to Jennette Prouty and the members of the Prouty family.

Mr. President, I thank the senior Senator from Vermont for yielding.

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

Mr. AIKEN. Mr. President, I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, quiet, unassuming, effective—those words, I think, sum up Senator PROUTY. I had the privilege of serving with WINSTON PROUTY in both the House and the Senate, and because of my position as leader of the Democratic Party on this side of the aisle, I had close contacts with Senator PROUTY on a number of occasions when he was handling legislation in his capacity as senior Republican member of his committee. If anyone was a friend of the old, the hungry, the young, the blind, the maimed, it was WINSTON L. PROUTY, because what he did was to take an extraordinary interest in his fellow human beings and he fought for them long, hard, and effectively.

Much of the legislation which has passed this body and the other body, as well, bears the mark of WINSTON PROUTY, because he was, if nothing else, humanitarian in outlook. He loved his fellow man. He loved this institution. He did not speak "off the cuff" except on rare occasions; but he did his homework quietly, effectively, and efficiently. When he managed a bill on the floor of the Senate, he had the facts and the information at his fingertips.

I was distressed with the passing of Senator PROUTY. I knew he had been ill on occasion. I had no idea that he was as ill as he was at the time of his passing.

WINSTON PROUTY has left a mark on his State, on his Nation, and in this body. We will remember him with respect and affection. Mrs. Mansfield and I wish to extend to Jennette Prouty and the Prouty family our most sincere condolences and our deepest sympathy. May his soul rest in peace.

Mr. AIKEN. Mr. President, I yield to our distinguished minority leader, the Senator from Pennsylvania.

The PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. SCOTT. Mr. President, to walk the streets of such a community as Newport, Vt., is to see for one's self the kind of community, multiplied from sea to sea, which speaks to you of the enduring qualities

from which come the strength of our Nation. It is a quiet, friendly community, its main street rising from a lovely lake toward soft and gentle hills; its people quiet, self-contained, assured, articulate, but not imbued with the frenetic madness of some of our urban dwellers.

From this kind of community came our colleague and he reflected these origins, this strength; a man who knew and understood his neighbors, and the certainty of where his duty lay, because of the strength of character arising from his origins and his experiences; a quiet man of gentle persuasion.

It is our custom here to say frequently in eulogies that we wish a colleague who had passed on could hear what we have to say about him. I think WIN knew during his lifetime what we thought about him, he knew the respect in which he was held, and he knew the friendliness which went out to him, and from him to us.

He understood that we looked to him for action in the presentation of his views and the proposal of legislation which would reflect concern and compassion, but which reflected also a great deal of thoughtfulness and research.

A man who, as the distinguished majority leader said, did not rise too frequently to speak impulsively, but who spoke on matters of the greatest import to the country, matters affecting general welfare, matters involving the aged, the young, housing, shelter, education, social security; a man who knew of what he was speaking and also who knew the degree of support which he could expect from his colleagues, which was substantial, as evidenced by the fact that so much that he proposed has been written into law.

So it can, indeed, be said of him, as it has been said of others, Si monumentum requiris, circumspice—if you seek my monument look around. It is only necessary to look at the statutes which are on our books to realize even more clearly the very worthwhile contributions which WIN PROUTY made to his Nation and to his State.

It was clear to those who were in Newport how much he was respected and how much he will be missed. As he was laid to rest beneath a simple stone bearing the name of his family, in the view of the eternal hills which were his home, one could only think of the quotation, "I will lift up mine eyes unto the hills," unto the everlasting hills will I lift them up.

Mr. AIKEN. Mr. President, I now wish to yield to our nearest neighbor in Vermont, a Senator who has worked many years with Senator PROUTY. Senator COTTON of New Hampshire missed the geographical boundary by only a few miles, but I now yield to the senior Senator from New Hampshire.

The PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, WINSTON PROUTY was my neighbor and my friend.

I knew him years before he ever came to Congress. He possessed all those solid qualities of the traditional Vermonter—industrious, conscientious, shrewd, and successful in business, a natural leader in his community.

In more recent years, with our States sharing a common border, WINSTON PROUTY and I worked together in both the House and Senate for almost a quarter of a century. My respect and regard for him grew with each passing year—a respect and regard that were shared by all his colleagues. He was quiet and unassuming, sparing in speech, yet capable of being forceful and eloquent for the causes that he championed. He was warm and friendly, though never given to idle chatter. He was painstaking in his study of legislation. He never allowed anyone else to do his thinking for him. He was never guilty of springing to hasty conclusions but, having made up his mind, he adhered to his own deep convictions. He was at his very best in committee where I served with him for many years. He was a perfectionist when it came to molding, drafting, and amending legislation. In short, he was a working Senator.

Elderly people have lost one of the greatest champions they have ever had in the Senate. Vermont and the Nation have lost a real statesman. Each one of us has lost a beloved friend.

Mr. President, I know whereof I speak in a special way.

WINSTON PROUTY and I sat next to one another in the Commerce Committee.

His desk on the Senate floor was an arm's length away from mine.

In these relationships, it was comfortable—and I cannot think of a more appropriate word—to have WINSTON PROUTY next to me, for when the winds of expediency sometimes seemed to be bending the will-o'-the-wisps, you could be sure that WINSTON PROUTY would remain as solid and strong as his own Green Mountains.

I have spoken thus far solely from personal observations about my colleague and friend, but I realize that through my comments I have been speaking for our entire Nation, too.

From his strength, from his honesty, and from his dedication flowed a sense of assurance which, in one way or another, touched and provided a comforting sense of stability for every citizen of our country as surely as it aided and inspired us here.

No man could leave a mightier legacy.

Our sympathies go out to his widow and his family. They may take comfort in the thought that his service here was of such sterling character that he is one of those fortunate few who will never be forgotten by those who served with him.

Mr. AIKEN. Mr. President, I yield now to the Senator from Delaware (Mr. BOGGS).

The PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. BOGGS. Mr. President, I thank the Senator from Vermont for yielding.

Mr. President, I would like to join with my colleagues in paying tribute to a great American who has passed from the scene.

Senator WINSTON L. PROUTY devoted 33 years of his life to public service and he leaves a legacy that long will be remembered. No doubt the residents of his hometown, Newport, Vt., whom he served as mayor for 3 years, will remember his accomplishments, as will his constituents and former colleagues in the Vermont House of Representatives.

During 20 years in Congress he was instrumental in development of legislation dealing with the problems of the elderly, and of education, and of transportation. These proud achievements will live long after him.

But so will other qualities. I am reminded of a passage from Angelo Patri:

> In one sense there is no death. The life of a soul on earth lasts beyond his departure. You will always feel that life touching you, that voice speaking to you, that spirit looking out of other eyes, talking to you in the familiar things he touched, worked with, loved as familiar friends. He lives on in your life and the lives of all others that knew him.

I shared no committee assignments with Senator PROUTY, but it was my privilege in this Congress to sit beside him in this great Chamber. I always valued his good counsel and friendship, and I shall miss him deeply.

Mrs. Boggs and I extend our deepest sympathies to Mrs. Prouty and the family.

Mr. AIKEN. Mr. President, I yield now to the Senator from North Dakota (Mr. YOUNG).

The PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. YOUNG. Mr. President, in the passing of Senator WINSTON PROUTY, the Senate has lost a great Senator, a good man, and one who in his sincere, humble way rendered most valuable service to his beloved State and Nation.

He was honored, respected, and loved by all who were fortunate enough to know him.

WIN PROUTY, in his rather quiet and unassuming way, was a most effective Senator. When he championed a cause—he invariably was successful.

He was one of the strongest and most effective Members of Congress in providing a more adequate and equitable social security program.

He believed, as he often said, that the social security program should provide security.

He was singlehandedly responsible for broadening its coverage to most deserving elderly people.

WIN PROUTY was very active in many other fields of legislation, including that of trying to provide better railway passenger service.

He was a keen student of national and international affairs, and one who at all times and in every way placed the well-being and the security of this Nation above all else.

Some press stories indicated that he had an invisible political organization in his beloved State of Vermont. To many his strength in Vermont may have seemed a bit invisible, but I am sure one of the major reasons why he was elected to the House and Senate for more than 20 years, and with no fanfare, was that he had helped so many people and had conducted himself so as to earn the love and respect of people in every walk of life.

There are some who may not have fully appreciated or understood his quiet, sincere ways, but the people of Vermont did, as did we who were privileged to serve with him.

We will all miss this good friend and great Senator.

Patricia and I extend our deepest sym-

pathy to his wonderful wife, Jennette, and all of the family.

Mr. AIKEN. Mr. President, I yield now to our longtime friend and distinguished colleague, the senior Senator from Kentucky (Mr. COOPER).

The PRESIDENT pro tempore. The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, in addition to the association that one normally has in the Senate with his colleagues, I had the opportunity to serve on two committees with the late Senator WINSTON L. PROUTY. One was a recent association upon the Committee on Rules and Administration. Senator PROUTY was the ranking member of the Subcommittee on Privileges and Elections of that committee and helped bring to the floor of the Senate and strongly supported the election reform bill. In the second half of the 1950's I had the opportunity to serve with him for 4 years as a member of the Committee on Labor and Public Welfare.

In all the tide of legislation which has been enacted by Congress since that time, it may be forgotten that the late 1950's was the period, I might say, of gestation, of ferment upon legislation which has since become accepted as the law of the land. It was a period in which civil rights was a burning issue. It was a period when advances in education were being made, advances which were hotly contested then, but which are now widely accepted throughout the country. It was a period in which we completed the first and major changes in the Taft-Hartley law, first approved by the Senate, and which later became more familiarly known under the name of Landrum-Griffin. Also, it was a time when we were beginning to consider a different attitude toward health measures, particularly whether we should adopt the medicare program.

In all of these subjects, Senator PROUTY took a leading and enlightened part.

In that association one found insights into the character of Senator PROUTY. Reference has been made to his painstaking study and examination, and this was evident in our committee, and in legislation. After painstaking study and examination, when he thought it was necessary, Senator PROUTY followed up both with amendments and with appropriate legislation, much of which became the law of the land.

I think all of us recognized a certain persistence and doggedness, we might say, in his advocacy and in his battles for legislation which he had studied thoroughly, which he had constructed or had a part in its construction, toward final adoption. As an example, there is one measure which comes to my mind, which he first advocated and secured approval. I recall that the times I heard him speak on his amendment, standing at his seat on the aisle to my right, I thought his views could not prevail. It was a measure to provide financial support for those who were outside the scope of the Social Security Act. But he did prevail; his amendment was approved and became the law. There are literally hundreds of thousands of people today, older men and women and disabled people, who have some monthly income because of the compassion, the initiative, and the fight of the late Senator WINSTON PROUTY.

And so we recall, not only our happy association with him, but his success, in a compassionate and a stubborn way, in bringing light to many people in our country. I join with my Senate colleagues in expressing our sense of loss and extending to his widow and his family our deepest sympathy.

Mr. AIKEN. Mr. President, I now yield to one of Senator PROUTY's long time coworkers and friends, the Senator from New Jersey (Mr. CASE).

Mr. CASE. Mr. President, someone not so long ago said that one of the things the Senate is best at is remembering quietly one of its Members who has died. I think this is true. I would not, of course—no one would—suggest that we ought to sacrifice Members periodically so that we could have these sessions. That thought would, of course, not enter anyone's mind. But it is good to pause in the busy life which all of us lead and have a period of quiet reflection about one of our colleagues and friends.

Everything that has been said this morning is true, and none of it exaggerated. I remember WIN PROUTY when he first came to the House of Representatives quite a few years ago. I do not think he had changed one bit since then. He was quiet, rather withdrawn and self-effacing, at least on the surface; but as the Senator from Kentucky has said, he had a very stubborn streak in him. If he believed something—and he did believe some things deeply—you could not shake him, no matter how hard you argued or stormed.

He had a warm capacity for friendship, despite his outward diffidence, which was only an apparent diffidence. It concealed a very sensitive and very alert nature. All of us who have known him for these many years have come to feel enriched by the friendship of this warm, responsive human being. And it was evident to all of us who went to Vermont recently to attend the funeral and graveside services that this was equally true of his neighbors and his friends from his hometown and from around the State which he loved so well.

His accomplishments here have been many, significant, and lasting. As has been well said, hundreds of thousands of people now, and, looking into the future, millions more, have been and will be benefited by his sharp recognition of what was lacking in our welfare and assistance programs. We sometimes used to joke about WIN as being a modern protagonist of "$30 every Thursday," or whatever the slogan was, of those fantastic programs that came up in the early days of the depression. But there was none of that about him at all. He was a hard thinking, clear thinking, careful Yankee, but one who recognized, at the same time, not only the justice of the claims of people who needed the assistance that his legislation would provide, but also that, with its wealth and its affluence, there was plenty in this country, to make such provision possible.

We will not forget WIN. I am happy indeed to know that his successor, who is with us today, is also a former House Member, with a similar background.

We will not forget WIN for his qualities or for his accomplishments. All of the people of this country are benefiting, and indefinitely into the future will benefit, because of his service here. Mrs. Case and I join our colleagues in expressing again deep sympathy to his widow and his family.

Mr. AIKEN. Mr. President, at this time I wish to yield to another of Vermont's nearest neighbors, the distinguished junior Senator from New Hampshire.

WINSTON PROUTY—NO HEADLINES, JUST DEVOTED, CONSCIENTIOUS, SINCERE SERVICE TO HIS NATION

Mr. McINTYRE. Mr. President, I rise to pay my respect to one who devoted his life to serving his Nation, his native New England, his State of Vermont, his family, and his conscience.

WINSTON L. PROUTY of Vermont did not gain the headlines. He was not the subject of national controversy.

WIN PROUTY could walk through the corridors of the Capitol without commotion or without drawing stares from the tourists. His presence in the reception room off the Senate floor did not turn many heads.

I remember an occasion when WIN PROUTY and I were members of a group that went to Cape Canaveral, Fla., to witness a Gemini flight. During the course of our visit we were invited to a luncheon gathering. WIN, in his rather unassuming way, was dressed quite informally in slacks and open shirt collar. The attendants at the door of the luncheon stopped WIN saying that the luncheon was only for Members of Congress and other guests from Washington. They could not believe that WIN was a Member of the Senate. He just looked like the man on the street. I had to vouch for WIN so that they would let him in to attend the luncheon.

We who served with WIN PROUTY in the Senate knew he was one of us. We knew he carried his load in the Senate. We knew he discharged his duties with great grace and ability.

He did not often take the floor of the Senate to speak, but when he did, we listened, for we knew he had devoted deep and meaningful thought to his words.

We saw the imprint of WIN PROUTY on many pieces of legislation which came before this body of Congress. Few bills on education, social security, health care, labor, welfare, or commerce were passed without including contributions he made through his work on the committees of Labor and Public Welfare, Commerce, Rules and Administration, and the Special Committee on the Aging. The Prouty amendment which allows those who could not make this full contribution to social security to obtain the benefits of the program has been a blessing to many of our senior citizens.

I have found increasing evidence of the standing WIN PROUTY had with senior citizens during trips to New Hampshire in recent years. On many of these trips, I have had the privilege of meeting with senior citizens' groups in my State.

Time after time, the members of these groups have praised WIN's work and asked that I give him their regards for his efforts on their behalf. They knew he was a Member of the Senate.

WIN PROUTY came from the small town of Newport, Vt., population 5,000. He came a long way through 33 years of public service as mayor, member of the Vermont State Legislature, Member of the U.S. House of Representatives, and, for the last 13 years, Member of the U.S. Senate.

But he never really left the people of Newport. He was one of them. He felt comfortable with them in their quiet, individualized way of facing the problems of today.

It was reported that WIN PROUTY once told an audience at the University of Vermont:

> A man cannot delegate his conscience to the crowd. It is as solitary as his soul.

In his way, WIN was solitary. But, in his contribution to mankind, he was a part of today.

To his wife, Jennette, and to his family I offer the sincere condolences of one who considered WIN PROUTY a friend.

(At this point Mr. CHILES took the chair as Presiding Officer.)

Mr. AIKEN. Mr. President, I now yield to a Senator who lives far from Vermont, but nevertheless a Senator who, in his work, had cooperated very closely with Senator PROUTY—the Senator from Hawaii (Mr. FONG).

Mr. FONG. Mr. President, I was extremely shocked and saddened by the passing of my close friend and colleague, Senator WINSTON L. PROUTY.

I say with deepest feelings that it was a great privilege and honor to have served in this distinguished body with Senator PROUTY. His passing is a loss to his State, our Nation, and to Americans everywhere.

For me the loss also was very personal. He sat here in the Senate in the same row with me, one seat away. We usually exchanged small talk and banter between votes. He was the ranking minority member of the Committee on Aging.

A few years ago, WIN and his beloved wife, Jennette, journeyed to my State of Hawaii, where WIN delivered speeches on several of our major islands. WIN's message was well received and the hundreds of people the PROUTYS met found them to be most warm and gracious. It was my pleasure to introduce WIN and Jennette to the beauties of Hawaii and the friendliness of our people. We had so hoped they would return to our mid-Pacific paradise.

We of Hawaii have a special place in our hearts for WIN PROUTY, for on that fateful March day in 1959, he voted to make Hawaii our 50th State. Without friends of Hawaii like WIN PROUTY, I would not have had the privilege of serving in the U.S. Senate.

When I was sworn in as U.S. Senator from Hawaii in 1959, WIN was serving his first term in the Senate. He had by then already established a reputation for personal integrity, inflexible courage in upholding the principle of equality for all, and devoted and selfless public service. These were hallmarks of his 8 years in the U.S. House of Representatives, on the Vermont State Water Conservation Board, in his State's legislature, and in the office of mayor of Newport, Vt.

I could not but feel a special affinity for WIN as a person and for the principles he espoused so well.

He was a member of the Republican Party, my party. Some would call him a "moderate," others a "conservative," and still others a "liberal." But for WIN, labels meant little.

He was, if anything, a pragmatist, his approach to legislation being "would it work?" And if so, "Is it good for all Americans?"

For two or more million Americans age 72 and over, it was he who made them eligible for coverage under our social security system. "The social security program ought to provide security," he asserted, as he led the fight to provide this security for all.

College students will remember the Prouty amendment which insured Federal funds to support liberal arts as well as the sciences.

It was also a Prouty amendment which provided advance funding first for elementary and secondary education and then for higher educational programs.

The handicapped children and their parents will remember his amendments that assured special education for their needs.

Vermonters who learned skills through federally assisted manpower programs will remember WIN PROUTY for his amendments which pushed up minimum manpower funds for Vermont and other small States.

Vermonters can also look at community buildings and remodeled hospitals and know that it was WIN PROUTY who increased the building funds and eliminated restrictions on the use of such funds.

People in the rural areas of America also know that WIN PROUTY was constantly alert to amend legislation to make sure that Federal programs would meet the needs of rural areas.

Throughout our North and Northeastern States, WIN PROUTY will always be remembered as one of the chief leaders in the creation of the St. Lawrence Seaway.

As ranking Republican on the Senate District of Columbia Committee, it was he who sponsored the bill calling for a nonvoting House delegate for the District.

His intensive poll of three inner-city neighborhoods in Washington, D.C., set the guidelines for sampling attitudes in our troubled congested areas and enabled the poor themselves in these areas to be heard. And his study enabled Congress and the executive branch to build on successes and correct many of the failings of the District of Columbia inner-city programs.

As all of us are aware, WIN PROUTY did not seek the limelight nor the newspaper headlines. Indeed, it was a rare and special occasion when he addressed us on this Senate floor.

But we who worked with him know how effective a legislator he was and how able he was to translate the needs and aspirations of his constituents into national policy. And his constituents in a real sense included not just those from Vermont but from all of the United States and its Territories.

Mr. President, to WIN PROUTY's wife, Jennette, to his daughters, Mrs. Currie Johnson, Mrs. Elizabeth Friel, and Mrs. Ann Panariello, and to the other members of the family, my wife, Ellyn, and I extend our deepest sympathies and our most sorrowful aloha.

Mr. AIKEN. Mr. President, at this time I yield to the distinguished Senator from Mississippi (Mr. STENNIS).

Mr. STENNIS. Mr. President, our late friend, Senator WINSTON PROUTY, always had my very highest respect; and I am sure that all of us thought of him and his work here with admiration as well as personal esteem.

I know, as a matter of fact, that he struggled many times to find out what was right and what was the sound position and what was best for the Nation, and it seems at times it was a struggle for him. But those were his unerring guidelines, as I knew him.

Reference has been made to his speeches in the Senate. I recall one speech he delivered which I shall never forget. I think that perhaps that speech, with his earnestness, was the turning point in that memorable debate. I know it as one of the tightest spots and hottest positions I have been in in the Senate as the floor manager of a bill. It was the first time that the matter of the ABM was before the Senate. He went through a soul-searching consideration of that matter and finally came in here, in his calm, earnest way, and delivered his speech—not a long one—giving his reasons. I think it set a new tone, a new perspective, an additional perspective, for the entire debate. It went on, and with his vote, by the slimmest possible margin, the program survived in that bill.

Senator PROUTY was what I call a working Senator. Duty came first, and he had many duties. He carried a big load. I was not privileged to be associated with him in committees. We had different assignments. But I know that he carried more than his part of the workload here. In his usual way, he was very effective, not only in the committee but also on the floor of the Senate, in the cloakrooms, and elsewhere, where a quiet, persuasive word means the most. He shows up brilliantly in that way.

I want to mention especially his helpmate, Jennette. I remember a luncheon at the White House soon after Senator PROUTY came to the Senate. He brought Mrs. Prouty to the luncheon, and we were all sitting at small tables. I had not met her, but I was very much attracted by the intelligence, the charm, the knowledge of public affairs, and the opinions expressed by one of the ladies there. I could not find her place card which would have shown who she was, so I just had to ask her, and she said, "I am Mrs. Prouty." She later became president of the Congressional Club, where I saw with my own eyes the quiet leadership she reflected, which Mrs. Stennis confirmed to me in our conversations.

The management of the Congressional Club is said to have gone unusually well under her regime. It showed up to some advantage, too, because of her thrift be-

cause she left the club with a better bank balance than it had when she came in.

So, Mr. President, Mrs. Stennis joins me in paying reverence and respect to the memory of our late colleague, together with a tribute to Mrs. Prouty in appreciation of her many qualities.

We also extend the greatest of condolences, understanding, and sympathy in their loss to his three daughters.

Mr. THURMOND. Mr. President, I wish to join my colleagues in commemorating Senator WINSTON L. PROUTY.

Senator PROUTY was a man of impeccable reputation, character, and integrity. He was a patriotic, fine citizen who believed in the principles that made America great.

I have enjoyed serving with Senator PROUTY for the past 12 years since his election to the Senate on November 4, 1958.

Mr. President, Senator PROUTY has done a tremendous amount of work in alleviating some of the many problems in the area of commerce. I served with him on the Commerce Committee, and thus have firsthand knowledge of his dedication and drive.

Senator PROUTY will also be remembered for his work on the Select Committee on Small Business, Rules and Administration Committee, and the Labor and Public Welfare Committee. He advocated progressive measures on all of these committees. All of these committees require a great deal of work, and Senator PROUTY was not one to shirk responsibility.

Senator PROUTY has served his State of Vermont long and well, first as a member of the Vermont House of Representatives, then in the U.S. House of Representatives and since 1959 in the U.S. Senate.

Mr. President, if we are to keep America strong and maintain its high quality of accomplishment, we must continue to get conscientious representatives that have the same high caliber of devotion to service as Senator WINSTON PROUTY.

Our heartfelt thoughts go out to his devoted and fine wife Jennette and the other members of the Prouty family in this time of sorrow, and I wish her to know that Senator PROUTY will be forever remembered by Members of the Congress.

Mr. President, the high level of achievement of Senator PROUTY will always be a goal that we of the Senate will strive to reach. His good works will thus serve as inspiration to keep the Senate a place of capable and dedicated leadership.

Mr. GRIFFIN. Mr. President, it is with a deep sense of loss that I join my colleagues in paying tribute to WIN PROUTY.

WIN PROUTY'S record is written in large letters in terms of service to the people of Vermont and to the Nation.

Those of us who are left to carry on in this body are tremendously indebted to him for his imaginative leadership—for what he accomplished and what he sought to accomplish for veterans, for senior citizens, for the unemployed, for students, and for many others.

In the book of Isaiah, it is written:

> In quiteness and confidence shall be your strength.

WIN PROUTY was a quiet, almost a retiring man. But he had the confidence and determination of his New England tradition when he believed he was right.

As we all know, he never engaged in Senate debate just for the sake of debating. He realized full well, as Ben Jonson wrote that—

> The dignity of truth is lost with too much protesting.

In his whimsical way, WIN had his own explanation of why he never sought the headlines, although headlines frequently sought him. He would relate two instances which indicated to him how fleeting fame can be.

In his hometown he was a member of Newport High School's first football team. In the first game, Newport was overwhelmingly defeated. As WIN would recall—

> Lyndon Institute beat us, 81 to 0, and the Newport Express carried a headline which read: Lyndon Routes Newport; Prouty Stars for Newport.

Another incident that WIN liked to recall occurred when he was elected mayor of the city of Newport, Vt., in 1938. That night, after the election results were in, he climbed a nearby hillside and proudly surveyed his city. Before dawn a record-breaking sleet storm paralyzed Newport and, as WIN would recall:

> Everybody blamed me for the storm. Suddenly the honor and glory of public office were gone; and I had learned a lesson—public service meant work.

Hard work became a hallmark of WIN'S service of more than 20 years in Congress—8 in the House and 12 in the Senate. So well did he prepare himself, that whenever he had occasion to speak, he always had something to say that needed to be said. In what he said he never wasted words. In one speech when he argued persuasively for better care for the elderly, he summed up the whole issue in one short sentence. He said:

> Social security should provide security.

WIN PROUTY did not like the efforts of some who go about draping labels on others—labels like "conservative" or "liberal." When he first came to the Senate, a national magazine analyzed the freshmen members and concluded, from WIN'S record, that he was neither a liberal nor a conservative. He was, the magazine decided, a pragmatist.

Certainly he was that. In the lawmaking process, he practiced the art of the possible. As each piece of legislation came to the Senate floor, WIN PROUTY approached it in a constructive way. He never opposed for the sake of being opposed. He was constantly seeking to obtain improvements in affirmative ways through amendment.

As the commentator, Joseph McCaffrey, has said:

> Observing him in action an observer feels that he finds his most exercise in wrestling his amendments through the Senate, an ability he has perfected probably better than any of his 99 colleagues.

We shall miss WIN most sorely in this body. We shall be the more impoverished without the benefit of his quiet counsel and guidance as we consider the far-reaching legislative issues scheduled to come before us. As much as any man he played a significant role in giving this Nation a new direction in meeting the challenges of our times.

I shall miss him as a colleague on two of the committees on which I serve.

I shall miss him as a neighbor because he and Jennette have lived just down the street from us here in the Washington area.

More than that, I shall miss him as a friend. My wife, Marge, and I send our deepest condolences to his lovely wife Jennette and the family.

Mr. AIKEN. Mr. President, I now yield to the distinguished senior Senator from Florida.

The PRESIDING OFFICER. The senior Senator from Florida is recognized.

Mr. GURNEY. Mr. President, last week we were all saddened by the death of Senator WINSTON PROUTY of Vermont. This body and the Nation are poorer today because of this loss.

Senator PROUTY brought to the Senate those most important qualities for any legislator: reason and moderation. Having served with Senator PROUTY on a committee of special interest to both of us, the Special Committee on Aging, I know that the older American has lost an eloquent and compassionate spokesman. All of us who shared his concern in this area will especially miss him and will be hard pressed to match his dedication in solving the many problems facing the elderly.

WIN PROUTY'S public service was indeed distinguished, for it covered every level of government: As mayor of Newport, Vt.; as a member and speaker of the Vermont House of Representatives; outstanding service in the House of Representatives and for the past 12½ years a distinguished Member of the U.S. Senate. To all these tasks he brought the same dedication to the public good, the same concern with finding effective solutions to the problems facing us.

I am proud to have had the opportunity to serve with WIN PROUTY in the Senate for the last several years. And I know that all of us are the better for having known and having worked with him.

My sincerest sympathy goes to his lovely and gracious widow, Mrs. Prouty, and his family.

We will all miss him sorely.

Mr. AIKEN. Mr. Preisdent, I now yield to the distinguished junior Senator from Massachusetts.

The PRESIDING OFFICER. The junior Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, I was privileged to give my accolades to WIN-PROUTY in Bennington, Vt., last year during the occasion of his successful campaign for reelection.

Mr. President, the craftsmen of politics are—more often than not—the unnoiced and unheralded men in public life.

WIN PROUTY was such a man.

The people of Vermont knew his qualities. For 33 years they voted for him and promoted him to greater responsibilities. In 1970–in the toughest fight of his political life—they gave him a tremendous and overwhelming vote of confidence.

We in the Senate also knew the worth and stature of the man.

WIN was laconic, but when he rose to speak on the floor we listened, because we knew that WIN had done his homework, and knew what he was talking about.

No Member of Congress worked harder—or more effectively—on the immensely complex problems of education and social security than did WIN PROUTY.

He championed those particular causes because he cared about people. His imprint on the Nation's education and social security laws are his legacy to the young and old of our country.

Vermont will miss him. We, who served with him, will miss him. And millions of Americans who never even knew his name will miss him, because his passing leaves them with one less friend and champion in the U.S. Senate.

We extend to his dear wife, his daughters, other members of his family and friends our heartfelt sympathies.

Mr. AIKEN. Mr. President, I yield now to the distinguished junior Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. ALLEN. Mr. President, I thank the distinguished Senator for yielding to me at this time.

Mr. President, I was deeply saddened by the untimely passing of my friend and colleague, WINSTON L. PROUTY. I had been in the Senate but a short period of time before he became fixed in my mind as the exemplar of the storied virtues which I associate with the people of Vermont. Without even trying he made me believe the words of another great native son of Vermont, Calvin Coolidge, who said of her indomitable people:

> If the spirit of liberty should vanish in other parts of our nation and support of our institutions should languish, it could all be replenished from the generous store held by the people of this brave little State of Vermont.

Mr. President, all of us have been impressed by WINSTON PROUTY's quiet dignity and modesty—his unostentatious reservoir of wisdom—his stalwart support of the spirit of liberty and the principles upon which our institutions are founded. These qualities of character struck me as being in keeping with the best traditions of Vermont and of New England and typical of the many leaders from that State and region who have so vastly enriched our Nation. For these and many other reasons, WINSTON L. PROUTY made a lasting impression on me—one that will live on in vivid memory for years to come.

On reflection, it is not surprising that he projected so favorably. His constituents held him in the same high esteem. This is attested by the fact that he began his illustrious political career in 1938 on being elected to the office of mayor of his hometown of Newport, Vt. He served three successive terms in that office, after which he was three times elected to the Vermont House of Representatives where he was accorded the honor and distinction of serving as speaker of the House. He was then elected to the 82d Congress in 1950 and reelected to the 83d, 84th, and 85th Congresses. In November 1958, he was elected to the U.S. Senate and twice more reelected. His service was all the more meaningful because his political experience was combined with practical experience derived in part from responsibilities of family owned lumber and building material enterprises, and the valuable experience gained from other business endeavors.

Mr. President, the people of Vermont and the people of the Nation have lost a great public servant. We in the Senate have lost a most valued friend and colleague. We will long cherish his memory. Mrs. Allen joins me in extending deepest sympathy to Mrs. Prouty, whom we have grown to love and admire, and to his children and other members of the family in their great loss.

Mr. AIKEN. Mr. President, there is one other Senator at this time who wishes to say a few words. However, I realize that there are other Senators who would also like to do so but who are unable to do so at this time. Therefore, I ask unanimous consent that the RECORD remain open until about 1 week from Monday night so that the remarks of other Senators may be included in the RECORD.

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

Mr. AIKEN. Mr. President, I yield now to the senior Senator from Iowa.

Mr. MILLER. Mr. President, I know that I speak for all Members of the Senate when I note, with sorrow, the loss of our dear friend, WINSTON PROUTY, of Vermont.

It was my pleasure to work closely with Senator PROUTY over the years on a number of legislative issues of mutual concern. Most notably, perhaps, were the matters under the jurisdiction of our Senate Committee on Problems of the Aging. Senator PROUTY's humanitarianism always came through during our committee's deliberations and during his active role in pressing for legislation to provide a decent, more meaningful life for those of our citizens living out their retirement years. No Member of the Senate demonstrated greater leadership in this vital area of national concern, and our senior citizens have, indeed, lost a great advocate.

WIN PROUTY was usually a quiet person, but when it came to fighting for what he deeply believed in, he ably rose to the challenge. He knew his subject, and he was always a worthy, though polite, advocate in his Senate debates. His reelection by a very substantial margin in 1970 showed that the people of Vermont really appreciated the service Senator PROUTY had long given them. No more fitting tribute can be bestowed on a public official.

We extend our deepest condolences to his good wife, Jennette, and other members of his family as we mourn the loss of a colleague and dedicated servant of the people.

Mr. AIKEN. Mr. President, I thank the assistant majority leader, the Senator from West Virginia (Mr. BYRD), for his courtesy in getting an extension of time. I understand the Senator from New York (Mr. JAVITS) and others wish to make remarks concerning Senator PROUTY.

I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I wish to associate myself with the remarks that have been made by our colleagues on the passing of our distinguished friend, WINSTON PROUTY, of the State of Vermont.

I had the honor and the privilege of serving with him in the House and then in the Senate during his long and distinguished tenure of some 20 years of service to the people of Vermont and to the Nation.

I can say many things about what he did in his home town as mayor and his outstanding service in the legislature and in the House and in the Senate. One thing that runs through all of this is that here was a man of conscience; here was a man who was dedicated; here was a man who labored hard in trying to do what he thought was right as a public servant.

He wrestled, of course, with the problems we all face; the difficult task of trying to do what is right, and the even more difficult task of knowing what is right.

I observed him working in some of these difficult areas, particularly in the field of national security where the decisions are not easy. I found that he was, indeed, a man of conscience, a man who was determined to try to find the right answer.

He accomplished many things during his long and distinguished career. I suppose what stands out in my mind was his constant dedication to rectify so many of the hardships in our social security program. The PROUTY leadership in this area has led to the correction of many of these inequities and injustices in the administration of the social security program. He had a long and continuing interest to help the elderly, to see that those who were less fortunate in this category obtained a decent break. We can ill afford to lose a man of such dedication and such conscience in the deliberation of great public issues.

My wife joins me in conveying to his wonderful wife Jennette and the Prouty family our deepest sympathy in this great loss.

Mr. McGEE. Mr. President, will the Senator yield to me for 1 minute?

Mr. AIKEN. Mr. President, I yield.

Mr. McGEE. I wish to add to remarks I have already made on an earlier occasion with regard to Senator PROUTY. My reason for doing so is the sense of fraternity some of us feel with regard to the class of 1958. That class was a very numerous class and it has remained a very close class through nearly 13 years.

We were all proud of our association with Senator PROUTY, impressed by his integrity, and even now as we are saddened by the events, I think it would be most appropriate to say we are gladdened by the example he set as a member of our class because it gives us steady and moving footsteps to follow. For that

reason I wanted to make this additional comment in regard to our colleague.

Mr. AIKEN. Mr. President, I understand the RECORD will be held open for the insertion of remarks until 1 week from Monday.

The PRESIDING OFFICER. The Senator is correct.

Mr. CANNON. Mr. President, will the Senator yield to me for 1 minute?

Mr. AIKEN. I yield.

Mr. CANNON. Mr. President, I join with my fellow Members of Congress in expressing deep regret at the passing of Senator PROUTY.

As members of the class of 1958, Senator PROUTY and I served together on the Commerce Committee and Committee on Rules and Administration. I have enjoyed his fellowship and our working relationship in all that time. It was that fine association which offered me firsthand knowledge of his dedication to the people of this Nation and his own great State of Vermont. I found that Senator PROUTY had special concern for the elderly and the unfortunate, for whom his compassion drove him to build a fine record of legislation.

And in all that time we served together, I never found him to take a position based on politics rather than a position based on what he thought was for the welfare of our people and the good of our country.

I want to associate my remarks with the many that have been spoken on his behalf and express on behalf of my wife Dorothy and myself our very deepest sympathy to his lovely wife Jennette and to the Prouty family.

Mr. BYRD of West Virginia. Mr. President—

Let fate do her worst.
There are relics of joy,
Bright dreams of the past
That she cannot destroy.

They come in the nighttime
Of sorrow and care,
And bring back the features
That joy used to wear.

Long, long be my heart
With such memories filled,
Like the vase in which roses
Have once been distilled.
You may break, you may shatter
The vase, if you will,
But the scent of the roses
Will hang 'round it still.

WINSTON PROUTY was a man of quiet dignity, of compassion, of diligence, of conscience and sincerity. He was a good man, beloved by all of his colleagues.

You may break, you may shatter
The vase, if you will.

But the spirit of his presence and memory of this man's life with us will follow us still.

Mr. JORDAN of Idaho. Mr. President—

Discretion of speech is more than eloquence; and to speak agreeably to him with whom we deal is more than to speak in good words or in good order.

These words of the English philosopher and author Francis Bacon are appropriate today as we pay tribute to the late WINSTON L. PROUTY.

Because WIN was never one to expound on each and every issue, his words when spoken were heeded by all. A man of wisdom—a man of great concern—he brought much with him to this body in both spirit and deed. I am a much richer man for having had the good fortune of his friendship during our years together in the Senate—and Vermont, indeed the entire Nation, is the richer for having had his leadership.

Words cannot convey the grief we share from the loss of our good friend and fellow colleague—but words were not so important to WIN. I believe our acts of friendship during his life here on earth were a true measure of our affection for him.

May he rest in peace knowing that he garnered through his silent manner that virtue that so many strive for and so few attain—the esteem of his fellow men. Truly, he was a distinguished statesman and his vacancy in this body shall not easily be filled.

Mr. HATFIELD. Mr. President, WINSTON PROUTY was a man of independent judgment who defied categorization. He served his State well and complemented the work of our distinguished dean, Senator AIKEN . . . together they provided Vermont with an effective team. Not a man to seek headlines, but a worker and a legislator who always put the interests of his constituency first.

Initially, I came to know WINSTON PROUTY through his work on the Senate floor as a champion of education. As a former educator myself, I admired and supported his tireless efforts in this area. During this session of Congress, however, I was privileged to serve with Senator PROUTY as a fellow member of the Commerce Committee—a committee that he had come to in 1962 and had served effectively for almost 10 years. In this capacity I came to know him and to enjoy the benefit of his counsel.

There is a concept of public service associated with the New England States. They call to mind adjectives such as honesty, diligence, and loyalty. As a mayor, State legislator, Representative and Senator, WINSTON PROUTY continued this tradition and earned those adjectives. He will be remembered.

Mr. SPONG. Mr. President, I join my colleagues this morning in paying tribute to our departed friend, the late WINSTON PROUTY of Vermont.

It was my privilege to serve with Senator PROUTY for 4 years on the District of Columbia Committee and for the past 3 years on the Commerce Committee. I was impressed with his careful approach to legislation before those committees, by his diligence and his unfailing courtesy.

Last week I was among those who went to Vermont to pay final tribute to WINSTON PROUTY. There in Newport, Vt., just at the Canadian border, I observed the affection and respect with which he was regarded by those he had served for so many years in different capacities—as councilman, mayor, State legislator, and Senator.

As we rode by automobile from Burlington to Newport, I saw the people who lined the highway to pay final respects to Senator PROUTY. In one small village a group of elderly citizens stood in silent tribute to a man who devoted much of his career here in the Senate toward improving the lot of our senior citizens. Their silent salute as the funeral procession rode by was poignant evidence of appreciation and sorrow for the loss of a friend.

My wife, Virginia, and I express our deepest sympathy to Jennette Prouty and to the other members of the Prouty family.

Mr. McCLELLAN. Mr. President, several centuries ago it was written that—"Any man's death diminishes me, because I am involved in mankind." We who are privileged to serve in the U.S. Senate know and keenly feel the real meaning of this simplistic truth.

The death of our colleague, WINSTON PROUTY, brings this thought sharply to mind for he was deeply involved in mankind. WINSTON was a real humanitarian and his legislative attention was constantly focused on and committed to the health, education, and welfare of our people.

Time and again he brought his quiet, thoughtful, and searching analysis to bear on the Nation's problems—and time and again he spoke—and acted—with his deep convictions and unassailable logic.

We who served with him, listened when he spoke, for we knew that his counsel was sharply honed by introspection and circumspection.

We shall miss WINSTON PROUTY and his quiet but effective voice of guidance.

Mrs. McClellan joins me in extending our heartfelt sympathy to all members of the family.

Mr. HOLLINGS. Mr. President, it is an honor for me to join today in tribute to our esteemed colleague, WINSTON PROUTY. We served together on the Commerce Committee and I knew him as a dedicated and able public servant in this very chamber. WIN PROUTY was devoted to the interests of the people of Vermont and, indeed, of all the American people.

In reading the news stories that accompanied Senator PROUTY's passing, I found a note of bewilderment that the Senator from Vermont had attained his success without a well-oiled political machine and without the dramatic bombast we are all so familiar with. I am more bewildered by the stories than by the success of the man. In a career that included the speakership of the Vermont House of Representatives, four terms in the U.S. House, and three elections to the Senate, WIN PROUTY demonstrated that honesty, dedication, and a oneness for the people are still the traits most admired by the citizens of America. He was not a man of many words, but the words he did say carried weight and substance. Too often in recent years, rhetoric and bombast have been substituted for the real sinews of statesmanship.

We have lost not only a good Senator, but a good man. A sincere friend. It is with sadness that I speak. But also with pride—pride in WIN PROUTY, pride in the people who sent him to us, and pride in the Nation whose best traits the late Senator from Vermont exemplified.

Mr. CHURCH. Mr. President, the Senate, as well as our Nation, has suffered a major loss with the untimely passing of our good friend from Vermont, Senator WINSTON L. PROUTY.

Senator PROUTY was a devoted and effective public servant for more than 30 years. During his illustrious career, he served as mayor of Newport for three terms and was elected to the Vermont House of Representatives three times. In addition, he served four terms in the U.S. House of Representatives and was elected three times to the Senate.

As chairman of the Committee on Aging, I was able to observe in a very personal way his deep and unstinting concern for the elderly in our Nation. He was a strong and forceful advocate for the aged, and will be missed deeply. He was also a skillful legislator with a long list of impressive accomplishments, such as the Prouty special age-72 payments for persons with little or no social security coverage. More than 1 million low-income aged persons have now received vital assistance from this far-sighted provision.

With his Older Americans Income Assurance Act, he was in the forefront in calling for an innovative income supplement program to lift large numbers of aged persons out of the depths of poverty. Several of his concepts in this proposal have been incorporated in the 1971 social security-welfare reform legislation, H.R. 1.

And as the ranking minority member of the Committee on Aging, he helped to strengthen the bipartisan approach that our committee has taken with regard to problems affecting older Americans. He was an effective ally and was a major force in the adoption of measures to:

Pay for the elderly's travel expenses to the White House Conference on Aging to assure that this conference will be broadly representative of all income groups;

Increase funding for several successful programs under the Older Americans Act, such as the community programs on aging and the foster grandparent program; and

Rescue the section 202 housing program for the elderly.

Mrs. Church joins me in extending our deepest sympathy to his wife, Jennette, and their family.

Mr. TALMADGE. Mr. President, I join my colleagues in the Senate in expressing the sorrow and deep regret over the passing of WINSTON PROUTY. Senator PROUTY was a man of the highest character. He served his Nation and State with deep devotion and high integrity. WINSTON PROUTY served in the U.S. House of Representatives for 8 years and he served 14 years in the Senate. During his more than 21 years in Congress, he became a leading spokesman for the older citizen of the Nation. As the ranking Republican member of the Select Committee on Aging, Senator PROUTY devoted much of his time and effort to bettering the lot of this almost forgotten group of people. I know of no other Member of the Senate who endeavored harder or with more zeal to initiate change and improvement in areas where he felt a pressing need existed, especially in the areas of program for the aged and in education.

The people of Vermont sent an able, dedicated, and devoted public servant to the Senate. Vermont and the Nation will miss his leadership and I personally will miss his friendship.

Mrs. Talmadge joins me in extending our sympathy to Mrs. Prouty and the family.

Mr. JAVITS. Mr. President, with the passing of WINSTON L. PROUTY, the Senate lost one of its most distinguished Members and I have lost a friend and colleague with whom I served since he first came to the House of Representatives in 1951.

WIN PROUTY, though a taciturn Vermonter, sparing in his speech, had a special instinct for justice and the right. He assumed a leadership role on behalf of the aged and on behalf of the handicapped, areas in which his contributions will be long remembered, to cite but several of his interests.

As ranking minority member of the Education Subcommittee of the Committee on Labor and Public Welfare, he sought to follow in the path of his distinguished predecessor from Vermont, Justin P. Morrill, who was the author of the land grant college program which came into law in the administration of Abraham Lincoln. Most of the education statutes enacted in recent years bear the Prouty imprint.

WIN PROUTY was a Republican, governed not by partisan considerations but by conscience and reason. He earned the approbation of members of the opposite party during his service in the House and Senate and in the Vermont State Legislature. When he disagreed on issues, it was not through contentiousness but through reasoned thought.

I join my colleagues in conveying deepest sympathy and condolences to his beloved wife, Jennette, and family whom he cherished and to the people of Vermont whom he served so very superbly.

Mr. BAKER. Mr. President, it was with great personal sorrow that I learned of the untimely death of our colleague, Senator PROUTY. It was my privilege to serve with the Senator on the Committee on Commerce during the past 2½ years, and as I worked with him my admiration and affection grew steadily.

It will be said that WIN PROUTY somehow captured the spirit of Vermont, and it will be true. His gentlemanly and self-effacing exterior concealed a leader of great strength and purpose, of principle and patriotism. The Senate, together with the people of Vermont and of the Nation, are greatly diminished by the loss of this excellent man.

I join with other Senators in extending my sincerest sympathies to Mrs. Prouty and other members of the family.

Mr. MONDALE. Mr. President, the Senate has lost one of its most effective legislators with the passing of WINSTON L. PROUTY of Vermont. Both Congress and the Nation will sorely miss his help in grappling with the vexing problems which confront us.

I had the privilege of serving with the late Senator from Vermont on both the Committee on Labor and Public Welfare and the Special Committee on Aging. In these committees I came to know well his dedication to improving the lot of the people. It was he who led the effort to add some 2 million older people to the social security rolls. In many cases, these were people who had practically no other means of support.

Senator PROUTY served on all of the principal subcommittees of the Committee on Labor and Public Welfare. He was the ranking minority member of the Education Subcommittee, where I worked closely with him. I know firsthand of his many contributions to education programs, which are so vital to the future of our society.

I also remember with admiration Senator PROUTY's sustained efforts to strengthen manpower training programs. As a fellow member of the Employment, Manpower, and Poverty Subcommittee, I often had the opportunity to work with him in developing these valuable programs.

Senator PROUTY had a long and distinguished record of public service. Beginning as an alderman and mayor, he later served at the State legislature, in the executive branch of his State, in the U.S. House of Representatives, and finally in the U.S. Senate. It was evident in all of Senator PROUTY's work that he brought to bear his rich experience on the issues before us. In doing so, he added an invaluable dimension to the consideration of legislative matters.

We will all miss the capable and dedicated efforts of WIN PROUTY as we continue to face the troubling issues which concerned him so deeply.

Mr. FANNIN. Mr. President, one of the good fortunes of serving in the U.S. Senate is to have the privilege of associating with sincere and dedicated men like our late colleague, WIN PROUTY.

During my freshman term in this body I was a member of the Committee on Labor and Public Welfare where I benefited from the guidance and assistance of the Senator from Vermont. I observed his deep concern for the welfare of the elderly citizens of our country. But he also was dedicated to our young people, and he strived for educational and social legislation to aid all our citizens.

WINSTON PROUTY believed in speaking with actions rather than words. He served his State and Nation well.

He and his lovely wife, Jennette, also contributed greatly to the leadership in many Republican activities in our Capital City.

For two decades he served in Congress, the last dozen of these years in the Senate. He put to good use his feeling for the needs of the people gained during his years in Vermont as a mayor and as a State legislator.

His passing is a loss to the Senate, to the State of Vermont, and to all the people of our United States of America.

Mr. HRUSKA. Mr. President, it is always difficult when we lose a colleague. It is especially so for me as I reflect on the death of WIN PROUTY. His unfortunate passing has deprived this body of one of its finest gentlemen and most able legislators. For me it has ended a very warm and rewarding personal friendship.

Many of our constituents, unfortunately, may not realize how much poorer our country is today without the services of this good, dedicated, and human public servant who spent the last 33 years of his life in the service of his community, his State, and his Nation.

Many of his great achievements did not receive their deserved attention because he was quiet, modest, and unassuming. He was a composite of the classic New Englander—taciturn and not too talkative, wiry but tough. As we know well, his character was strong and resolute.

These qualities made him all the more esteemed to those who knew him well, however, because when he did speak he could be extremely eloquent and persuasive.

Meanwhile, I think we will all acknowledge his mastery of the most elusive legislative skills, a byproduct of his great dedication to his constituents and the countless hours he devoted to intricate legislative problems.

It may be some time before this body again sees a Member who is so masterful at employing the amendment process constructively and effectively as was WIN PROUTY.

We will also fondly remember his wonderful sense of humor, his fairness in all his dealings, his deep-seated concern for the welfare of his constituents.

He has left a number of valuable monuments to his memory, living monuments which, through the good works they will accomplish in years to come, will testify to the warmth, humanity and concern of this devoted public servant.

He will be best remembered, perhaps, for his help for our senior citizens. He has been a leader in the legislative efforts to insure that this group is properly rewarded for its great contributions to our country and to our society.

He was ahead of his time in that regard. He envisioned the problems of the senior citizens and was attracting attention to them and generating solutions to them long before many people recognized the real magnitude of the problem.

He was a principal architect of our new national railway passenger system, Amtrak.

But I know that he would wish to be best remembered, among other things, for his devotion to education and especially to help for handicapped children. He was most concerned with the welfare of our young people and he was most understanding with them. Let us hope that this group of young citizens recognizes that they also have lost a good and sympathetic friend.

His wife, Jennette, will have many treasured memories of their happy years together. Although those memories are small consolation in this time of deep sorrow, the great sense of loss will eventually subside, and the memories will help fill the void which his death has created in her own life.

To her, I say we are with her in our thoughts and prayers today, and like her we will cherish our memories of WIN PROUTY, good friend, good citizen, and good man, in the years ahead.

Mrs. SMITH. Mr. President, I join my colleagues in paying tribute to our departed colleague, WINSTON PROUTY, the Senator from Vermont. His dedicated service was an example for all of us to follow.

But there was something even more significant than that. It was his courageous service. For a decade he knew the terrible truth. Yet, there was not the slightest whimper from him—not the slightest slackening from the ardor of his duties and work and the projection of the friendship and understanding to his colleagues, his associates, his friends, his constituents, and his family.

That is what I shall remember most about WINSTON PROUTY. I extend my deep sympathy to his wife, the members of his family, and to the people of Vermont on the loss of this great man.

SENATOR PROUTY LEAVES A LARGE LEGACY OF PUBLIC SERVICE

Mr. RANDOLPH. Mr. President, we knew WIN PROUTY as a man short on words and long on thoughts, a man sparse of frame but large of heart.

We respected this man because he personified the American ideals of integrity and hard work. More than that, I think that WIN PROUTY achieved that goal of public service for which all of us strive, the diligent performance of duty on behalf of his beloved constituency. He knew his constituency well, because he had served in areas of government where personal contact was mandatory. As a smalltown mayor, a member of the Vermont House of Representatives, as speaker of the house and as Governor of the most rural State in America, WIN came to the House of Representatives and finally, the Senate, with a wealth of understanding of aspirations of his people.

His record of humanitarianism and his devotion to the needs of this Nation will be long remembered. We will miss his steady hand and clear eye in the years ahead. I claimed him as a friend, and it was a privilege to have worked with him in the Committee on Labor and Public Welfare.

WINSTON L. PROUTY is gone from our ranks, but his large legacy of public service will continue to be a shining example of what we mean when we say—he was a servant of mankind. Mary and I extend our deepest personal sympathy to his widow and to his family.

WIN PROUTY—A DEDICATED SENATOR

Mr. SCHWEIKER. Mr. President, I share with all my Senate colleagues a great sense of loss on the untimely death of the distinguished Senator from Vermont, WIN PROUTY, and want to extend my deepest sympathies to his family.

I was privileged to serve side by side with him on the Committee on Labor and Public Welfare, and on many of the important subcommittees of this committee, and was always impressed by his firm grasp of the varied and complex domestic issues that came before this committee.

Most recently, he exercised great leadership as the ranking Republican on the Education Subcommittee. He was instrumental in working on the landmark higher education bill (S. 659), recently passed by the Senate, just as he had been in the forefront on other important legislation affecting education in recent years.

In the other legislative areas covered by this committee—health, poverty, manpower, labor, and the aging—WIN PROUTY demonstrated his outstanding qualities of intellectual depth, commitment to the problems of all citizens, responsible leadership, and personal dignity, which throughout his public career have brought great credit both to himself and to the State of Vermont.

Not only within the committee, however, but within the Senate as a whole, WIN PROUTY's wisdom, wit, and compassion were an enormous contribution. His love of the Senate as an institution and his dedication to good government combined to make him an effective, valuable legislator.

I mourn this great loss to the Nation and feel grateful for having had the opportunity to work with, to know, and to learn from a great Senator and a great man.

Mr. PEARSON. Mr. President, we have met this morning to honor the memory of our departed colleague, Senator WINSTON PROUTY, of Vermont.

I am sure that the Nation will long remember the many and great contributions WIN PROUTY made during his 13 years in the Senate. It was my honor to serve with him on the Committee on Commerce, and it was through this association that I came to understand his dedication and perseverance, particularly in our work to create needed reforms in all modes of the transportation industry. I know that WIN's great contributions and support, particularly on the floor of the Senate, had a great deal to do with attaining Senate approval of a law regulating campaign financing in Federal elections.

Mr. President, the Senate has lost a valued associate and legislator. And although the country has derived great benefit from his leadership, I wish to express my regret to his family and the citizens of Vermont for his untimely death.

WINSTON PROUTY A GOOD SENATOR

Mr. HANSEN. Mr. President, I am proud to have served with WINSTON PROUTY of Vermont. All of us in this body will miss him for he was a good man and a good Senator.

As we remember him today, there are many things that could be said of this truly modest human being.

Over one-half of his life was spent in service for others. In 1938 he became one of the youngest mayors in the United State when at the age of 32 he was elected mayor of his hometown, Newport, Vt. He went on to serve three terms in the Vermont House of Representatives and became speaker of the house and was appointed chairman of the Vermont State Water Conservation Board. He left that post to serve as Vermon't single Congressman for four terms in the U.S. House of Representatives.

As a member of the Foreign Affairs Committee in the House, WIN PROUTY served with distinction. He traveled to Korea when that conflict still raged. In 1956–57 he headed a special subcommit-

tee in a mission to the Middle East in order to end that crisis. In his Vermont tradition of commonsense, WIN PROUTY faced world problems with an eye toward their solution rather than their exploitation. Never a headline seeker, Senator PROUTY simply worked for the betterment of his fellow man both at home and abroad.

In 1958 WIN was elected to represent his State in this body. His accomplishments and skills as a legislator set an example for all of us. Senator PROUTY applied his skills to many areas but perhaps his greatest dedication was to those whom he convincingly referred to as the forgotten Americans. Senator PROUTY exhibited a special concern for the aged, the poor, and the black. In 1964 when the Commerce Committee reported the Public Accommodations Act, WIN PROUTY voted to report the bill, but he also filed comprehensive individual views setting forth his philosophy toward his fellow man. In his individual views the Senator stated:

> The evil we seek to remove is the degradation of a man in his use of the common privileges because his skin is not the proper color. The affront is to his dignity. The remedy ought to magnify that dignity and give a view upon the essence of humanity—brotherhood in the shadow of God.
>
> The bill this committee has reported out pays little heed to these higher values. Based solely on the commerce clause it concerns itself not with man as man but with collateral issues relating to the national economy.
>
> * * * * *
>
> I cannot bring myself to agree with the majority that the reason we can legislate in this area is because we are at a point in history where trains, planes, cars, and buses carry bodies, boxes, and bottles from State to State. The black man's right to be treated like the white man has existed from the creation of time, and this right is not founded on sophistication in industry and transportation.

Throughout his career, Senator PROUTY firmly believed that society had an affirmative obligation to recognize the dignity of man. His concern for the older American has been well documented. From his first campaign for Congress in 1950, he persevered in his belief that every older American should be spared from the indignities of poverty. Throughout the years he fought to make income maintenance for older Americans a nonpartisan issue. He made us all think of social security not in terms of statistics but in terms of people. Often he dramatized his point by reducing hard statistics into depressing facts. In 1965 when we were considering a social security increase, he once reminded us that the Department of Labor had established the modest but adequate budget for individual retirees at $1,800 a year. He then reminded us that 3 million of our older Americans were living on $40 a month. Senator PROUTY went on to point out:

> The budget provides for a new topcoat every nine years. Our $40 a month retiree could have one every 35 years. Thus if he retires in Vermont at age 65 on this pittance, he would have to make his topcoat last through 35 beautiful but cold Vermont winters. Then he could expect to buy a new one—unless his family and friends presented him one for his 100th birthday.

When the White House submitted the Tax Adjustment Act of 1966 in order to finance the Vietnam war, WINSTON PROUTY moved to the Senate floor with an amendment to provide those older Americans who received no income maintenance whatever with $40 a month. The Prouty amendment passed and over 1½ million older Americans became eligible for cash income as a result of the dedication and determination by our late colleague from Vermont.

WIN PROUTY first proposed an income plan for older Americans. His gentle persuasion and determined perseverance provided hope, consolation, and dignity for over 20 million older Americans.

As a ranking Republican on the Poverty Subcommittee of the Labor and Public Welfare Committee during the 1960's, Senator PROUTY fought to eliminate poverty. He supported the Economic Opportunity Act and continually fought to make it effective. At one point he devoted the entire efforts of his staff toward conducting the most comprehensive and scientific study of poverty yet undertaken. He convinced us to continue the war on poverty and to enlist the services of the Comptroller General in order to make that war more effective. His support for vocational education, manpower development and training, and countless other measures convinced many Americans that they were not forgotten by WIN PROUTY.

Senator PROUTY was not only one of the most dedicated and courageous Members of this body but was one of the most imaginative. Just a little over a year ago, Senator PROUTY almost singlehandedly convinced this body and the White House that the creation of a national rail corporation was the only way to save rail passenger service in this country. When the Commerce Committee reported a bill providing for massive operating subsidies, Senator PROUTY wrote individual views pointing out the dangers of going down the subsidy route and suggested an imaginative alternative which is today Amtrak.

During the last few weeks he was with us, we watched our good friend, WIN PROUTY, guide through this body the Federal Election Campaign Act of 1971. Serving on both the Commerce Committee and the Rules Committee, Senator PROUTY had devoted months of gentle persuasion in convincing all of us in Congress and in the White House that the time had come for completely reforming our laws regulating Federal elections. I know that Senator PROUTY, when he left for the hospital in Boston, was optimistic that the House would act favorably on the bill he helped so greatly to get through the Senate.

We shall all miss WIN PROUTY. His modesty, his courage, and, above all, his legislative ability made all of us very proud to know him as a friend and colleague.

Mr. BELLMON. Mr. President, Senator WINSTON L. PROUTY of Vermont was one of the most respected members of this body. In his quiet way, he applied the experience of his many years of public service to solving the problems of our country and to representing the people of his State.

WIN PROUTY brought to the Senate a rich background of local and State government service and experience that equipped him well to shoulder the responsibilities and demands of his office. His record of accomplishments during 13 years in the Senate is a testimonial to the dedication and hard work that were so characteristic of this man.

WIN PROUTY was one of the first Members of the Senate I became acquainted with as a new Member, and from the beginning, he went far beyond the call of duty to be helpful. The courteous consideration he accorded to all Members was in keeping with the highest traditions of the Senate.

Serving with Senator PROUTY in committee and in this Chamber has been a rare privilege, and I join with my colleagues in mourning the loss of a truly distinguished public servant.

Mr. STEVENS. Mr. President, Alaskans join their fellow Americans in mourning the loss of a good friend and public servant, Senator WINSTON L. PROUTY, of the State of Vermont.

Although our two States are separated by a continent, they have many common problems—problems that were to bring us together and provide me with insight and respect for my colleague from Vermont. I grew to know him better as we worked together on the Commerce Committee and on its Subcommittees on Aviation, Merchant Marine, and Foreign Commerce.

WINSTON L. PROUTY started his career in public service in his hometown of Newport, Vt., where he was a businessman. From 1938 until 1941 he served three terms as the mayor of Newport. In 1941, he was elected to the Vermont House of Representatives, being reelected in 1945 and 1947. During his last term in the Vermont Legislature, he served as speaker.

In 1948, he took over the chairmanship of the Vermont State Water Conservation Board, a post he held until May 1950.

Elected to the U.S. House of Representatives on November 7, 1970, WINSTON L. PROUTY served four terms in the House before running for the Senate in 1958.

He was reelected in 1964 and again in 1970.

During his 13 years in the U.S. Senate, WINSTON L. PROUTY earned the respect of his fellow Senators with his steadfastness and forthright judgment. He was not afraid to speak out on an issue, even if his views were not popular.

His quiet and thoughtful way of working for the Nation's best interest will always be remembered by his Senate colleagues.

As with the residents of my State of Alaska, the people of Vermont judge a man for what he does, not what he says.

And among those Vermonters—those sturdy New Englanders who typify the spirit of the early days of our great country—the name of WINSTON L. PROUTY is revered.

He was admired and respected by his

State's citizens, regardless of their individual political persuasion.

An able legislator and thoughtful advocate, WINSTON L. PROUTY was known for his leadership on issues of compassion for the aged, the worker, the poor, and the handicapped. These people will remember him for years to come.

His long and varied career in public service prepared him well for his tenure in the Senate. He was a capable and hard-working member of Congress, whose counsel was valued by his associates.

The contributions that WINSTON L. PROUTY has made to the betterment of his hometown of Newport as its mayor, his State of Vermont as a State legislator, and to his Nation as a Congressman will be remembered for years to come.

His loss saddens not only his family, his friends, and his colleagues in the Senate, but rather all Americans—from his fellow citizens in Newport to the residents of the smallest villages in Alaska. They will all miss a man who has done much to better their lot. We will all miss WINSTON L. PROUTY, a dedicated and compassionate American.

He was a friend to all.

Mr. MATHIAS. Mr. President, the Senate has lost one of its most hard-working and diligent members. The State of Vermont has lost an outstanding champion. The Nation has lost a dedicated public servant.

Senator WINSTON PROUTY was a quiet man, not given to making frequent, emotional speeches or courting publicity for its own sake. Yet he was among the most effective Senators in the slow, patient work of drafting and improving legislation. It is no exaggeration to say that in the fields which he emphasized—education, manpower training, aid to the elderly and others—virtually every major act of the past 12 years bears the imprint of Senator PROUTY'S concern and commonsense. In his committees and on the Senate floor, he worked persistently to insure that educational assistance would be available to students in the liberal arts, and to the handicapped; that Federal grant programs would meet the needs of small States and rural areas; that social security and other programs for our senior citizens would serve more of the older Americans who need help. In such efforts Senator PROUTY was remarkably successful. His was a record of achievement any legislator would be proud to claim.

In focusing on his contributions, we should not fail to remark upon the character of the man. WINSTON PROUTY was a true Vermonter in many senses—in his unassuming nature, his commitment to hard work, his unquestioned honesty, his kindness to his colleagues, his staff, and his constituents. He combined deep commitment with a sound sense of the practical which led him to secure progress through a series of small steps, rather than wasting time looking for the millenium.

I would like to take special note of Senator PROUTY'S contributions as ranking minority member of the Committee on the District of Columbia, where I had the privilege of serving with him during the 91st Congress. Senators will remember, for example, his very constructive survey of the attitudes of inner-city residents toward the poverty program in Washington, and his involvement in the enactment of legislation to grant District of Columbia residents a greater measure of self-government through the election of the local school board and a nonvoting delegate to Congress. His leadership and contributions on this committee were always sensible and constructive.

Mr. President, countless citizens, particularly the young and the old, owe a great deal to WINSTON PROUTY and his work. The legislation which he helped to write is durable, and I hope that, even as we mourn his untimely death, we will give him the overdue recognition which he earned.

Mr. PELL. Mr. President, sadly, I join my colleagues as we pay tribute to our good friend, WINSTON PROUTY, the late junior Senator from Vermont. I miss him very much indeed.

Albeit that we in the Senate knew of his fine work, WINSTON PROUTY was a Senator whose efforts on social legislation were not understood by either the general public or the press. As a ranking minority member of the Subcommittee on Education, WINSTON PROUTY had an impact on the education of our Nation's youth which will be felt for many years. I think that it can be truly said that no other Senator was as concerned about the education of handicapped children as was he. Without his help and the concepts and improvements he helped contribute, S. 659, the "Education Amendments of 1971" which recently passed the Senate, would never have reached the Senate floor.

His quiet advice and wonderful good sense were great guidelines in the formulation of legislation. I shall miss him greatly, both because of our personal friendship and because his advice will no longer be available to me. Our Subcommittee on Education, as well as the Senate itself, has suffered a great loss, and one from which it will continue to suffer in the years to come.

To Mrs. Prouty and his family, I extend my deepest sympathy and want to assure them that I share their sense of grief.

Mr. PERCY. Mr. President, I join with the other Members of the Senate today in mourning the passing of our friend and colleague, WINSTON PROUTY, of Vermont.

In the best tradition of his beloved New England, WIN PROUTY went about his business quietly, but with great force. For 36 years he served the people of his State in various capacities at the local, State, and National levels. Moving on from a term on the city council and three terms as mayor of his native Newport, Vt., he was elected to the Vermont House of Representatives in 1941. Later, in 1950, he was elected to the U.S. House of Representatives where he served ably until his election to the Senate in 1958.

Although WIN generally worked behind the scenes here in the Senate, we all remember with pride his strong support of the elderly through his work with social security legislation. The high quality of the social security program today is a tribute to his efforts. There are thousands of older Americans whose lives are richer because WIN PROUTY helped to expand the social security program to include workers not previously covered under the law.

WIN PROUTY did not confine his interests to social security legislation, however. In his work on the Commerce, Labor and Public Welfare, Rules, and Aging committees, he worked diligently for the enactment of legislation affecting all of the people of this Nation. Although he was a stanch Republican all his life, WIN voted whichever way his conscience directed on the issues that came before him. He was, as I said, a man who went about his business quietly but he was always well prepared and he was thoughtful in every aspect of his work.

I am grateful to Representative CHARLOTTE REID for enabling me to see the lighter side of WIN PROUTY. At a dinner party at the Congresswoman's home, WIN showed himself to be as proficient at the piano as he was on the floor of the Senate.

We are a lesser group because of his passing. My sympathies go out to his wife, Jennette, who was constantly at his side and who worked closely with him. As a junior members of the Special Committee on Aging, I invariably found the ranking Republican, WIN PROUTY, to be a source of inspiration to me because of his dedication to the elderly of this land, and his compassion for their problems. I shall miss him.

PRINTING OF EULOGIES AS SENATE DOCUMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the expressions of eulogy for our late departed colleague, the Senator from Vermont, WINSTON L. PROUTY, be printed as a Senate document.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, the Chair may remember that the leaders gave up their time for this purpose, and I would like to be recognized, with the permission of the distinguished Senator from Washington (Mr. JACKSON), who is to be recognized, on my own time at this time to make a few remarks on another matter, and the distinguished minority leader will be in to ask some questions.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, has the Senate granted unanimous consent that all committees meet today?

The PRESIDING OFFICER. Yes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar under "New Report."

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

SECURITIES AND EXCHANGE COMMISSION

The PRESIDING OFFICER. The clerk will read the nomination.

The legislative clerk read the nomination of Philip A. Loomis, Jr., of California, to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, the nomination will be considered and, without objection, it is confirmed.

Mr. MANSFIELD. Mr. President, I request that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

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

There being no objection, the Senate resumed the consideration of legislative business.

THE TROUBLE IN THE ARMY

Mr. MANSFIELD. Mr. President, in the Boston Herald Traveler for Tuesday, September 21, 1971, there is a commentary by Max Lerner entitled "The Trouble in the Army."

I would like to note some excerpts from this article and ask unanimous consent that at the conclusion of my remarks the entire article be included in the RECORD.

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

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, quoting from Mr. Lerner's commentary, he states:

The recent press reporting on the "New Army" (the latest is a series running in the Washington Post) seems to agree on what is happening: Rising desertions and AWOL cases, mounting instances of insubordination and "fragging" (terrorizing officers, usually non-coms, with grenades and such); the spread of drug use in and out of combat zones, especially of heroin, hashish and opium; the increase of antiwar and anti-Army feeling among soldiers, some of it quite open; multiplying cases of race clashes and of militant black unrest; the efforts at "working-out" the infractions of discipline, instead of cracking-down on them with futile punishment; the effort to educate the men on the twin diseases of racism and drugs.

Continuing the quotation:

One thing is clear enough: The Army's tensions reflect the society's tensions. Once the Army was pretty much a closed society, but that day is over. When you draft young men for a war no one really wants in the society outside, they will bring with them from outside all the ills no one wants in the Army.

Continuing:

The tradition of the American officer elite, unlike the French, is nonpolitical.

My own experience with them—

This is Mr. Lerner speaking—

In talks at several of the military colleges in the past weeks, has again impressed me with their quality, their alertness to broad historical and social forces.

Referring to the American officer corps—

And their open-mindedness to ideas. But they have not been politicized. A large number of the rank and file among the draftees and the re-enlisted men have been scarred by drug use and racial tensions.

The last two paragraphs:

American soldiers—whites and blacks, draftees and volunteers—have coped well with the messy war we have given them to fight, and they deserve better than the kind of treatment they are getting as they come back to their home towns, look for jobs again, and try to orient themselves to a jarring, confusing civilian life.

President Nixon is waging a hard fight to get the draft extended for the remainder of the phasing-out and transition period, before the volunteer Army is given its coming test. Actually, the debate that has raged for several years, as between the conscript and volunteer armies, is no longer a real contest. No matter what its cost, the volunteer Army is the only possible choice—if it can in fact be raised. For another draft Army will prolong or repeat the agony that is being suffered in handling this one.

Mr. President, I think this is a fair and reasonable article. It recognizes the fact that there is in the Army an officer corps which is aware of the situation and is doing its best to rectify it.

I want to say again, as I have many times in the past—and I say this with the full accord of the distinguished minority leader—that we realize that something has to be done to bring back to the Army the prestige and standing which should be its by right. We in the Senate will do everything to help in the process of making the Army what it was intended to be and try to overcome what it is in the process of becoming.

EXHIBIT 1

THE TROUBLE IN THE ARMY

(By Max Lerner)

WASHINGTON.—Along with prison riots, the trouble inside the Army is now emerging as one of the prime arenas of the struggle over authority which is a major mark of our time.

The recent press reporting on the "New Army" (the latest is a series running in the Washington Post) seems to agree on what is happening: Rising desertions and AWOL cases, mounting instances of insubordination and "fragging" (terrorizing officers, usually noncoms, with grenades and such); the spread of drug use in and out of combat zones, especially of heroin, hashish and opium; the increase of antiwar and anti-Army feeling among soldiers, some of it quite open; multiplying cases of race clashes and of militant black unrest; the efforts at "working-out" the infractions of discipline, instead of cracking-down on them with futile punishment; the effort to educate the men on the twin diseases of racism and drugs.

I haven't done the kind of research on the Army that you will find in the recent investigative reports. Nor do I know it at firsthand, except for a spell as war correspondent in World War II in Europe, in an Army that now seems very far away and long ago. But the recent changes in the Army need to be put in a larger frame—not only what is happening to the soldiers, but what is happening to their commanders and to the plans for an Army of the future, and even more what is happening in the American society itself.

One thing is clear enough: The Army's tensions reflect the society's tensions. Once the Army was pretty much a closed society, but that day is over. When you draft young men for a war no one really wants in the society outside, they will bring with them from outside all the ills no one wants in the Army.

Gen. Westmoreland says bravely, perhaps wishfully, that the Army will emerge all the stronger for its present rocky experiences. If there is any Army at all, some of the more caustic GI draftees or some of the gloomier "lifer" non-coms would probably add. As between the traditional crackdown and the newer "working it out," the Army commanders have little choice. It has to be the latter, and to put the best face on it they have to say (perhaps some believe it) that the burst of indiscipline and the new techniques of working-out will clear the air.

Unsuccessful wars hit armies in different ways. The wars in Indochina, Tunisia and Algeria hit the French army chiefly by pushing its higher officers—the colonels and generals—militantly to the right, where De Gaulle bound them, used them and then crushed them. The tradition of the American officer elite, unlike the French, is nonpolitical.

My own experience with them, in talks at several of the military colleges in the past weeks, has again impressed me with their quality, their alertness to broad historical and social forces, and their open-mindedness to ideas. But they have not been politicized. A large number of the rank and file among the draftees and the re-enlisted men have been scarred by drug use and racial tensions. They have reflected a questioning of authority which goes beyond the historical GI griping and has become politicized and open. But the officer elite, preparing itself for the higher commands, tends to see the broad picture steadily with a tough-minded liberalism that has surprised me.

Given the initial disasterous decisions on the Vietnamese war, and given the disruptions in the larger society, the wonder is that the tensions haven't completely destroyed the Army in Vietnam while the phasing-out is going on. Actually, while drug use is found almost equally in combat and noncombat zones, the insubordination, racial tensions and fragging are understandably worse in the rear line and the "logistical tail" of the Army than in the fighting areas.

American soldiers—whites and blacks, draftees and volunteers—have coped well with the messy war we have given them to fight and they deserve better than the kind of treatment they are getting as they come back to their home towns, look for jobs again, and try to orient themselves to a jarring, confusing civilian life.

President Nixon is waging a hard fight to get the draft extended for the remainder of the phasing-out and transition period, before the volunteer Army is given its coming test. Actually, the debate that has raged for several years, as between the conscript and volunteer armies, is no longer a real contest. No matter what its cost, the volunteer Army is the only possible choice—if it can in fact be raised. For another draft Army will prolong or repeat the agony that is being suffered in handling this one.

Mr. SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. SCOTT. I agree on the importance of restoring the morale of the Army and of the Armed Forces generally. It is a serious problem. It will not be accomplished in my opinion, in a wholly substantive manner, until we have ended the war in Vietnam.

I think all of us should speak in the temperate tones used by the majority leader. Too often things said in the Halls of Congress are repeated by men on the firing line or by men in rear areas. I suspect that those things contribute to the

loss of morale. There are many other things that contribute to it, too.

Our search for ways to combat and conquer the drug problem is illustrative of what we need to do more effectively, and certainly continuously, not only here but in our dealings with nations where the drugs originate.

PROGRAM

Mr. SCOTT. Mr. President, on another matter, I would like to ask the distinguished majority leader if he would be good enough to tell us the program for the rest of the week and perhaps for the beginning of next week.

Mr. MANSFIELD. Yes, indeed, and I am indebted to the distinguished minority leader for raising the question at this time.

There are two amendments which will be considered today, on which time limitations have been entered into, and on which the yea and nay votes have been requested and granted.

We will have the MIRV amendment tomorrow for a time period of 4 hours, and a yea and nay vote has already been agreed to by the Senate.

So today there will be two rollcall votes. Tomorrow there will be at least one, and we hope more.

It is the intention of the joint leadership—we have discussed this matter from time to time—to endeavor to have some amendments ready on Monday, so that there will be rollcall votes then.

There will be no Saturday session this week, but, depending upon developments from next week on, the Senate should be on notice that there may well be Saturday sessions, depending on the circumstances in existence at the time. The purpose is to try to bring the business of the Senate to a close.

The calendar is pretty well cleared at the present time. We have some added legislation, based on the President's new economic policy, which will be considered, I hope, beginning next month; and it is our hope—I express it only as a hope, but a good one—that it may be possible for Congress to adjourn the first session of the 92d Congress somewhere between the 15th of November and the 1st of December, and the closer to November 15th the better.

Mr. SCOTT. I certainly agree with that. I think the people always give a sigh of relief whenever Congress goes home. I do not suppose it is all that bad, but there comes a time when Members need to go home. They need to refresh themselves and, like Antaeus, increase their strength tenfold by touching the earth of their home constituencies.

So it is good for Congress to go home from time to time for more than one reason, and there will be, of course, the second session.

But we have some must legislation to get through: The appropriation bills, measures that will come over here from the House Ways and Means Committee, and other matters. I think the best way to avoid 6-day sessions is for Senators, whenever possible consistent with their responsibilities, to be here during the other 5 days and be prepared to vote, and to accept the discipline that that involves.

I thank the distinguished majority leader.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. CHILES). Under the previous order, the Senator from Washington is recognized for a period of time not to exceed 15 minutes.

Mr. JACKSON. I yield briefly to the Senator from Wyoming.

THE PAY FREEZE

Mr. McGEE. Mr. President, as chairman of the Post Office and Civil Service Committee, yesterday I sent a letter to the President of the United States asking him to consider freezing, by Executive order, the military pay raises authorized under the Selective Service Act, with the same terms and deadline as the current freeze on civilian employees in the Federal Government.

In other words, I feel that if one-half of our Federal employees are being asked to forgo and postpone pay adjustments, the other half of our Government employees; namely, the armed services—should be subject to the same treatment.

Our committee, Mr. President, has been most diligent in adhering to the spirit and hoped-for goals of the President's economic game plan. We have twice refused to consider legislation which would upset the wage-freeze formula as it pertained to Government employees. But it would be most unfair should the President fail to freeze military salary increases while denying them to others. The consequences of such a failure to freeze these salaries will, in my opinion, seriously jeopardize any chance for halting inflation.

As chairman of the Post Office and Civil Service Committee, I strongly feel that without a military pay freeze I could not continue with clear conscience to ask our committee to hold the line against Federal employee pay legislation. In fact, without a military pay freeze, I would have to urge the committee to give immediate attention to whatever legislative measures were required to overturn their own pay freeze.

I would rather it did not go that way, because I think that the freeze of all Federal salaries for the emergency is very much in order. But the old cliché, what is good for the goose is good for the gander, I think ought to apply here; and should a decision be made otherwise, the efforts that the Senator from Hawaii (Mr. FONG) and I have made on the Civil Service Committee to help hold the line with all Federal employees would have to yield, in that one circumstance.

I am hoping that the President will see fit to make the freeze uniform throughout, for all Federal employees, military and civilian.

I thank my colleague for yielding, and I ask unanimous consent, Mr. President, to have printed at this point in the RECORD my letter to President Nixon.

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

U.S. SENATE,
Washington, D.C., September 22, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As a United States Senator, representing my constituency, I have endorsed and publicly supported your recent wage-price freeze policy. I have been in overall agreement with your objectives in that action even though I do disagree with some of the specifics.

As Chairman of the Senate Post Office and Civil Service Committee, which has jurisdiction over the legislation pertinent to the salaries of civilian employees of the government, I have likewise strongly supported the policy of a wage-price freeze at the present time. Indeed, with the able assistance of Senator Hiram Fong of Hawaii, the ranking Republican member of our Committee, we have strongly supported the wisdom of the freeze in the Committee meetings we have held to consider wage increases of government employees; and we have been able to persuade the Committee that now is not the time to consider government employee exceptions to the freeze policy.

The question which is now relevant, however, is: "Will the recently voted military pay raises now be frozen by Executive Order?"

As you know, I supported the military pay increases which accompanied the extension of the draft. And I plan to support Senator Allott's amendment to the pending military procurement measure. It is important that we establish legislatively the new level of military pay.

But there is nothing in the new law which would prevent the President of the United States from freezing military salaries for the time being, consistent with the national economic emergency which has been declared. Such a freeze should parallel in length of time (July 1, 1972) that which has already been ordered for federal civilian employees.

Indeed, failure to freeze military salary increases at once would not only be unfair to the civilian side of the federal government, but it would almost certainly result in the Congress taking whatever action may be necessary to unfreeze civilian pay levels. Should this latter move be taken, the consequences, I should think, would be most serious for the chances of halting inflation.

Let me emphasize again, Mr. President, that this Senator agrees with the wisdom of asking that federal employees tighten their belts and shoulder their share of the national effort to stabilize the country's economy. But it would be grossly unfair for half of our federal employees to be told that there will be no pay raises at the same time that the other half—the armed forces—is going to get substantial ones.

Therefore, as Chairman of the Post Office and Civil Service Committee, I would have to advise you that without a military pay freeze I could not continue with clear conscience to ask our Committee to hold the line against federal employee pay legislation. In fact, without a military pay freeze, I would have to urge the Committee to give immediate attention to whatever legislative measures were required to overturn their own pay freeze.

Ever mindful that the complexities of this problem rest heavily on your shoulders at this time, I stand ready to cooperate in meaningful measures. For this reason, I submit to you for consideration the wisdom of the total federal wage freeze.

It would be greatly appreciated if you

could advise me of your views on these recommendations at an early date.

Respectfully,

GALE MCGEE,
U.S. Senator.

Mr. JACKSON. Mr. President, I yield briefly to the distinguished senior Senator from Virginia.

MILITARY PROCUREMENT AUTHORIZATIONS — AUTHORITY FOR STAFF MEMBERS TO BE PRESENT IN CHAMBER

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that Jack Brooks and Forrest Rettgers of my staff be permitted to be present in the Chamber during the consideration of the McGee amendment to the pending legislation.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, and I shall not object, I assume the Senator will except the time during which the rollcall vote is in progress.

Mr. BYRD of Virginia. Absolutely.

Mr. BYRD of West Virginia. I thank the Senator.

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

TO MAINTAIN A BALANCE IN THE MIDDLE EAST

Mr. JACKSON. Mr. President, in recent days the tense situation in the Middle East has shown gathering signs of instability. The destruction by Egyptian missiles of an Israel plane some 20 miles within Israel-held territory is an alarming reminder of the precarious balance on which peace depends.

Let me identify the clouds that gather over the Middle East—today, while there is time to make clear our determination that we will act to maintain the balance that alone can keep the peace:

There are 15,000 to 20,000 Russian personnel in Egypt, including some 100 officers of general rank;

There are Russian combat aircraft flown by Russian pilots based on Egyptian airfields; and

There are, in the air forces of Israel's hostile neighbors, some 600 supersonic aircraft, many times the number available to Israel.

This significant Soviet military involvement in Egypt has been an increasing matter of concern for some time now. It seriously complicates our efforts to assess the stability of the military balance in the Middle East, because it is impossible to predict the nature of Soviet activity in the event of an outbreak of hostilities. No one is in a position to give firm assurances that a deep crisis would not draw the Egyptians or the Russians into new hostilities.

In addition to this now well-established Russian participation in the Egyptian military effort—and the same type of involvement is in evidence elsewhere in the Middle East—there are new and profoundly disturbing indications that the delicate balance on which peace is based is gravely threatened:

We have evidence of extensive Egyptian training missions aimed at perfecting operational plans for an invasion across the Suez Canal involving as many as 100,000 Egyptian troops;

We know that access ramps to facilitate the emplacement of pontoon bridges have been built on the west bank of the Suez Canal;

We know that a number of bridges adequate to sustain an invasion have been prepositioned along the canal;

We know that SAM missiles are being moved to the very edge of the canal—a movement forward that exposes Israel positions to extreme danger;

We know that there are now some 1,000 surface-to-air missiles in Egypt, many of them illegally emplaced within the cease-fire zone negotiated last year. This system constitutes the most extensive air defense network ever deployed by a minor power; and

We know that there exists definite evidence of various war plans for an invasion of Israel-held territory. Egypt could have available a force of 100,000 troops or more to execute these plans in November or December of this year—with immensely tragic consequences on all sides.

Against all of this, Mr. President, it will be said that the Soviet Union has shown caution in the Middle East, and that the Arab armies are given to inflated rhetoric and idle brandishing. It will be argued that pontoon bridges, training missions, and invasion plans are based on preparation for some remote contingency and, therefore, do not constitute immediate risks with which we must be immediately concerned.

I cannot agree. There is always, in situations as unstable as the current Middle East crisis, a great danger of accident or miscalculation--a terrible risk that the momentum of military preparations and plans will carry fast-moving events out of control.

To keep the fragile peace in the Middle East it is essential that this country reaffirm its determination to maintain the military balance—not only by maintaining a strong and secure presence in the eastern Mediterranean, but also by maintaining a prudent overall defense posture.

We must act to remove any doubt that an Egyptian military adventure might succeed. And to do that we must speak clearly and act decisively. For too long now this administration has been indecisive. Its intentions have been unclear. And the result has been to encourage the radical Arab States in the belief that the passage of time and the development of military forces would bring within reach sufficient military pressure to force Israel into a return to the vulnerable borders that have twice brought war in the Middle East.

The great failure of the administration's Middle East policy has been to assume, with neither evidence nor logic to support it, that the Soviet Union genuinely desires a stabilizing settlement of the Arab-Israel dispute. Out of this naive assumption arose such serious errors as our failure to respond to severe Soviet violations of the standstill cease-fire of last year. The time has come to end the preoccupation with the dispute between Israel and the Arab States and recognize that the central issue in the Middle East is a Soviet drive for hegemony. The Israelis are today in the front-line in resisting the historic imperial ambitions that lie behind Soviet policy. They deserve our support not only because they are reliable and democratic allies, but because they are allied with the security interests of the United States in a vital region of the world.

Mr. President, last year I introduced legislation to authorize the President to make military credits available to Israel and to state clearly the concern of Congress at the deepening involvement of the Soviet Union in the Middle East. The Congress responded affirmatively to my amendment to the Defense Procurement Act by a record vote of 87 to 7. President Nixon subsequently signed it into law on October 7, 1970. It remains in force today.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the text of that amendment now a U.S. public law.

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

SECTION 501, PUBLIC LAW 91-441—THE JACKSON AMENDMENT

The Congress views with grave concern the deepening involvement of the Soviet Union in the Middle East and the clear and present danger to world peace resulting from such involvement which cannot be ignored by the United States. In order to restore and maintain the military balance in the Middle East, by furnishing to Israel the means of providing for its own security, the President is authorized to transfer to Israel by sale, credit sale, or guaranty, such aircraft, and equipment appropriate to use, maintain, and protect such aircraft, as may be necessary to counteract any past, present, or future increased military assistance provided to other countries of the Middle East. Any such sale, credit sale, or guaranty shall be made on terms and conditions not less favorable than those extended to other countries which receive the same or similar types of aircraft and equipment. The authority contained in the second sentence of this section shall expire September 30, 1972.

Mr. JACKSON. The policy contained in Public Law 91-441 is clear. No one reading it could remain uncertain as to the policy of the United States in the Middle East. Today the best hope for peace in that troubled region lies with an Israel strong enough to defend itself and thereby deter aggression. In the present crisis, and given the grave uncertainties about the stability of the military balance in the Middle East, Israel needs additional modern supersonic aircraft and the military credits with which to purchase them.

That is why, Mr. President, it is my intention to offer an amendment to a proper appropriations measure at the earliest practicable opportunity that would provide $500 million in military credits as previously authorized in Public Law 91-441. Moreover, my amendment specifically identifies half the total amount, or $250 million as available for Phantom aircraft. The amendment reads:

For expenses, not otherwise provided for, necessary to finance sales, credit sales, and guaranties of defense articles and defense services to Israel, as authorized by law, $500,000,000, of which amount not less than $250,-

000,000 shall be available to finance sales, credit sales, and guaranties of F–4 Phantom aircraft to Israel.

Mr. President, I understand that in H.R. 9910 the administration has requested the authority to extend military credits to some 13 nations, $300 million of which could eventually be made available to Israel for the purchase of Phantom aircraft. Obviously, if these funds are authorized and appropriated in a timely fashion, and if they are expended for the purpose of providing these vital planes, I would adjust my amendment accordingly and as the situation dictates.

I believe, however, that the seriousness of the situation and the uncertainties surrounding H.R. 9910, now before the Foreign Relations Committee, require the line item amendment I intend to introduce. In any event, the authority sought in the bill presently before the Foreign Relations Committee is superfluous, since anything that might be done to provide credits to Israel under the administration's pending request for authority can be done under the law the President signed last year.

Mr. President, no one wishes for a peaceful and enduring settlement of the recurring Middle East crisis more than I. It is only with respect to the effective road to peace that there is disagreement.

In my judgment, good sense requires that we act now to assure the balance, in the conviction that it is prudent strength that makes peace possible.

Mr. RIBICOFF. Mr. President, will the Senator yield for a comment?

Mr. JACKSON. I am happy to yield.

Mr. RIBICOFF. Mr. President, I am always deeply impressed by the statements of the Senator from Washington on any subject, and especially when the Senator addresses himself to the Middle East. I do not believe there is a more knowledgeable man in the Senate than the Senator from Washington on the issue of American interests in the Middle East. I think it is also fair to say that recent events have clearly demonstrated that the state of Israel does not have a better friend than the Senator from Washington. Even before Israel was established, he urged its establishment and its recognition by our own Government. Since 1948 he has labored, and labored hard, to assure the continued existence of the state of Israel, not only from humanitarian motives, but because he appreciates America's interest in the Middle East.

I want to pay tribute to Senator JACKSON for his consistent friendship for Israel and his untiring efforts on her behalf in this body. There are many, of course, who express their friendship in words, but the actual deeds of the Senator from Washington have repeatedly brought concrete results. He has done much to assure the survival of the state of Israel, and to protect vital American interests in the Middle East.

The amendment that the Senator from Washington will offer is the logical extension of two letters signed by three-quarters of the Members of the Senate, the 87-to-7 vote last year approving the Jackson amendment, and the strong support for this amendment in the House.

Continued indecision by the administration can only encourage the Arab States in their dreams of destroying Israel. A genuine peace in the Middle East cannot be achieved by withholding crucial military and diplomatic support from an ally in the vain hope of appeasing those who seek its eventual destruction.

If it is indeed the policy of this country to maintain the arms balance in the Middle East, then this policy must be implemented immediately.

Senator JACKSON has pointed out in detail the numbers of men and machines now arrayed against Israel. Our State Department counters these hard facts with talk of Israel's qualitative superiority in manpower. This superiority undoubtedly exists, but how many young Israeli lives equal a Mig–21, a Sam–3 missile or a T–55 tank?

If our country continues to withhold Phantom aircraft from Israel, we will be encouraging Soviet and Arab intransigence and aggression. The consequences could be disastrous not only for Israel, but for all the nations of the Middle East and of the entire world as well.

Mr. President, I salute the leadership that has always been given to the Senate on this and many other issues by the Senator from Washington. I am sure we can count on my support and the support of the overwhelming majority of the Members of this body as we follow his lead in strengthening the position of Israel in the Middle East, the posture of the United States vis-a-vis the Soviet Union.

I thank the Senator from Washington for his outstanding work on this vital issue.

Mr. JACKSON. Mr. President, I thank my friend and colleague, the Senator from Connecticut, for his most generous remarks. He is being very modest about his own role.

The Senator from Connecticut has been extremely helpful in all the moves that have been made to bring peace and stability to the Middle East. I especially wish to express my deep appreciation for his role in helping us pass in the Senate last year the aid authority under which my proposed appropriation would be made to provide continuing military credits to Israel.

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

Mr. JACKSON. I yield.

Mr. GOLDWATER. I compliment the Senator from Washington for what I consider an excellent and very timely statement.

I think it should be increasingly obvious to all Americans—in fact, to all the world—that the Soviet is in the Middle East, and I do not think they are there for the good of the Arabs. I think they are there for the good of the Soviets. It is my guarded opinion that their ultimate objective is opening the Suez Canal; and to that end their fleets in the Mediterranean are almost at a point where they can tell our fleet to get out, and we will have to do it or face a war.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JACKSON. Mr. President, I ask unanimous consent to proceed.

Mr. BYRD of West Virginia. Mr. President, the leadership has consistently objected to the extension of any 15-minute orders throughout the year.

I ask unanimous consent that the Senator have 2 minutes, but that the time be charged against the time of the distinguished Senator from New York (Mr. JAVITS), who was to have now been recognized, under the order.

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

Mr. GOLDWATER. I think it is particularly pertinent that the Senator has brought up the matter of the F–4 fighter for Israel. I do hope that the amendment is offered, because the F–4 line, as the Senator knows, is slowly dying out.

If it were not for the purchase of the F–4's made recently by Germany, the line would have ended very shortly.

If we are to supply to Israel the most modern fighter we have, although it is 13 years old, we will have to have an amendment such as this appropriating the money.

I will be very happy to join the Senator from Washington in any way he feels might be of help to him in getting this across.

Mr. JACKSON. Mr. President, I compliment and commend the able Senator from Arizona for his stand in this regard. I especially agree with his comments regarding the real problem in the Middle East—the Soviet Union.

I could not agree more about the problem of the Suez Canal. I think it would be a mistake to open the Suez Canal—which would benefit primarily the interests of the Soviet Union in that area of the world—which is so vital to the security of the Western nations. I believe that if the canal is to be opened, it ought to be a trump card in some final settlement that will have meaning and will be effective in bringing peace and stability to the Middle East.

QUORUM CALL—ORDER OF BUSINESS

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

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

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

The Chair would advise the Senator from New York that he has 11 minutes remaining.

Mr. JAVITS. Mr. President, I ask unanimous consent that the 3 minutes

that I would be entitled to under the morning hour may be added to that time.

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

THE ADMINISTRATION'S SCHOOL BUSING POLICY

Mr. JAVITS. Mr. President, I have abiding confidence that the people of this country are decent, thoughtful, and fair in their judgments. Thus, I believe the time has arrived, with the new school year now underway, when we can consider in its proper perspective, the issue of school busing where necessary—and I emphasize that word—to the achievement of the objectives of the U.S. Constitution and quality education.

On August 3, the President issued an unfortunate statement on busing which received a great deal of attention from the media. Also, and unfortunately, some sought to use the President's words to appeal to the fears and prejudices of those being asked to embark, with their children, on a new, unfamiliar step toward achieving moral justice as well as substantive improvement in education.

Mr. President, I believe in integrated schools as an important component of a colorblind society. In an age when our society is still beset with serious racial tensions—a product of racial discrimination, perhaps the greatest injustice of our history as a nation—our children need to learn to live with and respect one another, black and white, rich and poor. This is a major avenue to resolving our great social problems.

In a colorblind society, school busing would not be an issue. Busing has become an issue only when it is related to the purpose of desegregation. Some 40 percent of America's schoolchildren rode buses before desegregation. Sadly, we do not now live in a truly colorblind society; residential patterns remain largely those which are conducive to segregation of the races—in fact. Thus, if children are to derive the educational advantages of an equal education—and this is true North as well as South—the schoolbus is often the indispensable means to achieving the end.

The issue has been raised in the context of "involuntary busing," as if a child were being forced against the parent's will to ride a bus to school. But the real issue is school assignment, not involuntary busing. No school district tells a child he must ride a bus; it tells him to what school he is assigned and then offers him public transportation to reach that school. If the child—or the parent—chooses to get there some other way, there is no compulsion to use a bus.

At least in cases of unconstitutional segregation, the Supreme Court held in Green against New Kent County, Va., in 1968, that school districts could not use a student assignment plan, such as "freedom of choice," which did not, in fact, result in the desegregation of the schools. Green, when read in the context of the subsequent Swann case, thereby reaffirms the power of the school district to make school assignments which may put the school beyond reasonable walking distance for the child.

President Nixon said on August 3:

> I have consistently opposed the busing of our nation's school children to achieve racial balance, and I am opposed to the busing of children simply for the sake of busing.

Unfortunately, the President's statement misses the point of what the courts have been saying is the mandate of the 14th amendment. Mathematical racial balance is not an end in itself, but as the Supreme Court unanimously noted in the Swann case, it may sometimes be a useful means of ending the injustices of racial discrimination. No one favors the busing of children "simply for the sake of busing." The point is not racial balance, but the educational and moral value to the children which underlies such busing as I define as "necessary".

Another severe blow to the cause of quality education was a subsequent warning from the President, disclosed by the White House Press Secretary on August 11, to employees of the Justice Department and the Department of Health, Education, and Welfare, threatening them with the loss of their jobs if they do not hold busing under Federal desegregation plans to the absolute minimum required by the law. The Federal employees in charge were thereby put at the peril of a case by case interpretation of law, a peril which could only promote irrespective of the moral or educational values involved, an adamant stand against busing.

Set against this background, and the subsequent demagoguery engaged in by the Governor of Alabama and others, it is heartening that the American people have, by and large—while reacting instinctively against busing—dedicated themselves to the rule of law, and to the maintenance of our public education systems. Here is some evidence on that score:

The disgraceful bombing of 10 school buses by extremists in Pontiac, Mich., did not prevent the public schools from reopening as scheduled under a court-ordered new desegregation plan. Although initial community resistance to the plan was great, I am informed that substantial progress in gaining acceptance for desegregation has been made, as many parents in Pontiac have begun to recognize that the education at the end of the bus ride is more important than the bus ride itself.

In many Alabama communities, desegregation and its attendant busing have proceeded as required by law, and the citizens of that State have demonstrated a greater respect for law than has been shown by their Governor.

Jackson, Miss., provides another example of a school district finally coming to grips with the problem of segregated schools. Spurred by the leadership of the business community, the people of Jackson have come to see that the future of their city as well as the future of America, is tied to the development of mutual respect between the races. Integration in education in Jackson requires busing; but even attempts by the Governor of Mississippi to cut off State funds to the Jackson school system apparently cannot doom the success of the program.

In my own State of New York, integration, often requiring busing, proceeds despite the difficulties. Last year, without fanfare or violence, the city of Niagara Falls totally integrated its schools. This year, also peacefully, the third largest city in my State, Rochester, despite severe financial handicaps, has taken the major step in integrating its entire school system and used busing in the process.

On August 3, the President instructed the Secretary of Health, Education, and Welfare to send to the Congress an amendment to the President's own proposed $1.5 billion 2-year Emergency School Aid Act, which if adopted, would prohibit the use of authorized funds for transportation of students. This amendment is now before the Education and Labor Committee of the House of Representatives. The chairman of the House Committee has stated his belief that "if the amendment is adopted much of the initial support for this legislation may be lost."

Rochester, N.Y., provides a striking example of the inadvisability of requesting Congress to prohibit the use of emergency school aid funds for the provision of transportation services. Rochester is on the verge of final implementation of a citywide integration plan. This year the Rochester School Board and the superintendent had to cut the budget to the bone to implement the second phase of the plan. If the promise of integrated education is to be realized there, the school district desperately needs funds to continue its admirable work.

Opposition to the President's "no busing" amendment is by no means confined to the North. As reported by the New York Times on September 9, many southern school superintendents have voiced deep chagrin at the President's position. If, as a nation, we are committed to equal educational opportunity, we must provide the means to the accomplishment of our objectives. I sincerely hope that the House of Representatves will reject the President's amendment, and get on with the business of passing the Emergency School Aid and Quality Integrated Education Act of 1971, which has been languishing in the other body ever since it was passed in the Senate by a vote of 77 to 8 on April 29.

In its administration of existing law—the emergency school assistance program—the Department of Health, Education, and Welfare is not observing its own regulations where the issue of busing is concerned, and is probably violating the law as a result.

The regulations adopted by the Secretary of Health, Education, and Welfare create three priorities for the purposes of awarding emergency school assistance funds; the first priority creates eligibility for districts undertaking new desegregation as a result of the Supreme Court decision in Swann against Charlotte-Mecklenburg Board of Education, a decision which validates the use of busing to achieve desegregation. No other districts may be funded until the needs of all "priority 1" districts are met. Section 181.4 of the regulations lists logistic support for transportation needs as an

activity eligible for funding. Yet the Department has arbitrarily ruled that no ESAP funds can be used to support transportation. If all moneys available were being used in "priority 1" districts this might be merely an unwise exercise of discretion; but as money remains for funding districts eligible in priorities 2 and 3, the arbitrary refusal of the Department to consider funding transportation expenses in districts with the greatest need seemingly constitutes a violation of the duly adopted regulations—and thus a violation of law.

Mr. President, I hope very much that the attitude of the administration upon this subject will be clarified for the people and for the Congress. If the administration does not change its position, I hope that the Congress will have the moral courage to do what it knows needs to be done. And that is why we are sent here, because we are supposed to have moral courage notwithstanding the passions and prejudices which may sweep some communities.

I point out that even in most of those communities which have momentarily been swept up by passion, reason, and honorable American respect for the Constitution and for morality have prevailed. In community after community, the people have themselves supported the necessary busing in order to bring about what the Constitution and common decency require.

Mr. President, I ask unanimous consent that the following items be printed at this point in the RECORD: A news article entitled "School Chiefs in South Perplexed on Busing" from the New York Times of September 9, 1971; an essay by Father Theodore M. Hesburgh the Chairman of the U.S. Commission on Civil Rights, which appeared in the New York Times, September 15, 1971; and selected portions of the ESAP regulations.

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

SCHOOL CHIEFS IN SOUTH PERPLEXED ON BUSING

(By James T. Wooten)

ATLANTA, Sept 6.—There was once a time in Roy Alcorn's professional life when he defined his job as a public school superintendent in terms of the three B's: budgets, bonds and buildings.

"But that day—when things were really sort of simple no matter how hectic they became—that day is gone," the 45-year-old superintendent of schools in Roanoke, Va., said last week. "Integration and that other B, busing, changed everything and now my role is to try to ride a dozen horses in a dozen directions all at once."

As Southern schools move into their second and final week of openings tomorrow, his lament is not unusual among his colleagues in the region, especially among those who run systems like Roanoke's, where racial balance and busing have become a part of the educational process.

Growing numbers of Southern school superintendents feel caught between opposing pressures, including the Federal courts, the Federal bureaucracy, the Nixon Administration and the people of their local communities—all of which, in the educator's view, seem to be at constant odds.

The educators describe their problems as "dilemmas" and "quandaries."

NO LONG-RANGE PLANS

Dr. James W. Henry, the 49-year-old head of public education in Chattanooga, Tenn., is one of those who shares Mr. Alcorn's complaint.

"I always refer to myself as the 'current' superintendent," he said. "With one part of the government telling you one thing and another saying another thing while off in this corner an entirely different view is being pronounced—well, it just gets very precarious and you don't like to think in long-range terms."

Floyd W. Parsons, another educator, concurs.

"When you have the President making his grand statement and Chief Justice Burger offering his comment and the Federal courts ordering this and that, you have the community divided down the middle, what you've got is a genuine dilemma for the school man," said the 60-year-old superintendent of schools in Little Rock, Ark.

He was referring to President Nixon's public opposition to busing and Chief Justice Warren E. Burger's statement last week that lower courts and school boards seem to have misinterpreted the Supreme Court's will on racial balance.

"Here in Little Rock, that sort of thing from Nixon and Burger just confuses people—mixes them up," Mr. Parsons said.

It was in his city, in 1957, when the system was under the direction of Mr. Parson's predecessor, Virgil Blossom, that the long desegregation struggle began with Federal troops escorting Negro children into Central High School.

TENSE JOB PRESSURES

In the years since, as segregation became a scene of the past in the South, the final pressures for change usually fell on the superintendents—and the process was both tense and tough.

Some quit, others fled to the North, a few suffered mental or emotional collapse and one, a superintendent in Mississippi, committed suicide.

But most remained on the job because, as Marvin M. Ward of Winston-Salem, N.C., suggested, "We were offered some possible choices back then. We could follow the directives of the court to integrate or join with the bulk of the people and resist. We chose to integrate and it really wasn't all that hard."

Now, many superintendents say there is such a variety of pressures from the same general source, the Federal Government, that they feel caught up in problems they cannot deal with.

On the one hand, they contend, the Federal courts seem committed to racial balance and busing. On the other hand, they have heard words of opposition to both not only from the President and the Chief Justice but also from the Vice President, the Secretary of Health, Education and Welfare and the Attorney General.

"All of that has just given false hopes to the anti-desegregation elements in the community," J. Floyd Hall, of Greenville, N.C., said. "They just make the superintendent's job that much more difficult."

RESPONSIBILITY ON NIXON

Mr. Hall, speaking last week to a meeting of his state's school superintendents, seemed especially irked by the President's public utterances on busing racial balance and neighborhood schools.

"If we have any disruption this fall, it has got to be placed at the feet of the President's statement," he told his colleagues.

Many of them agreed. "The President has made my job extremely more difficult," said Claude E. Kitchens, head of the Columbia, S.C., system where extensive busing began last week.

Dr. Jesse A. Coles Jr., the education in South Carolina, also suggested that the President's statement "helped to create a more emotional atmosphere" around his state.

"What we would like," Mr. Hall concluded, "is for people to stop disrupting the processes—including the President of the United States.

Dr. Elbert D. Brooks, director of schools in Nashville and metropolitan Davidson County, Tenn., criticized Mr. Nixon in different terms. "It just was not realistic for him to come out against busing like that," he said. "It was just one more kind of pressure for education people to bear."

In Charlotte, N.C., where more than half the 80,000 students ride buses to racially balanced classrooms, Dr. William C. Self, the superintendent, took a rather stoic view of the latest developments in school desegregation.

"What all of us would like to be is educators of course, he said. "But our role has changed so drastically that many of us have sort of resigned ourselves to a series of conflicts—which really isn't such bad advice for the President."

INTEGRATION HARM SEEN

Dr. Self added, "Whether Nixon is willing to admit it or not, the courts have ordered busing here and in a lot of other places—and the thing to do is to get it done.

He said the President's statements had had a visible impact on some school districts in his state that were "ready to take additional steps in desegregation but could not after he said what he said."

Dr. Raymond L. Christian, superintendent of the Birmingham, Ala., school system, summed up the effect of conflicting Federal policies on school desegregation as follows: "In our city at least we have ended up not satisfying anybody—not anybody. People are getting the idea that the court's orders are not really very firm and final."

Many of the superintendents seemed especially vexed by the Administration's decision to withhold Federal funds from busing programs. "They tell us to bus and then we don't get any money or help from them to do it," said Dr. Brandon B. Sparkman, superintendent of the Jackson, Miss., schools.

For the first time in more than a decade, the Jackson school board voluntarily submitted a plan last spring for desegregation and it was approved by the Federal court. It included extensive busing and was based on anticipated Federal funds to assist the board in financing the program.

"I don't know what we'll do now," said Dr. Sparkman.

And Mr. Alcorn concluded that there were days "when I know that whatever I decide to do, it's going to end up wrong."

IT'S THE END OF THE BUS RIDE THAT MATTERS

(By Theodore M. Hesburgh)

NOTRE DAME, IND.—After seventeen torturous years, the United States was about to desegregate many of its formerly segregated schools, North and mostly South. Following a decision of the Supreme Court, many of the school districts were using busing as a means—often the only possible means—of doing so. After more than a decade and a half of legal struggles, the law seemed clear and finally, through the heroic efforts of many school boards, mainly in the South, the law was about to be followed. The result would be that finally, more than a century after slavery was ended in America, the great-grandchildren of former slaves would finally have the opportunity to obtain a first-class education—the key to final liberation and upward social mobility.

At this strategic point, the President of the United States declared that he was opposed to busing. The case in point seemed to be Austin, Tex., which was following a plan devised by the Department of Health, Education and Welfare and seemingly approved by the Department of Justice and the White

House. Then came the intervention by a powerful Texas Senator that led to the repudiation of the Federal Government's plan by its leader. All who had worked for the implementation of the *Brown* decision during these seventeen dreary years were stunned, but little was said. It was the August doldrums. Then came the second blow with the White House press office reiterating the President's statement, and indicating that anyone in the Government opposing it might well find himself working elsewhere.

Who could respond? Most of those who might have responded were long since gone—from H.E.W., Justice, White House. The only maverick left was the U.S. Commission on Civil Rights—an independent, bipartisan agency created under President Eisenhower in 1957 to try to discover the facts on equal protection and discrimination and to advise the President and Congress regarding corrective action. The commission is a peanut. It has a budget that is one-fourth the cost of a single fighter plane, a staff of about 150, and six commissioners who are employed full time elsewhere.

Even so, they spoke out, indicating that the President's sta ment, at this particular time, could only give aid and comfort to those who opposed the desegregation of schools, and render the task of those trying to comply with the law immensely more difficult.

Moreover, the President's statement, while obviously popular with those who are unwilling to pay the price for a united America with freedom and justice and good education for all, especially blacks, really ignores the facts of busing. Forty per cent of all school children in America are bused to school—two billion miles a year—at a cost of 98 million dollars for 250,000 buses. To be opposed to busing is to not want 40 per cent of American youngsters to get to school.

If the commission had hired Governor Wallace, he could not have performed better. The day after the commission's statement, Wallace began to help the President. All across the South, and also in the North where school buses were fire-bombed in Pontiac, Mich., the forces of obstruction arose anew, buoyed by the President's stance, and the battle already won, had to be joined again. Numerous Federal judges had to restate their cases and even the Chief Justice of the United States had to speak again—on the side of the angels, but with reservations.

Busing is really not the issue. What is important is the education that awaits the child, especially the minority child, for the first time good education, at the end of the bus ride. Busing never aroused emotions when it was done for all the wrong reasons—like the black youngsters in Wallace's Alabama who were bused 100 miles a day from Selma to Montgomery and back to attend a black vocational school when there was a lily-white vocational school where the buses left from in Selma. I remember Medgar Evers saying that his first recollection of busing was the new school buses passing him and other black children on the way to school—a very bad school—splashing them with mud as the white children on their way to a good school yelled out the window, "Nigger, nigger!" No objections to busing then.

One can argue about the costs of equality in America today. God knows we have known the costs of inequality—wasted talents, frustration, poverty piled on poverty, generation after generation. Laws have been grudgingly passed and more grudgingly obeyed, with every possible legal evasion tested. If we are ever to emerge from our present state of inequality, it will not be by insisting on minimum compliance with minimum laws. Generosity, magnanimity, and human understanding will alone allow us to transcend, in our day, our dismal history of racial inequality.

AMENDED REGULATIONS FOR CONTINUING RESOLUTION FOR EMERGENCY SCHOOL ASSISTANCE PROGRAM

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§ 181.3 ELIGIBILITY

(a) (1) Assistance under the program may be made available to a local educational agency which is implementing a plan for the desegregation of its schools, which plan (i) has been undertaken pursuant to a final order of a court of the United States or of any State, or of a State administrative agency of competent jurisdiction, issued or modified on or after April 20, 1971, pursuant to constitutional requirements as set forth by the United States Supreme Court in *Swann* v. *Charlotte-Mecklenburg Board of Education*, and its companion cases, or (ii) has been approved by the Secretary, on or after such date as adequate under Title VI of the Civil Rights Act of 1964, and (iii) imposes new or additional desegregation requirements for the 1971–1972 school year over and above those implemented by the school district in any prior year. (20 U.S.C. 1119–1119a, 20 U.S.C. 331–332b, 42 U.S.C. 2000c–2000c–9, 20 U.S.C. 887, 20 U.S.C. 1222, 42 U.S.C. 2781–2837, P.L. 91–380, and H.J. Res. 742).

(2) Commencing thirty days after the effective date of this amendment, assistance may also be made available to a local educational agency which is implementing a plan for the desegregation of its schools, which plan would have made the local educational agency eligible for assistance under paragraph (1) of this section but for the fact that the applicable court order or Title VI approval was issued prior to April 20, 1971: *Provided however*, That in any State a local educational agency which is eligible for assistance under subparagraph (1) of this paragraph shall be accorded priority over such an agency in that State which is eligible therefor under this subparagraph (2).

(3) Commencing thirty days after the effective date of this amendment, such assistance may also be made available to a local educational agency which is implementing a plan for the desegregation of its schools with respect to which plan assistance was furnished (and not terminated) under this program prior to July 1, 1971: *Provided however*, That in any State a local educational agency which is eligible for assistance under subparagraph (1) or (2) of this paragraph shall be accorded priority over such an agency in that State which is eligible under this subparagraph (3).

* * * * *

§ 181.4 AUTHORIZED ACTIVITIES

Projects assisted under the program shall be designed to contribute to achieving and maintaining desegregated school systems and should emphasize such activities as the following:

* * * * *

(e) carrying out special comprehensive planning and logistic support designed to assist in implementing a desegregation plan such as (1) employing additional administrative and clerical personnel necessary for implementation of a plan; (2) assisting in the rescheduling and reassignment of students and teachers and the redrawing of transportation routes; (3) supervising necessary physical changes; and (4) minor repairing and minor remodeling of existing facilities and leasing or purchasing of mobile or demountable classroom units.

PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of routine morning business not to exceed 15 minutes, with each Senator being limited therein to 3 minutes.

THE ADMINISTRATION'S BUSING POLICY

Mr. HATFIELD. Mr. President, I would like to commend the Senator from New York (Mr. JAVITS) on his very eloquent presentation on a very important subject, the policy of school busing.

I am only regretful that all Members of the Senate could not be here this morning to hear this presentation. I am hopeful that each Member of the Senate will take advantage of the opportunity to read the remarks made by the distinguished Senator from New York.

I never cease to be deeply impressed by the manner, the temper, and the intellectual manner in which the Senator from New York presents complex and oftentimes highly emotionally charged issues. He does so with calmness and with accuracy. He does so not expecting everyone to agree with his views, but only so that the issue may be classified as a result of his comments.

I think in that tradition the Senator from New York has again made a very important contribution for my personal understanding of this subject and also, I feel, for the public's better understanding.

It is not again, let me emphasize, a matter of whether one is disposed to agree with the Senator from New York. The Senator from New York has presented his position in a nonemotional way. It is difficult to talk about busing today without getting involved in emotional reactions, cliches, myths, prejudices, misunderstandings, inaccuracies, and so forth. When there is a clear-cut statement made in such a clear-cut and concise manner, and in such a brief period of time, it is a veritable contribution to the subject.

I thank the Senator from New York. He always helps me, as one of his colleagues, to have a better understanding of a matter. I am very much convinced that his remarks will help even those who stand on the other side of the question from the Senator from New York in a better understanding of their own position.

Mr. JAVITS. Mr. President, I thank the Senator very much for his graciousness.

Mr. HATFIELD. The Senator is entirely welcome.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. HATFIELD. Mr. President, I ask unanimous consent that I have 2 additional minutes.

Mr. BYRD of West Virginia. Mr. President, there would be objection if the Senator were allotted any more time under the 3-minute limitation. If the Chair will recognize me, I shall yield my time to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 3 minutes.

Mr. BYRD of West Virginia. I yield 3 minutes to the Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the Senator from West Virginia (Mr.

BYRD), the able assistant majority leader, for yielding me his time.

THE BUSING OF SCHOOLCHILDREN

Mr. ALLEN. Mr. President, the result of a Gallup poll on the subject of busing schoolchildren appeared in the New York Times, September 12, 1971. This particular poll indicates that only 18 percent of the persons questioned favored involuntary busing whereas 76 percent expressed outright opposition. The poll was taken during the period of August 20–23, 1971, before public schools opened across the country and before many parents were aware that U.S. district court judges would continue to compel massive busing to achieve racial balance despite the Supreme Court decision in the Swann against Charlotte-Mecklenburg case that racial balance in public schools is not required by the Constitution. Since racial balance is not required, why, in the name of commonsense, do U.S. district court judges continue to order massive busing to achieve racial balance?

Mr. President, there are, of course, many valid grounds for opposing busing schemes imposed on local school boards by U.S. district court judges. It is not my purpose to explore all of those reasons. However, there is one reason which has not received sufficient public attention and that is the detrimental effect on school children of certain proportions of racial mixes in the schools where white children are cast as a minority in predominantly black schools. In this connection, I want to call attention to several conclusions of leading authorities in the fields of psychology and sociology as to the adverse educational effects which can reasonably be anticipated under the above circumstances.

In pointing out these expectations, let me say that they are based on evidence submitted by the same sociologists and psychologists as are relied upon by the Department of Health, Education, and Welfare and by the Civil Rights Division of the Department of Justice in their arguments before U.S. district courts to justify massive uprooting and transportation of school children. For example, Dr. James S. Coleman is frequently cited. His conclusions are reported in the publication, "Equality of Educational Opportunity," issued by the Office of Education, U.S. Department of Health, Education, and Welfare. His findings are used to support busing, but his massive study of the subject of integration in schools indicates that blacks, in predominantly black schools, who are mixed with a minority of whites do no better—if as well—than blocks in all black schools. On the other hand, the achievement of white children who are allowed to remain in predominantly white schools is substantially higher than that of white children who are arbitrarily scrambled in predominantly Negro schools.

The above conclusions can be expressed differently. For example, a black pupil in a predominantly black school has no greater educational opportunity than a black in an all black school, but white pupils arbitrarily transferred to predominantly black schools have less educational opportunity than they would have had in the predominantly white school from which they were transferred.

An additional authority for this conclusion is found in the publication, "Racial Isolation in Public Schools," distributed by the U.S. Commission on Civil Rights.

Mr. President, what does this mean from the standpoint of city and county school systems where whites are the minority? It means that blacks do not gain a better educational opportunity when mixed with a minority of whites and it means that the white minority children who are transported and forced to attend predominantly black schools are deprived of a better educational opportunity. Obviously, actions by courts or by others which compel such a racial mix are discriminatory and are clearly unconstitutional. So why, when white children are in the minority in the school system, should they be uprooted from their local neighborhoods and communities and involuntarily transported throughout a city or county for the sole purpose of mixing the minority race to the advantage of none and to the detriment of the minority race?

Mr. President, there are several counties in Alabama and many counties in the South where blacks outnumber whites in school enrollments. The same situation prevails in many cities in the South and throughout the Nation.

I list below 14 cities which are among the 50 most populous cities in the Nation and indicate the percentage of minority white pupils enrolled in the school systems of these cities:

	Percent
Washington, D.C.	5
Newark	16
New Orleans	30
Atlanta	31
Baltimore	33
St. Louis	34
Oakland	35
Chicago	35
Detroit	36
Philadelphia	37
New York	39
Cleveland	40
Birmingham	45
Kansas City	50

Cities outside the South are next in line for the same treatment now being dished out in the South. Never doubt it. The Supreme Court has handed out a judicial placebo to lull the people outside the South by implying that only State-imposed segregation is the object of its concern. But consider this fact—every school district boundary in every State is the result of "State action." If segregation exists it can be said to be State imposed, and, therefore, subject to remedy by U.S. district courts and the Department of HEW. The radicals are simply waiting for a politically propitious time to strike. So all of the people from all sections of the Nation should be concerned with what is happening in the South today.

In many instances, pseudoeducation experts and radical activists in the hire of the Department of Health, Education, and Welfare have descended upon school districts in which whites are the minority race. Using racial statistics and adding machines as substitutes for brains, these charlatans have prescribed pupil assignments with the sole object of mixing the minority by a ratio reflecting the racial proportions for the district as a whole. Yet, such racial balance is not required by the Constitution and according to the Supreme Court, "absent a constitutional violation . . . that would not be within the authority of a Federal Court." In addition, these radicals have been both callous and ruthless in their approach. Accelerated resegregation has followed as inevitably as night follows day, not only in the South but throughout the Nation. Yet, witless and sometimes spineless U.S. district court judges supinely adopt and implement such ruinous schemes by court decrees. This is only one of many reasons for massive popular opposition to uprooting school children from their neighborhoods and local communities.

Mr. President, let me illustrate another aspect of the problem as it relates to certain of our county school systems in the South. I have a letter from Dr. Guy S. Kelly, superintendent of education of the Wilcox County, Ala. schools. This letter describes some of the problems with which he has to wrestle in his efforts to preserve the institution of public school education in his county. The letter calls attention to the attitude of official representatives of the Department of Health, Education, and Welfare and of the Justice Department as reflected in such statements as:

> We don't give a damn about education. We are only interested in mixing them in the South.

Mr. President, similar statements have been reported to me from time to time from many different sources and I am convinced that it accurately reflects the sentiments of radical zealots employed by these departments. In my opinion, the Gallup poll reflects, in part, the popular resentment to this dictatorial and callous attitude in dealing with the education, safety, and general welfare of children.

But, to further illustrate the chaos and human tragedy taking place in many areas of the South today, I want to call attention to a copy of a letter from Dr. Kelly to President Nixon on this subject. I ask unanimous consent that Dr. Kelly's letter to me dated September 10, 1971, and his letter to President Nixon dated September 9, 1971 be printed in the RECORD.

In addition, I would like to call attention to, and add my solemn "Amen" to a judgment expressed by Paul Harvey in his syndicated column which appeared in the Gadsden Times, Gadsden, Ala., on September 12, 1971. He said:

> Busing school children back and forth across towns for any reason is the most absurd, unkind, and unjust discrimination ever to be court ordered in our nation. Ever.

Mr. President, I ask unanimous consent that Mr. Harvey's column be printed in the RECORD. The Gallup poll to which I have referred indicates that Mr. Harvey speaks the sentiments of the vast majority of parents of our Nation—white and black—and I am firmly convinced that

the people of this Nation are not going to accept dictation from nine black-robed judicial tyrants and their minions sitting on U.S. district court benches.

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

SUPERINTENDENT OF EDUCATION,
Camden, Ala., September 10, 1971.

Re: Our conversation of several days ago.

Hon. JIM ALLEN,
Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLEN: Approximately 10 to 15 years ago, Superintendents from a three state area (Alabama, Florida, and Georgia) were called to a meeting in Tallahassee, Florida at Florida State University for a discussion of the integration of the South under the 1954 Supreme Court decision.

At that time we were informed that the school systems of the South were going to be completely integrated and we were told this in no uncertain terms. Most of the Superintendents did not believe that this could be done, or that the Federal Government would try to do such a thing. In fact, they knew that most of it would be totally illegal. I believed what they told us that day and my actions have been governed accordingly.

One of the Superintendents asked the speaker, a Mr. Kreuger, But what about education. Mr. Kreuger's answer was, We don't give a damn about education. We are only interested in mixing them in the South. I feel sure that this is the official policy of HEW because I have heard that same statement hundreds of times since that day made by other HEW and Justice Department personnel.

A Mr. Grant and a Mr. Blankenship slipped into Wilcox County and made a clandestine survey. They later returned to make a survey which had been arranged by me. I went with them on this survey and Mr. Morris Ward, my assistant, went with me. We told them that they were destroying education in Wilcox County. They told us that they didn't give a damn about education. All they were interested in was mixing us. They said that the destruction of education was our business. Their business was to integrate.

On August 23, six days before school opened, the Justice Department demanded and the Court granted a hearing on the demand for more integration in Wilcox County. This was done in spite of the fact that the Court had ordered HEW and the Justice Department to make a survey of Wilcox County and secure a Pupil Placement Map for Wilcox County and then get with the Wilcox County School personnel and work out a plan of integration as nearly satisfactory to both as possible. HEW completely ignored this Court Order and the Court ignored the fact that they had given HEW this order and demanded to know why we had not made a plan and would not even hear our explanation on the matter. The Federal Courts are completely subservient and fearful of this little band of bureaucrats in HEW and the Justice Department. It is tragic to see our courts groveling in the dust before this little group of bureaucrats, this little group of gauleiters. The Courts ordered us to present a plan immediately which we did with only one day to present it.

On August 29 our schools opened smoothly under the freedom of choice plan which the government insisted on placing us under. It is my understanding that these people were ordered never again to disturb schools after they were started and to not kick children around like they were "yo-yos" after school had started.

The Court issued an order on September 1, which we received on September 4, making radical and violent changes in the Wilcox County School System after our schools had been open and were running smoothly. They placed us under the HEW plan, with a few minor exceptions.

It is my opinion and the opinion of the Board of Education that this plan will completely destroy the Wilcox County Public Education System. We have a picture here in Wilcox County of the private schools, the HEW, the Justice Department, and Civil Rights Negroes banding together to destroy public education for all the children of Wilcox County and the only comment of the Justice Department, Mr. Theodore Ravis, another lawyer whom I cannot name, Peter Hall, Mr. Grant, Mr. Blankenship and others is, We don't give a damn about education. All we are interested in is mixing them. This order is a useless order and the Courts are not required to issue useless orders. This order will not mix the Wilcox County School System. It will only destroy this school system.

I want to point out to you that this order, at the very time that the President of the United States is trying to deal with the unemployment issue, forces us to fire 104 Negro Teachers. The Wilcox County School System is said to be the third poorest system in Alabama and the 19th poorest system in the nation. Yet, this order deprives us of something over a million dollars in school funds.

I am enclosing a copy of a letter which I have written the President of the United States. Every time I write the President of the United States, the letter is turned over to the Justice Department for them to answer me. Why can't the President himself, through a secretary in his own organization, answer my letters? I am assuming that he does this as a threat.

Why can't the President put a freeze on such actions as are taking place in Wilcox County just as he placed a freeze on prices and wages? Why must we follow down the trail which has been blazed by all the great dictatorships of history. Hitler took over the control and education of the children of Germany. Stalin took over the control and education of children in Russia and now the United States takes over the control and education of children in the Southern United States.

"Parents, who have the first and the inalienable duty and right to educate their children, should enjoy true freedom in their choice of schools. Consequently, public authority, which has the obligation to oversee and defend the liberties of citizens, ought to see to it, out of a concern for distributive justice, that public subsidies are allocated in such a way that, when selecting schools for their children, parents are genuinely free to follow their consciences."

Quoted from the document "Declaration on Christian Education" issued by Pope Paul VI October 28, 1965. The Documents of Vatican II. Edited by Walter M. Abbott, S.J. Guild Press, New York, Page 644.

I maintain, along with Pope Paul VI, that the first and inalienable duty and the right to educate their children and to enjoy true freedom in their choice of schools is that of the parents and that it is the duty of civil authorities to see that they have these rights. The children of Wilcox County, white and negro, had this right until this court order of September 1, 1971.

"We are troubled on every side, yet, not distressed; We are perplexed, but not in despair; Persecuted, but not forsaken; Cast down, but not destroyed;" II Corinthians 4:8–9

Yours truly,

GUY S. KELLY,
Superintendent, Wilcox County Schools.

SUPERINTENDENT OF EDUCATION,
Camden, Ala., September 9, 1971.

THE PRESIDENT,
Washington, D.C.

DEAR MR. PRESIDENT: On August 23, six days before we opened school, the Justice Department demanded and the Court had a hearing on the demand for more integration in Wilcox County. (We have been integrated for about four years.)

The Court issued an order dated September 1, which we received on September 4, making radical and violent changes to the Wilcox County School System after our schools were set up and running smoothly. It was my understanding last year that there would be no more tearing up of schools during the operation of the school year for such purposes.

This new order will destroy the Wilcox County Public School System within a short while, in my opinion. Already people are withdrawing their children from school and entering them in private schools. The result will be an all Negro Public School System and a loss of support from the community which will destroy us entirely. Of course, the government does not care about this because the attorneys have told us that they don't give a damn about education. All they are interested in is mixing them. What a shame that representatives of this great nation would take such a position about education.

Another side issue which I think is important is that at a time when you are trying to reduce unemployment in this nation and help the Negro Citizen as much as you possibly can, the Justice Department comes in here and demands that we fire 104 Negro Teachers. Thus, adding to the unemployment figure. I assume they are doing the same thing in other places.

This order which the Justice Department is putting into effect will cost the already extremely poor school system of Wilcox County more than a million dollars. Why can't you put a freeze on such actions as well as on prices and wages? I suggest you do this.

Yours truly,

GUY S. KELLY,
Superintendent, Wilcox County Schools.

SCHOOL BUS EDICT BOOMERANGS

I like to see President Nixon knocking his golf ball way out of bounds. The other day he sliced his first tee shot over into the wrong fairway—and his mulligan he hooked into the trees.

But that's all right. Think about it this way. If our President were shooting golf in the 70s, then you and I would have a neglected country to worry about.

You and I can concentrate on golf to try to forget such monumental messes as Vietnam and school busing. He can't.

President Nixon was appointed by the people to try to undo the grotesque snafu in Vietnam, our nation's most inappropriate, inexcusable, indecent foreign involvement.

And similarly, domestically, he has pledged by oath to pay for other sins of his predecessors and the Earl Warren Court.

The well-intended school bus edict boomeranged.

On many vital issues our nation has been divided; on none has it been so united in opposition.

Busing schoolchildren back and forth across towns for any reason is the most absurd, unkind and unjust discrimination ever to be court-ordered in our nation. Ever.

If half the money spent on school buses and busing were invested in improving educational facilities, everybody would benefit. From this cynical shuttle nobody does.

Most American parents, all colors, creeds and clans, love their children. That we've been using up in advance their dollars and their air and their water and their resources is defended with the plea that we didn't know what we were doing.

But in this we know what we are doing and we keep doing it.

Now Chief Justice Warren Burger of the

United States Supreme Court is trying to backtrack. He says "racial balance in every school in every district is not required."

He says lower courts have overreacted to the High Court's decision.

But whoever goofed, today 350,000 youngsters are being bused back and forth—sometimes many miles away from home making of our splendid old melting pot a pressure cooker.

In San Francisco, Chinese-Americans are being bused away from neighborhood schools so excellently tailored to their customs and needs.

In North Carolina, American Indians preferring their all-Indian schools, resist this rude scrambling of everybody.

In Florida, Negro parents demand the resignation of the school superintendent who forces busing. He can't help it.

Gov. Wallace says the Nixon Administration talks one way and acts another. He can't help it either. Within the limits of the law, President Nixon is trying NOT to enforce punitive, purposeless school busing.

It's just another fiasco which we backed into where, as in Vietnam, we meant to help people—and hurt them.

TRIBUTE TO SENATOR STENNIS

Mr. HATFIELD. Mr. President, I would like to compliment the distinguished chairman of the Senate Armed Services Committee (Mr. STENNIS) on the manner in which he has conducted himself as manager of the draft bill and express my admiration for his tenacity and physical stamina. The Senator from Mississippi has managed the draft bill over the past few months, from hearings in early February, through the floor debate, into conference, and final passage. He is now faced with managing the military procurement authorizations bill, which may be even more demanding than the Selective Service Act. As my colleagues know, he and I disagreed on virtually every aspect of the Selective Service Act and will probably disagree on many aspects of the military procurement authorizations bill. Be that as it may, the distinguished chairman of the Armed Services Committee and I have never disagreed disagreeably, and I look forward to not only continuing our debate on the various matters on which we find ourselves in opposition, but also to working with him on other issues on which we concur. I might add that while I always look forward with anticipation to the former, I welcome the latter with even greater alacrity.

Mr. STENNIS. Mr. President, I appreciate the Senator's kind remarks. There can be such a thing as genuine pleasure in working with a Senator who is in total opposition. I get genuine pleasure from working with the Senator from Oregon, and every syllable of every promise and understanding he has made with me comes up that way. I thank the Senator for that, too.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORT ON MILITARY CONSTRUCTION CONTRACTS AWARDED ON OTHER THAN A COMPETITIVE BID BASIS

A letter from the Rear Admiral, Naval Facilities Engineering Command, Washington, D.C., transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the 6-month period ended June 30, 1971 (with an accompanying report); to the Committee on Armed Services.

PROPOSED CONCESSION CONTRACT, GLACIER BAY NATIONAL MONUMENT, ALASKA

A letter from the Deputy Assistant Secretary of the Interior, pursuant to law, a proposed concession contract within Glacier Bay National Monument, Alaska (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Economic Opportunity Board of Clark County, Las Vegas, Nev., praying for the enactment of legislation to give permanent status to the Office of Economic Opportunity; to the Committee on Finance.

Petitions of citizens of Orlando, Fla., relative to school busing; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE (for Mr. BURDICK), from the Committee on Interior and Insular Affairs, without amendment:

S. 1733. A bill to amend the act of September 26, 1970 (84 Stat. 884) (Rept. No. 92-376).

By Mr. BIBLE (for Mr. JACKSON), from the Committee on Interior and Insular Affairs, with amendments:

S. 1152. A bill to facilitate the preservation of historic monuments, and for other purposes (Rept. No. 92-377).

By Mr. HRUSKA (for Mr. EASTLAND), from the Committee on the Judiciary, without amendment:

H.J. Res. 782. Joint resolution to authorize the President of the United States to issue a proclamation to announce the occasion of the celebration of the one hundred and 25th anniversary of the establishment of the Smithsonian Institution and to designate and to set aside September 26, 1971, as a special day to honor the scientific and cultural achievements of the Institution.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. JAVITS:

S. 2565. A bill to provide one additional permanent district judgeship for the Northern District of New York. Referred to the Committee on the Judiciary.

By Mr. FANNIN (for himself and Mr. GOLDWATER):

S. 2566. A bill for the relief of Evaristo Laborin, his wife, Amparo Laborin, and their children Evaristo Laborin, Junior, Francisco Laborin, Catalina Laborin, Jesus Laborin, and Benito Laborin. Referred to the Committee on the Judiciary.

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

S. 2567. A bill to facilitate prosecutions for certain crimes and offenses committed aboard aircraft, and for other purposes. Referred to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 2568. A bill to authorize appropriations for the relief of Pakistani refugees in India. Referred to the Committee on Foreign Relations.

By Mr. WILLIAMS:

S. 2569. A bill to amend title 18 of the United States Code to permit the mailing of lottery tickets and related matter, the broadcasting or televising of lottery information, and the transportation and advertising of lottery tickets in interstate commerce, but only where the lottery is conducted by a State agency. Referred to the Committee on the Judiciary.

By Mr. McGOVERN:

S. 2570. A bill to declare that certain federally owned land is held by the United States in trust for the United Sioux Tribes of South Dakota Development Corp. Referred to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

S. 2571. A bill entitled "Rural Development and Population Dispersion Act of 1971." Referred to the Committee on Agriculture and Forestry.

By Mr. PERCY (for himself, Mr. STEVENSON, and Mr. SYMINGTON):

S. 2572. A bill to authorize the Secretary of the Interior to enlarge the Jefferson National Expansion Memorial National Historic Site, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. STEVENS:

S. 2573. A bill to provide for inspection of foreign fish processing plants preparing fish for importation into the United States. Referred to the Committee on Commerce.

By Mr. JAVITS:

S.J. Res. 159. Joint resolution proposing an amendment to the Constitution relative to equal protection under law on account of sex. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JAVITS:

S. 2565. A bill to provide one additional permanent district judgeship for the Northern District of New York. Referred to the Committee on the Judiciary.

A BILL TO PROVIDE ONE ADDITIONAL DISTRICT JUDGE FOR THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to provide one additional district judge for the U.S. District Court for the Northern District of New York.

The facts requiring this addition are set forth in detail in the following memorandum, which has been prepared for me and which I ask be printed in the RECORD:

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

MEMORANDUM IN SUPPORT OF SPECIAL BILL BY THE U.S. CONGRESS AUTHORIZING ONE ADDITIONAL DISTRICT COURT JUDGE FOR NORTHERN DISTRICT OF NEW YORK

(Prepared as of April 26, 1971)

The Northern District of New York comprises 29 counties in Upstate New York, which area represents a little less than one-half of the geography of the State. By Congressional Act enacted on March 3, 1927 (Chapter 338, 44 Stat. 1374), one additional District Court Judge was authorized, which represents the present authorization of two District Court Judges (Title 28, U.S. Code

133). In the past 44 years since such Congressional enactment, many factors have evolved in the District Court's operation to justify a special bill authorizing at least one additional District Court Judge.

In the period 1925 through 1970, the District's population, as released by the Federal Bureau of Census, has increased by almost one million; that is, from 2,092,000 to 2,871,000. Similarly, along with industrialization and population growth in the District, the workload of the District Court has experienced a marked increase in such time period and, in particular, the complexity of litigation undertaken.

The following sets forth statistics pertaining to this District as compiled and set forth in the Reports of the Director of the Administrative Office of the United States Court:

Fiscal year	Civil cases		Criminal cases		Total cases	
	Commenced	Terminated	Commenced	Terminated	Commenced	Terminated
1940	275	288	249	273	524	561
1950	291	301	158	183	449	484
1960	501	466	176	178	677	644
1971 [1]	120	69	43	27	163	96
	(480)	(276)	(172)	(108)	(652)	(384)

[1] 1971 statistics presently available only for 1st quarter, July 1–Sept. 30, 1970.

Thus, total of cases commenced rose from 524 in 1940 to 677 in 1960, with a projected—652—in 1971, based upon multiplying the 163 cases commenced in the first quarter of 1971 by four, while cases terminated increased from 561 in 1940 to 644 in 1960, with cases terminated in 1971 projected to be (384).

The District Court is served by Chief Judge James T. Foley who sites only in Albany due to the volume of court work in the Eastern Section of the District, and by District Court Judge Edmund Port of Auburn who sits in Utica, Syracuse, and Auburn. The reason for the drop in commenced and terminated cases in fiscal year 1971, as compared with 1960, is largely explained by the fact that in such fiscal year no additional or non-resident District Court Judges were brought into the District to assist the two resident District Court Judges in holding trial terms.

In the past ten years, some 9 District Court Judges have held District Court trial terms to aid the resident District Court Judge, assisted by 2 Second Circuit Court Judges. Exhibit A sets forth the assignments of such judges.

Also, it is to be pointed out, there are some 6,000 New York State prisoners, convicted of major crimes, located in Auburn, Dannemora, and Comstock, New York Correctional Facilities which daily demand the judicial attention of the two District Court Judges with Habeas Corpus and civil rights proceedings, making this District the second highest in volume of such cases in all of the Federal judicial districts.

An additional factor placing extra burden upon the present two District Judges is the circuit nature of holding trial and motion terms in order to serve the District. Trial terms are held at Syracuse (September and October), Albany (November and December), Utica (January and February), Auburn (March, April and May) and at Albany again (May and June). Motion terms are held during each month, as follows: first Monday at Albany, second Monday at Syracuse, third Monday at Albany, and the fourth Monday at Utica, except during July and August when the District Judges designate special motion terms. The geographic distances involved between such situs of holding court places a unique operating burden upon the two District Court Judges, along with supporting personnel of the District Court Clerk's Office, U.S. Marshal's Office, Court Reporters and U.S. Attorney's staff. The required travel by such personnel is done usually by automobile and is particularly demanding during the inclement winter months.

Also, another operating difficulty is that Chief Judge James T. Foley has his Chambers in Albany, 90 miles from the Clerk's Office and the U.S. Marshal's Office at Utica, and 140 miles from the U.S. Attorney's office in Syracuse. District Court Judge Edmund Port of Auburn in 30 miles from the U.S. Attorney in Syracuse, 80 miles from the U.S. District Court Clerk and U.S. Marshal in Utica and 170 miles from the Chief Judge of the District in Albany. The transaction of court business ex parte, or not during Court terms, necessitates much automobile travel or the use of mail which is often delayed, particularly in snowy and icy winter weather.

Lastly, the Second Circuit Court of Appeals Rule regarding Prompt Disposition of Criminal Cases, effective July 5, 1971, requires trial of jail criminal cases within 90 days from detention date, or within 6 months of commencement of non-jail criminal proceedings, absent a showing of exceptional circumstances justifying continued detention or delay. Absent such showing, the charges will be dismissed by the District Court if the Government does not certify it is ready for trial. This new rule will place extra burden upon the District Judges and likely will require additional or extended criminal trial terms.

EXHIBIT A

DISTRICT AND CIRCUIT COURT JUDGES DESIGNATED TO SIT

Harold R. Tyler, Jr., Southern District New York; Feb. 12, 1963.

Thomas F. Croake, Southern District New York; Sept. 30–Nov. 1, 1963; May 11–29, 1964.

Thurgood Marshall, Second Circuit; June 15–30, 1964.

John M. Cashin, Southern District New York; Sept. 20–Dec. 18, 1965.

Leonard P. Moore, Second Circuit; Jan. 24–31, 1966.

William H. Timbers, Connecticut; Mar. 1–31, 1966; July 17 to Aug. 11, 1967; Jan. 3–5, 1968; Jan. 8–10, 1968; Jan. 22–26, 1968; Mar. 11–June 28, 1968; Feb. 18–Mar. 14, 1969.

Edward C. McLean, Southern District New York; Oct. 17–Nov. 18, 1966; Apr. 24–May 5, 1967.

Bernard J. Leddy, Vermont; June 19–July 7, 1967; June 3–28, 1968.

Lloyd F. MacMahon, Southern District; May 6–June 1, 1968; Feb. 10–28, 1969; May 1–31, 1969; Sept. 9–Oct. 4, 1969; Feb. 1–8, 1970; May 2–30, 1970.

John T. Curtin, Western District New York; Mar. 18–Apr. 1, 1968.

Sylvester J. Ryan, Southern District New York; June 1–Aug. 31, 1968.

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

S. 2567. A bill to facilitate prosecutions for certain crimes and offenses committed aboard aircraft, and for other purposes. Referred to the Committee on the Judiciary.

Mr. HRUSKA. Mr. President, on behalf of the senior senator from Kansas (Mr. PEARSON) and myself, I send to the desk a bill to facilitate prosecutions for certain crimes and offenses committed aboard aircraft, entitled the "Aircraft Piracy Amendments of 1971." I ask that this bill be appropriately referred, and further request that the letter of transmittal from the Attorney General and the text of the bill be printed in full at the conclusion of my remarks.

The problem of aircraft hijacking is one which affects the lives and safety of millions of people in this country and throughout the world. The governments of many countries, including our own, have been forced to face the alarming increase in air piracy during the last several years and to draft measures to effectively deal with the problem.

On the international side, 77 countries recently agreed to the text of the Hague Convention for the Suppression of Unlawful Seizure of Aircraft. As my colleagues recall, on September 8 the Senate unanimously agreed to ratify the convention. This convention, although yet to be implemented, will be a useful measure to fill certain gaps in the existing body of international law relative to hijacking.

On the domestic side, our laws dealing with this general subject have been found by experience to be incomplete.

This bill which I introduce today would close some existing gaps. Basically, the bill would accomplish the following objectives. It would make illegal threats to hijack or destroy aircraft. Presently, the conveying of false information in order to do a prohibited act is proscribed, but a threat to do the same act is not. The bill would also provide felony penalties for carrying concealed or dangerous weapons aboard aircraft in situations where the offender is acting willfully and without regard for or with reckless disregard for the safety of human life. The present statute provides only for a misdemeanor in all circumstances where weapons are brought on aircraft. This weapons provision would also be extended to foreign aircraft, thereby enabling Federal prosecutions of those who carry concealed or dangerous weapons aboard aircraft within the United States which are operated by foreign air carriers. The Attorney General reports several recent incidents of this nature, including one involving live grenades and automatic weapons at a New York airport, which stress the need for such a legislative extension

An additional measure in this proposal is the provision of civil penalties for certain hijack hoaxes. This provision is directed at otherwise responsible citizens who convey false information in ill-advised attempts at humor. In many of these cases criminal prosecution, as presently provided, is not appropriate.

Finally, this proposal would establish special venue provisions in proceedings to enforce the civil penalties. These provisions would facilitate the recovery of these penalties.

In summary, this bill is designed to alleviate the very serious substantive and procedural problems often experienced in prosecuting crimes aboard aircraft cases. Moreover, the ultimate effect would be to make domestic air transportation safer, an objective which we all support.

I therefore urge prompt and favorable consideration of this bill.

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

S. 2567

A bill to facilitate prosecutions for certain crimes and offenses committed aboard aircraft, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "Aircraft Piracy Amendments of 1971."

SEC. 2. Section 35 of title 18, United States Code, is amended by deleting "false information," and substituting therefor "a threat, or false information" in subsections (a) and (b) of that section.

SEC. 3. Section 1395 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) A proceeding to recover a penalty under section 35 of title 18 or under section 901(c) of the Federal Aviation Act of 1958 may be brought in the judicial district where the defendant resides or the district where the false information or threat was imparted or conveyed or attempted to be imparted or conveyed. In any such suit process against any defendant may be served in the district where the defendant is found with the same force and effect as if the process had been served within the district in which said suit is brought."

SEC. 4. Section 901 of the Federal Aviation Act of 1958 (49 U.S.C. 1471) is amended by adding at the end thereof the following new subsection:

"THREATS OR FALSE INFORMATION

"(c) Whoever imparts or conveys or causes to be imparted or conveyed any threat, or false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (1), (j), (k), or (l) of section 902 of this title, shall be subject to a civil penalty of not more than $1,000 which shall be recoverable in a civil action brought in the name of the United States."

SEC. 5. Section 902 of the Federal Aviation Act of 1958 (49 U.S.C. 1472) is amended as follows:

(a) Section 902(1) is amended to read as follows:

"CARRYING WEAPONS ABOARD AIRCRAFT

"(l)(1) Whoever, while aboard, or while attempting to board, an aircraft being operated by an air carrier or a foreign air carrier in air transportation, has on or about his person a concealed deadly or dangerous weapon shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(2) Whoever willfully and without regard for the safety of human life or with reckless disregard for the safety of human life, while abroad, or while attempting to board, an aircraft being operated by an air carrier or a foreign air carrier in air transportation, has on or about his person a concealed deadly or dangerous weapon shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(3) This subsection shall not apply to law enforcement officers of any municipal or State government, or the Federal Government, who are authorized or required to carry arms, or persons as may be so authorized under regulations issued by the Secretary of Transportation, while acting within their official capacities."

(b) Section 902(m) is amended to read as follows:

"FALSE INFORMATION AND THREATS

"(m) Whoever willfully and maliciously, or with reckless disregard for the safety of human life, imparts or conveys or causes to be imparted or conveyed a threat, or false information knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by susection (1), (j), (k), or (l) of this section, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

SEC. 6. Section 903 of the Federal Aviation Act of 1958 (49 U.S.C. 1473) is amended by striking "Such" at the beginning of the second sentence of subsection (b)(1) of that section, and substituting therefor, "Except with respect to civil penalties under section 901(c) of this title, such".

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., September 20, 1971.

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

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to facilitate the prosecution of certain crimes and offenses committed aboard aircraft, and for other purposes.

The proposal would revise the existing federal statutes concerning the destruction of aircraft and crimes aboard aircraft to accomplish the following objectives:

(1) To proscribe threats to destroy or hijack aircraft;

(2) To provide civil penalties for certain aircraft hijack hoaxes;

(3) To provide felony penalties for carrying weapons aboard aircraft in certain circumstances, and to make the statute concerning weapons aboard aircraft applicable to foreign air carriers; and

(4) To establish special venue provisions in proceedings to enforce the civil penalties.

The imparting or conveying of knowingly false information to destroy or hijack aircraft, or to commit certain other offenses aboard aircraft, is now prohibited by 18 U.S.C. 35 and section 902(m) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(m)). These statutes do not, however, proscribe threats to commit such acts. We have had instances in which it has been impossible to prosecute persons who have stated they are going to blow up an airplane or take it to Cuba under circumstances in which it was entirely possible that the threat could have been carried out. In other words, it was difficult to conclude that conveyances of false information were intended rather than threats to do a prohibited act. It is clear that both types of conduct should be prohibited. While actual attempts to commit prohibited acts such as piracy or destruction of an aircraft are punishable under existing statutes, mere threats, without more, lack the overt conduct necessary to constitute attempts and are not now punishable.

In addition, unlike 18 U.S.C. 35, which was amended in 1965 (P.L. 89-64) on the recommendation of this Department to provide civil penalties for certain hoaxes to destroy aircraft as well as other facilities, section 902(m) provides only criminal penalties for hoaxes to hijack aircraft or to commit other offenses aboard aircraft. Because of the inappropriateness of criminal action under section 902(m) against reputable and otherwise responsible persons who convey false information in ill-advised attempts at humor, we recommend a civil penalty for such situations. Where the false information is conveyed willfully and maliciously, or with reckless disregard for human life, the existing felony penalty of the statute would of course continue to be applicable.

The proposed legislation also would solve two additional problems relating to enforcement of the "carrying weapons aboard aircraft" statute (section 902(1) of the Federal Aviation Act; 49 U.S.C. 1472 (1)). Presently, a violation of section 902(1) is only a misdemeanor. The misdemeanor penalty has been adequate in cases of persons who carry weapons such as unloaded pistols or knives aboard aircraft, but do so without any intent to use those weapons while on board. On the other hand, that penalty has not been adequate in cases where the nature of the weapon involved and/or surrounding circumstances indicate a very real danger that the weapon is intended for immediate use or that human life is imperiled. Our proposed revision of the statute would provide a felony offense, punishable by up to five years' imprisonment or a fine of up to $5,000, or both, for the latter class of cases. It would also retain the existing exemption for law enforcement officers and others authorized by the Secretary of Transportation to carry arms aboard aircraft, limiting the exemption, however, to the situations where those officials are acting within their official capacities. This limitation would guard against the unlikely but possible event of a law enforcement officer carrying or attempting to carry a deadly or dangerous weapon aboard an aircraft with no authority to do so.

Furthermore, the proposal would extend the coverage of the weapons section, which now applies only to the United States air carriers, to foreign air carriers, thus enabling federal prosecutions of individuals who carry concealed deadly or dangerous weapons aboard aircraft within the United States which are being operated by foreign air carriers. Several recent incidents of this nature, including one involving live grenades and automatic weapons at an airport in New York City, emphasize the need for legislation in this area.

Finally, the proposal would establish special venue provisions which would allow a proceeding to recover a penalty under section 35 of Title 18 or section 901(c) of the Federal Aviation Act of 1958 to be brought in the judicial district where the proscribed conduct occurred as well as where the defendant resides. Because of the very nature of air travel, cases of this type usually occur in districts other than that of the residence of the defendant or where he is found. This provision, therefore, would facilitate the recovery of such penalties.

The proposed legislation would alleviate the very serious procedural and substantive problems now experienced in prosecutions in the aforementioned areas. I urge the early consideration and adoption of this proposed legislation.

The Office of Management and Budget has advised that enactment of this proposed legislation would be consistent with the Administration's objectives.

Sincerely,

ATTORNEY GENERAL.

By Mr. KENNEDY:

S. 2568. A bill to authorize appropriations for the relief of Pakistani refugees in India. Referred to the Committee on Foreign Relations.

Mr. KENNEDY. Mr. President, reports from India continue to tell of a stream of human misery flowing from East Pakistan.

In fact, in the month since I returned from visiting scores of refugee camps all along the border of East Pakistan in India, nearly a million more East Bengalis has found it necessary to flee inhuman conditions and truly genocidal acts of their government.

The story of East Bengal will surely be written as one of the greatest nightmares of modern times. The situation, as I saw it for myself, defies description. And each day the misery grows.

A report in the New York Times this morning, as well as other information available to the subcommittee on refugees, which I serve as chairman, says—

That the Pakistani army and its civilian collaborators are continuing to kill, loot, and burn despite the central government's public avowals that it is bent on restoring normalcy and winning the confidence of the Bengali people.

Mr. President, there is nothing new in such reports. I heard them from countless refugees during my interviews in India.

How much longer will our Government—and the President himself—sweep this issue under the rug, with the justification that our silence affords leverage. Where is our leverage? Where are the results of our leverage?

But more importantly, where is our sense of values? Where is our compassion for millions of suffering refugees?

When will our Government finally choose leadership over silence, in helping to ameliorate a situation which is fast pushing South Asia over the brink of disaster?

When will we cease the shipment of arms to an inflamed area and provide instead the humanitarian relief urgently needed?

Without this, Mr. President, the human costs will continue to rise.

Each day brings new misery and more death. And each day increases the terrible burden India is being forced to carry—without the measure of support by our own Government and the international community, commensurate with the truly vast need in the field.

New estimates of our Government now put the cost to India, of caring for the refugees, at the staggering total of $830 million during the current fiscal year—a cost equal to the annual contribution of the aid consortium for India's economic development. Simple humanity demands that we and the international community must face the simple truth that this refugee burden cannot be borne by India alone.

To this end, I am introducing today a bill to authorize $400 million to assist the International Refugee Relief Effort in India. This figure is consistent with the percentage of financial support we have traditionally given to many international agencies. It is similar, in fact, to the level of support we are currently giving as a member of the international development consortium for India.

To further explore the massive human tragedy in South Asia—and to document what our Government is now doing and what it is prepared to do in the future to help in this problem—I am announcing today that further hearings by the Subcommittee on Refugees will begin next week.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the bill I introduced today, and several recent press articles describing the current situation in East Pakistan and India.

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

S. 2568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(f) There is authorized to be appropriated to the President, for the fiscal year 1972, not to exceed $400,000,000, for use by the President in providing assistance for the relief and rehabilitation of Pakistani refugees who left Pakistan on or after March 25, 1971, and went to India."

[From the New York Times, Sept. 23, 1971]

BENGALI REFUGEES SAY SOLDIERS CONTINUE TO KILL, LOOT, AND BURN

(By Sydney H. Schanberg)

KUTIBARI, INDIA, Sept. 21.—The latest refugees from East Pakistan report that the Pakistani Army and its civilian collaborators are continuing to kill, loot and burn despite the central Government's public avowals that it is bent on restoring normalcy and winning the confidence of the Bengali people.

The dozens of refugees interviewed by this correspondent today, all of whom fled into India from East Pakistan in the past week, describe the killings of civilians, rape and other acts of repression by the soldiers, most of them West Pakistanis.

As the refugees talked in their overcrowded, half-flooded camps in and around this Indian village about four miles from the border and 60 miles northeast of Calcutta, the sound of shelling could be heard from the frontier. It was impossible to tell whether the shells came from the Pakistani Army, the Indian border forces or the so-called liberation forces of Bangla Desh (Bengal Nation), the name the Bangali separatist movement has given to East Pakistan since the attempt to repress the movement began in March.

Most of the refugees interviewed came from the region of Faridpur, the family home of Sheik Mujibur Rahman, jailed leader of the Bengalis.

NEARLY ALL ARE HINDUS

The refugees said that although general living conditions were very difficult in East Pakistan, they would have stayed had it not been for the killings. Nearly all the latest arrivals are Hindus, who said that the military regime was still making the Hindu minority its particular target.

They said the guerrillas were active in their areas and that the army carried out massive reprisals against civilians after every guerrilla raid.

Nira Pada Saha, a jute trader in Faridpur District told of a reprisal against a village near his that had sheltered and fed the guerrillas. Just before he fled five days ago, he related, the army struck the village, first shelling it and then burning the huts.

"Some of the villagers didn't run away fast enough," he said. "The soldiers caught them, tied their hands and feet and threw them into the flames."

There were about 5,000 people in the village, most of them Hindus, Mr. Saha said, and not a hut is left.

OTHERS DO "DIRTY WORK"

According to the refugees, the army leaves much of the "dirty work" to its civilian collaborators—the razakars, or home guards—it has armed and to the supporters of right-wing religious political parties such as the Moslem League and Jamaat-i-Islami, which have usually backed the military regime.

The collaborators act as intelligence agents and enforcers for the army, the refugees say, by pointing out homes and villages and people who have helped the guerrillas. Often, the refugees added, the collaborators make arrests at random and for no reason.

"The razakars and the others come into a village and pick just any house," said Dipak Kumar Biswas, a radio repairman from Barisal District. "Then they arrest whatever able-bodied young man is in that house and hand him over to the army. We don't know what the army does to them. They never come back."

The refugees said that despite reprisals and police-state activities, local people were continuing to provide food, shelter and information to the guerrillas.

Makhan Lal Talukdar, a rice farmer, said he fled a few days ago after some razakars swooped down on the crowd gathered at the weekly bazaar and opened fire. Six people were killed, he said, and many wounded.

REFUGEE FLOW GOES ON

Mr. Tulakdar crossed into India with his family of eight, but had to leave his father behind in hiding because he was too old to make the trek.

About 15,000 people from his area fled to India after the bazaar incident, Mr. Tulakdar said. Some 20,000 to 30,000 refugees pour into India every day, joining the millions—the latest estimate is 8.6 million—already here.

The Pakistani President, Agha Mohammad Yahya Khan, has urged the refugees to return, promising them assistance, and he has offered amnesty to the guerrillas.

The promises only evoke bitter laughter from the refugees. "We fled to save our lives," said Rajendra Das, another farmer. "They are still killing us. We will not go back until there is complete independence."

Though rice is somewhat short in the refugees' areas, with the price up 40 per cent as a result, other foods are said to be plentiful. However, many people are going hungry, the refugees said, because they lack money and jobs.

Economic life has been badly disrupted since the army began its assault. Particularly hard hit have been the farm laborers and those who do menial labor on Government public-works projects, most of which have been halted.

[From the New York Times, Sept. 23, 1971]

U.N. GETS APPEAL ON EAST PAKISTAN—CATHOLIC RELIEF GROUP SAYS DEADLY FAMINE THREATENS

(By Paul Hofmann)

ROME.—The international relief organization of the Roman Catholic Church appealed to the United Nations today to save the people of East Pakistan from "what threatens to be one of the most deadly famines of our times."

The statement, issued by Caritas Internationalis, the international conference of Catholic charities with headquarters here, criticized the world organization for not having already acted vigorously.

"The United Nations, which is perfectly informed of the situation, is the only organization that has the necessary means to stave off catastrophe," the plea said.

Today's statement was understood to have been approved by Pope Paul VI. The Pontiff stopped briefly in Dacca, East Pakistan, on his way to East Asia and Australia last November in a gesture of solidarity with the victims of an earlier calamity, the disastrous floods of last autumn.

NOT ON U.N. AGENDA

Caritas, which has been given consultative status by various United Nations radios, said in its statement that the problems of East Pakistan were apparently not on the agenda of the present General Assembly.

"Certainly, there has been talk at the United Nations about Pakistan," the statement said, "but merely in a vague subcommission on the protection of minorities."

The appeal went on:

"If it is the duty of the United Nations to denounce violations of human rights, it should even more be the organization's duty to prevent conflicts and disasters whenever possible.

"As for East Pakistan, it seems to us that there is more and something better to be done than investigate the responsibility for the crimes and terrors of the past."

Caritas declared that famine in East Pakistan had been foreseen for at least two months and could still be avoided. It said that it agreed with the conclusions of United Nations experts that unless an international

relief program was started "within the next few weeks," famine and a new mass migration from East Pakistan into India was inevitable.

MASS MIGRATION FEARED

The relief organization referred to reports in the world press that civil war in East Pakistan "is far from being terminated." If famine were to add to East Pakistan's afflictions, the statement warned, "it may be necessary to face the emigration of an entire people, sapped by hunger and disease."

The appeal asserted that United Nations agencies had so far allocated only $9.8 million for relief in East Pakistan. Money allocated to United Nations agencies for assistance was so inadequate, it declared, "that from reading their reports and press statements one gains the impression they are ashamed to give the exact amounts."

Caritas urged the international press to inform the world of the menace facing an already heavily afflicted people. "The public must be informed of what is in store for East Pakistan owing to the elements and to men," it said.

[From the Times (London), Sept. 13, 1971]

NOW FLOODS MEAN ONE MILLION CHILDREN WITH ACUTE MALNUTRITION

(By Peter Hazelhurst)

BANGAON.—Floods, disease, malnutrition and the stench of nightsoil floating around half-submerged tents has turned life in overcrowded refugee camps near the Indo-Pakistan border into a nightmare during the past two weeks.

Hundreds of newly established refugee camps have been swamped by floodwaters, which inundated large tracts of West Bengal during the monsoon season, and an estimated 1,500,000 of the 8,500,000 Bengali refugees are living in knee-deep water or in mud. As a result, sanitation in the flooded camps is nonexistent and cholera has broken out again, although in a milder form.

Officials estimate that 1,200,000 children in the camps are suffering from malnutrition, and the Administration, faced with the problem of assisting the 10 million Indians who have been affected by the floods, is at the end of its tether.

In terms of human misery and hopelessness, scenes on the road to the border towns of Bangaon and Hasnabad defy description. Conditions in the refugee camps were bad enough six weeks ago, but they were a paradise compared with the present situation.

Almost the entire district of Bangaon, which had accommodated 250,000 refugees, is under water, and for miles no land can be seen except for the thin, 20 ft. wide strip of the raised highway to Bangaon and the slightly higher embankment supporting the railway line.

Many of the refugee camps in the low-lying fields on each side of the road are either submerged by flood water or a sea of mud, slush and ankle-deep water. In one camp all that can be seen above the water is a few half-submerged tents—gifts from Britain.

Many camps are deserted and hundreds of thousands of displaced Bengalis have sought refuge on the roadside and the railway embankment. They can be seen huddling under small, flimsy shelters, which cover almost every yard on the road embankment for a distance of 10 miles.

With the water level still on the rise, most Bengalis have constructed pathetic platforms under their straw shelters, but in many areas the water is already beginning to lap over the road and into their shelter.

The entire road has been turned into an overcrowded refugee camp. As the driver hoots his way through the crowd, we see a woman nursing her dying husband a few feet from the rising water. Inquiries reveal that the man had been living in mud and water for 10 days and is dying of exposure.

A little farther up the road a woman is seen throwing the small body of a drowned child back into the swirling waters. A few hours later we wend our way back down the road through the crowds to find that the water has risen a few inches submerging slightly patches of the road. In some areas only the rooftops of huts and farmhouses appear above the water. Small naked children, with large heads, shrunken bodies and distended stomachs stare at us listlessly.

The tragedy is of such dimension that little or nothing can be done about it. Dr. B. Battacharyya, West Bengal's director for refugees and rehabilitation, has attempted to move some of the flooded refugee camps on to dry sites but there is just not enough high ground in the camps' immediate vicinity.

"We are already building a number of new camps in other areas but it will take weeks, if not months, to transport the large number of people to these sites. We can only hope that the water will recede," Dr. Battacharyya said.

His other big headache at the moment is the distribution of food. "We are not short of food. The Food Corporation of India has enough food and rice to feed the evacuees, but the major problem now is how to get food to them.

"In many areas the roads have been breached by flood waters and we just cannot get sufficient food to the camps. I have therefore, been forced to cut down on rations in many areas. When you consider that at least 1,300,000 evacuees have been affected by the floods you can understand the problem," the Bengali official added.

According to Dr. Battacharyya, the Indian Government has procured sufficient material to provide basic shelters for the refugees. The most urgent problem is malnutrition.

"An estimated 1,200,000 children are suffering from malnutrition and 50 percent of them are in very serious condition. What we desperately need are large quantities of vitamin pills and milk powder. I receive urgent requests for these commodities from my officers almost every hour."

He also pointed out that winter was approaching and the Government feared that a large number of refugees, who had nothing but the tattered clothes on their backs to protect them from the cold, would die of exposure unless India could procure at least three million blankets. "Most of the children are stark naked and we will need large amounts of children's clothes if they are to survive the winter," Dr. Battacharyya added.

[From the Washington Post, Sept. 8, 1971]

U.S.-PAKISTAN TIES: A LEVER OR EMBRACE?

(By Lee Lescaze)

ISLAMABAD, WEST PAKISTAN.—In discussions of American-Pakistani relations, Americans stress the importance of ongoing private contacts and Pakistanis stress the public friendliness of President Nixon despite sharp congressional protest over the military action in East Pakistan.

In American eyes, the influence gained in private—"leverage" is the popular diplomatic term—offsets the disadvantages of an angry India, a disappointed East Pakistani independence movement and the critical popular reaction in much of the world to the Nixonian embrace of Pakistan's President Yahya Khan.

In Pakistani eyes, the embrace is all-important to a nation which has found itself increasingly isolated since it ordered its troops to move into East Pakistan last March 25.

"The United States is the only major Western power that has retained the ability to talk to the government of Pakistan," is the American response to questions about administration policy.

The United States is gambling that it is better off keeping its criticisms of Pakistan private and trying to use what influence Washington has to moderate the crisis here.

Present American policy, in the main, is consistent with U.S. attempts since the 1965 India-Pakistan war to prevent a new war and to maintain friendly relations with both countries.

However, while the aims remain logical and workable in theory, one observer remarked, "It is a logical policy applied to an illogical part of the world."

A key test of the success of American leverage will be Pakistan's treatment of East Pakistan's political leader Sheikh Mujibur Rahman.

President Yahya Khan has publicly called Majibur a traitor, and no one is predicting that the military court charged with trying the sheikh will find him not guilty.

However, those who believe in the value of leverage think that the government will stop short of executing Mujibur in answer to arguments that Pakistan's hopes for new foreign aid commitments would die with the Bengali leader.

In one of America's few public expressions of displeasure with the course of events in Pakistan, Secretary of State William P. Rogers warned that "any summary action" against Mujibur could lead to diminished American support for the Pakistani government.

Rogers' statement was vague, but since the government had already arrested Mujibur, held him incommunicado and put him on trial for his life before a military court in an officially undisclosed location behind closed doors, there seems no further "summary action" the secretary could have had in mind except execution.

Set against U.S. and other nations' efforts to avoid Mujibur's execution are reports here that Yahya Khan has angrily terminated several discussions with foreigners when the name of the East Pakistani leader was raised.

No one here is talking about what points the United States has considered important enough to raise in the continuing private contacts with Pakistan's government.

U.S. Ambassador Joseph S. Farland, a friend of President Nixon's who has direct lines to the White House, is reported to have established a cordial relationship with Yahya Khan. Most serious American-Pakistani talks are between Farland and the Pakistani president.

If—as seems likely—Farland has urged Yahya to accept United Nations observers in East Pakistan, to reinstate a maximum number of the East Pakistani politicians elected on Mujibur's Awami League ticket and to moderate the brutality of the military suppression in East Pakistan, there have been mixed results.

And, where Yahya has acted along the lines of American advice, it is impossible to determine whether that advice was determining or even an important factor in his actions.

Yahya has agreed to welcome U.N. observers, and last week he relieved Lt. Gen. Tikka Khan, who had been martial law administrator and governor in East Pakistan since the crisis began. The savagery of army behavior in East Pakistan has been largely attributed to Tikka.

Aside from attempts to influence Pakistan's government through maintaining good public relations, the United States has also decided to do all it can to prevent famine in East Pakistan this fall.

Although adequate supplies of foodgrains seem likely to be available, distribution will be a serious problem because of disruption by the civil fighting and the collapse of the civil administration.

It is also agreed, however, that preventing

famine is only a small part of what will be needed to restore normal and peaceful life in East Pakistan, and there are many foreign diplomats here who believe that Pakistan will never succeed in re-establishing the unity of the nation, no matter what emergency food aid or friendly advice the government is offered and accepts.

[From the Guardian, Sept. 11, 1971]

MUD IN THE RIVER OF AID

(By Martin Woollacott)

The landing ground at Boyra, on the Indian bank of the river Kakotaksha, is like a soupbowl full of sloshy mud, rimmed by a few lean-to shelters and one decrepit brick building. It has become almost a place of pilgrimage for foreign visitors—Kennedy came here, and so have scores of others—for, as the Indian terminal of one of the safest escape routes out of East Bengal, you can always rely on it to show a stream of refugees.

They were still coming across in the rain this week, young men in striped shirts carrying plastic toilet bags containing valuables and an extra folded shirt; families, with the children sometimes weirdly cheerful—in contrast to their parents—because they somehow see the trip as a kind of treat; young Hindu women dressed in Moslem clothes; sons carrying their aged parents on their backs. Officers of the Indian Border Security Force, in civvies but carrying little swagger sticks supervise the flow.

The refugee menfolk stand in a long queue, waiting for their "border slips." Once you have your border slip, you can set off down the road from Boyra to a camp where, again after waiting hours in the mud, you and your family are inoculated with a high-speed inoculation gun. Then they give you three days' rations and a list of the camps along the border, with some indication of those which are full and those which may—just may—have vacancies. That is why you get three days' rations—because it can take you three days—or more to find a resting place.

One middle-aged man yesterday staggered from the boat which had brought him across the river with his mother across his shoulders. When he put her down, the old woman began to slowly crumple into the mud, whimpering slightly. The young BSF officer said to me: "The old woman will probably die while they are looking for a camp. We wish we had the transport to drive these people to the camps."

That is what it looks like on the ground, or rather, in the mud. But in air-conditioned offices in Calcutta and New Delhi, this continuing great displacement of suffering humanity has to be translated into budgetary arithmetic. And it is a sobering arithmetic.

The Indian Government has already committed the equivalent of $350 millions for refugee relief until the end of the year, a figure based on a camp population of some six million refugees. Boyra provides an example of why that assumption is likely to be well off the mark, but even on the figure of six million people, India will have to put up another $150 millions for the first three months of 1972.

The total Indian expenditure for the first year of the refugees, March to March, will thus be around $500 millions. To put this figure into some kind of perspective, it is about a fifth of the normal annual development expenditure by central and state governments, and is approximately equal to the increase in development spending which it had been hoped would be possible in the financial year 1971–2.

Nobody is suggesting that the spending on refugees will simply be deducted from the development budget. It will go on the deficit, more than doubling it. But, as one senior Ministry of Finance official told me: "The mental horizon changes. We are looking around for savings. Normally when one development project lags, the money is diverted to other projects which are doing better. Now the inclination will be, whenever a project is not using up the funds allotted, to see this as a general budgetary saving."

From the $500 millions which India has spent or will spend on the refugees will be deducted the money and goods contributed by foreign countries and agencies. This, however, so far amounts to only about $150 millions, of which $100 millions has been committed to the UN, and $50 millions represents the value of bilateral contributions and the work of foreign voluntary agencies.

Of the sum of $100 millions pledged through the UN, only about half has materialised. The cash contribution total, as against aid in kind, amounts to only $23 millions, and the amount of unattached cash, without limitations on where and how it can be spent, is as low as $5 millions.

The feeling of both sides is that, now the emergency period of refugee relief is over, the operation is in a new phase where the bulk of refugee requirements can be met by purchasing in India. This is true of most foodstuffs besides rice and cooking oil, and of other requirements, like those for medicines, clothing, shelter, materials, and some vehicles.

The quality of aid is not an important problem, however, if one is thinking only in terms of the remaining $50 millions of the international contribution through the UN. It only becomes a problem if it is assumed that there are going to be further major contributions to the burden by the richer countries. And that, of course, is a question.

It is a question which has not been raised in its sharpest form because, for political reasons, the Indian Government is constrained to act and talk as if the refugees are to be on Indian soil for the briefest of periods. The UN and the voluntary agencies are equally limited, in their fund raising and public planning, to the period ending in December this year. When the Indian Government makes its pitch for more international assistance, which it will undoubtedly do within the next few weeks, it will probably do so for a period running no further ahead than March of next year.

If the costs of the refugee operation could genuinely be regarded as a once and for all expenditure of limited duration, Western countries might allow themselves, without too bad a conscience, to contribute only a fifth or a quarter and leave the rest of the burden to India, perhaps promising to make it all up when aid budgets are not as tight as they are now. But it has become obvious that an independent Bangla Desh is not just round the next corner, and there are many in India, including Western diplomats, who believe that a substantial proportion of the Hindu refugees will not want to go back even to an independent East Bengal.

It is not as if ordinary aid to India has increased. Some of the major appropriations have yet to be made by donor countries, but it looks as if the aid total will not be significantly up on that for last year. Thus India is taking on a huge financial burden at a time when there were hopes that her economy was on the point of a real recovery, particularly in the industrial sector.

India herself is hoping, and will no doubt soon be asking, that the world community should pay 60 per cent of the costs of the refugees. For a variety of reasons, not forgetting the old woman crumpling into the mud at Boyra, both the West and the Soviet Union would do well to consider that figure as at least a basis for negotiation.

[From the Sunday Times (London), Aug. 1, 1971]

THE 'PLOT' AGAINST YAHYA KAHN

Minutes before the Boeing 707s of Pakistan International Airlines take off from Dacca airport for the long, long flight round India to Karachi, a military ambulance backs up to the rear door of each aircraft and stretchers are hurriedly, even furtively carried abroad.

The patients are soldiers, going home to West Pakistan because the military hospitals in Dacca are full. These sad cargoes are concealed, more or less from the people of Dacca, for no Bengalis are allowed on, or anywhere near, the airport; but once the plane is airborne non-military passengers can see the wounded soldiers and talk to the doctor escorting them.

On my flight this week there were six; two had had legs blown off by mines, and the other four, caught in ambushes, had bullet wounds in the upper body. Sometimes, I was told, the PIA planes are a quarterful of badly wounded men. Clearly it is too late to talk about the danger of war over Bangla Desh. The Bengal war is now in full swing, with no end in sight. All that remains to be settled is who is silly enough to get involved in it.

The parallels with Vietnam are the more striking the closer you look. The incoming PIA planes, for instance, now mostly bring soldiers, in uniform or plain clothes; but they also bring civilians, or people trying to pass for civilians, and the PIA stewards solemnly collect pistols and revolvers from them and return them at Dacca airport. The weapons themselves are a study in the grim comedy of "special warfare": pearl-handled revolvers, nickelled automatics, and snub-nosed Bankers' Specials as used by James Bond, Mafia hit men and CIA "contractors" in Vietnam.

The "civilians" joking with the soldiers guarding the airport as they wait for their sidearms to be returned are out of the same seamler Vietnam mould; heavily built bruiser types with gold rings, big moustaches and the thick-soled squeaking *chappli* sandals worn on the North-West Frontier.

They collect their weapons, check that they are loaded, and slip them into holsters which bulge under their loose-hanging tropical shirts. Outside the air terminal they are picked up by men in similarly unconvincing civilian turnouts, submachine guns slung over their shoulders, and driven away in looted cars whose number-plates are covered with black paint.

There is a good reason why this sounds like a bad parody of Vietnam. These men belong to the Pakistan Special Forces, established by men who trained with the U.S. Special Forces at Fort Bragg, North Carolina, in the days when Pakistan was America's "free world" ally against Communism and Gary Powers was flying over the Soviet Union from Peshawar.

The Pakistan Special Forces are a *rechauffée* of the American original, John Wayne in curry sauce, with 50 ten-man teams trained in sabotage, demolition, interrogation, assassination and other useful kinds of dirty work. Parachuted into the Indian-held part of Kashmir or slipping over the border, they triggered off the Indo-Pakistan war of 1965, but totally failed to arouse the hoped-for Kashmir insurrection.

Proudly wearing their jaunty green berets, they would, until a few months ago, show visitors to their camp at Cherat near Peshawar how they could climb ropes and correspond in secret inks. Now Cherat is empty; they are all in East Bengal.

The fact that the US Special Forces, having been a costly flop in Vietnam, and having been closely associated with many of the nastiest and most counter-productive episodes of torture and assassination in all that ghastly war, were finally all withdrawn last year, has apparently not got through to the military chiefs here. The Pakistan Special Forces' presence in East Bengal is a sure guarantee of more atrocities, and ever-mounting resistance.

For, despite General Yahya Khan's claim that the military situation in East Bengal is "under control," the Pakistan army is in fact

making feverish preparations to meet the guerrilla challenge which is growing every day. Two more divisions are being hastily raised in West Pakistan and the staff officers' course at Quetta has been cut from two years to one to double the output of junior officers. But, in relation to the size of their problem, these reinforcements are chicken feed.

All the requirements of text-book guerrilla warfare are present in Bengal; a 1,500 mile border with India, almost all river, swamp, jungle or rice paddy; sanctuaries on the other side defended by the Indian Army eager for a fight; and a civil population friendly to the guerrillas and physically easy to distinguish from the army of occupation. No Giap, Grivas or Guevara ever had it so good.

The signs of the growing conflict are everywhere in East Pakistan: sandbagged strongpoints at police stations, military posts and government offices, even the ones which issue driving licenses and rate demands. Soldiers standing by bridges, ferry crossings and railway junctions, or conducting meaningless "identity checks" at improvised roadblocks. (I showed one soldier my driving license: he asked me to read it out to him.)

But this counter-insurgency network, already absorbing 80,000 men, is pitifully thin, even though Gen. Tikka Khan has had to strip the border with India of troops to sustain it (despite the proclaimed aim of defending East Pakistan against Indian invaders and infiltrators) and it is clear that East Bengal will soak up soldiers like blotting paper with no noticeable reduction in guerrilla activities.

The guerillas have already scored successes which any Viet Cong commander would regard as a highly promising start to a protracted war. The East Pakistan tea industry has been brought to a halt; most of the Hindu tea pickers fled, the mainly British and West Pakistan tea estate managers have followed, and the remaining tea estates have ceased production after widespread guerrilla attacks destroyed the tea processing machinery. One stick of gelignite in the power plant brings a 5,000 acre tea garden to a halt. It is almost ridiculously easy.

CRUDE TERRORISM AND PRIMITIVE PROPAGANDA

Such stocks of tea as were held in the gardens up country no longer move down the rivers to market; three weeks ago the only yard repairing river tugboats in all East Pakistan, the Pak Bay company plant near Dacca, was put out of action by a guerrilla-set fire. The jute and oil seed crops, the other mainstays of the economy seem destined to join tea in the process of economic strangulation.

Dozens of road and railway bridges have been blown, and hastily repaired, and will no doubt be blown again; and the boats, barges and slipways of the vital river communications system are even more vulnerable to guerrilla attack.

Nor is there necessarily a widespread and complex organisation behind these attacks which General Tikka Khan and his Special Forces might be able to winkle out and disrupt; there are only a few hundred young Maoists in East Pakistan, but they now have tempting opportunities to kill landlords and moneylenders and sabotage mills and factories in a situation which is becoming every day more radicalised. The resort to violence on one side has inevitably brought out the men of violence on the other.

The absolute minimum hard core of guerrillas the Pakistan Army has to deal with is the 2,000 surviving mutineers from the East Bengal Regiment and East Pakistan Rifles now in India, trained and embittered soldiers. Even supposing no one joins them, a very modest 100 to 1 ratio will need at least 200,000 West Pakistan troops, with 1,000,000 a more realistic level. (Colonel Grivas in Cyprus, bad guerrilla country, never had more than 400 men able and ready to use a gun. He won.) In counter insurgency, the Pakistan Army has it all to learn; like most beginners, they have started with the least effective of all methods, crude terrorism.

But the field where Pakistan even more desperately needs foreign advisers is that of propaganda. Somewhere, Goebbels, Senator Joe McCarthy and even Horatio Bottomley must be shaking their heads sadly; at least, *their* stuff had a certain internal consistency, and those who badly wanted to believe could do so without feeling that they were going out of their minds. The Pakistan propaganda effort is, in contrast, clearly the work of untalented amateurs.

The operation is in the hands of Amanullah Sardar, a civil servant who was dragged away from his job as Chief Film Censor of Pakistan ("I used to make sure there was no kissing or Indian propaganda") to take charge of the image-improving operation in Dacca. His boss is Lieut-General Farman Ali, head of civil affairs in East Pakistan.

Both give frequent Press conferences and are available for background briefing sessions, which are like playing chess with an opponent who loses his queen on the second move, snatches it back and indignantly continues the game. I take both of them to be fundamentally decent men, like many Americans I have met in Vietnam, caught up in a lunatic policy under the impression that they are doing their patriotic duty.

Sardar, the PR chief, has if anything the stickier wicket to play, as he has to meet the foreign Press face to face, on the basis that the Pakistan Government has nothing to hide, without a general's stars or, it seems, any influence with the military whatever. (He assured me, for instance, that I was free to photograph anything I liked. As I left Dacca an eager Customs man seized 31 unexposed films from my luggage. "Strict orders not to let journalists take any films out of the country," he explained. "Doesn't say here anything about exposed or unexposed.")

The wretched Sardar faces the daunting task of convincing foreign reporters that the military regime has not, in fact, crushed a political party, the Awami League, which has just won an overwhelming vote in a free election, conducted by the regime itself. Even without documentary evidence, this would be hard sledding but Sardar happens to be one of the authors of "Elections in the World's Third Largest Democracy," a persuasive booklet put out by his own department in Karachi last February.

The elections had several unique features, quite apart from the obvious one where a military regime was surrendering power to a civilian government," wrote the enthusiastic Sardar and his colleagues less than six months ago. "This itself is a dramatic reversal of the familiar pattern where the army usually takes over civilian regimes, snuffing out democratic liberties. President Yahya Khan kept faith with the people and fulfilled his promise to turn over the reins of office to a civilian democratic government voted into office in a free and fair election. . . ."

As I read this eloquent passage aloud, Sardar ran an anxious finger round the inside of his collar and smiled a strained smile, an unspoken appeal of "how-would-you-like-my-job?"—rather like the demeanour of a cancer researcher employed by a cigarette company. "But you must remember that the Awami League used Fascist terror tactics so that loyal people opposed to them were afraid to come to the polls and vote . . ." he explained.

"But it says on page 2 of Elections in the World's Third Largest Democracy,' 'the turnout was large by any standard; around 60 per cent, of the registered voters. . . .' "

"The people were misled," said Sardar earnestly. "They believe they were voting for reforms, not secession and treason."

"But you write here, 'the election results underlined the political maturity, sound common sense and the practicality of the average voter. . . . Parties preaching regionalism, tribalism, racialism and religious bigotry have been given short shrift."

"It was all part of the Indian plot," said Sadar, barely getting the ball back over the net by a superhuman effort. "Even I was deceived. It shows the lengths these Hindus will go to. . . ." "But you say you are not conducting a campaign of persecution against Hindus. . . ."

"There is nothing wrong with the Hindus as long as they behave themselves. But when they try to destroy our dear homeland on the orders of their masters in India. . . ."

Even this sad stuff, persecution denied in the language of program, is comparatively rational when compared with the explanations which the government is offering its own people through the tightly controlled Pakistan Press. Everyone is plotting against Pakistan; the Indians are plotting with the British, the BBC is plotting with Zionists, the Russians are plotting with Israel(!), only China is standing loyally alongside Pakistan to defend Islam (!!!).

The Pakistan Army is, in fact, the courageous underdog, wrote Z. A. Suleri in the government-controlled Pakistan Times last Sunday, tracing the basic source of the BBC-Zionist plot to "the historic conflict between Christendom and the world of Islam."

Suleri explains: "On the eve of the D-Day for UDI, nearly two lakh (200,000) armed personnel of the East Pakistan Rifles, the East Bengal Regiment and police stood at the beck and call of the Awami League and over and above the Indian infiltrators were poised for the kill . . . Against the formidable array of these forces were only the few thousand men of 12 battalions . . . To the small band of defenders of national integrity applies the Churchillian description: 'Never was so much owed by so many to so few.' "

The prospects of any negotiated settlement seem, I am afraid, to be zero. East Bengal is in south-east Asia, in its outlook: West Pakistan is in the Middle East. All they ever had in common was the shared consciousness of being part of the Muslim minority in India; exactly enough time has passed for a generation to emerge who cannot remember ever being Indians, with entirely predictable results. Islam, as a unifying force for Pakistan, is simply not a runner, any more than it is among the Arab countries of the Middle East.

A LAST, IRRATIONAL TURN OF THE SCREW

So both sides have reverted to local nationalisms. In East Bengal, which has been ruled in turn by Hindus, Moguls, British and West Pakistanis, it is the ancient and irresistible cry of "out with the foreign oppressor." Hatred of India has no part of this feeling: the Army-inspired "crush India" campaign in recent months has had no success in East Bengal. The foreign oppressor in East Pakistan is . . . West Pakistan.

But the conflict with India is the heart of West Pakistan nationalism, concentrated in the dream of expelling the Indians from Kashmir by force.

The Pakistanis were, in my view, in the right over Kashmir, as the ground rules stood in 1948; and it has been the Kashmir issue, built upon the recollection that Muslims once ruled all Hindustan, which generated the enormous West Pakistan army and bureaucratic establishment, which in turn need the taxes and foreign exchange from East Bengal to pay for it. In a last, irrational turn of the screw, the tribute from East Bengal is needed to maintain the army of occupation—to keep East Bengal in Pakistan so that the confrontation with India can be sustained.

Every West Pakistani I talked to in East Bengal seemed mentally stalled in the hope-

less closed circle of these emotions and arguments drawn from the trauma of partition, yet convinced that this was patriotic thinking.

The outlook of Sheikh Mujibur Rahman and the Awami League towards India was quite different. If tension with India was lowered, said the Sheikh, Pakistan would not need such a big army; trade with India could be resumed, and the resulting resources could be used to develop the economy.

I don't think the Sheikh cared very much whether East Bengal was in Pakistan or not (he certainly did not when I last talked to him, 18 months ago) but he cared very much that the future policies of Pakistan, or of an autonomous East Bengal, should be much more in the interests of Bengalis.

Big army, small army; crush India, improve relations with India; military power or economic growth: I don't see how any compromise is posible on any of these fundamental issues.

The final absurdity is that the Bengal war, which is now being fought to maintain Pakistan's strength in the conflict with India, weakens it to vanishing point. There is every sign of a long and bloody war of attrition. The most probable ultimate result, for West Pakistan, is a Pakistan of 40 million people, confronting an India of 600 million, which would mean an end for all time to the dream of serious rivalry for Kashmir. It is this spectacle of people rushing into war for an aim which can never be achieved, even more than the aircraft full of wounded soldiers, which gave me the most haunting echoes of the murderous misunderstanding of Vietnam.

[Far Eastern Review, Aug. 28, 1971]

THE VICTIMS

(By Harji Malik)

(Genocide in Pakistan—Murder of a People—Refugees haemorrhage into India. These are the headlines. Translated they mean over seven million people in India, and untold numbers in East Pakistan, in misery and fear; a tragedy so vast that even to witness it is not enough to comprehend it. This is an eyewitness account which captures as far as cold print can at least part of the terrible reality. In the second article, Harji Malik looks at its inevitable concomitant—the impact caring for the refugees must have on India's whole development. If, as was said, the Kashmir War set both combatants back three years, the cost of Yahya Khan's repression of the eastern wing must be measured in even more dramatic terms. The problem of Pakistan is internal; but, through no fault of its own, India must pay the price of sheltering the victims in the name of humanity. No country, however rich, could shoulder such a burden easily. And India is already frighteningly poor.)

CALCUTTA.—The exodus continues—40,000 a day is the estimate—along every escape route from East Pakistan. A mile-long train of uprooted, fearstricken humanity trekking up to 200 miles in drenching rain or blazing sun on roads the monsoon has transformed into rivers of mud, or down the many rivers of East Bengal.

India's refugee camps are full. "We announce a camp for 10,000 is ready," says a district magistrate in West Bengal, "and suddenly 40,000 appear to occupy it." Increasing numbers have nowhere to go, and shuffle between one district and another for shelter. Local officials give them rations, but no land is available for new camps. They huddle under black umbrellas, bits of polythene, or pieces of matting held over their heads. Cholera is under control, but pneumonia and bronchitis, the new killers, are spreading.

Every road between the border and the camps has become a vast refugee camp. Every tree has its families; every inch of space in verandahs and every public building—including schools—is crammed with people. As the refugees are transferred to proper camps, hundreds more swarm into the space left vacant—Hindus, Moslems, farmers, fishermen, landlords and landless. President Yahya Khan's army, like death, is a great leveller. All East Bengalis are one.

Some have nothing—just a piece of rolled-up matting, a battered black kerosene lantern with the glass smashed, a pathetically small bundle of sodden clothing for an entire family. Others carry ramshackle tin trunks, a few utensils tied to their bundles. Always there is the precious lantern, the guiding eye for the flight in darkness, the pitiful defence against the terrors of night. Many tell a story of looting, assault or death on the way.

There is a strange silence along the road. Those who walk it have no strength to talk. As new arrivals squat down, there are no greetings, no questions. The shock, the bewilderment, the pain are a physical presence, as all along the road they wait—one wonders what for. There seems to be no curiosity about the next stop, no hope. They have survived. They are here. That is the one reality. Many show no desire to find food or shelter. The stricken faces, the staring eyes, the emptiness of the gaze are intolerable, the inadequacy of any outsider in the face of this massive suffering, humiliating.

Why do they come, when there is no roof and camp conditions are so frightful? Because privation is heaven after the horrors they have left behind? A naked four-year-old boy, waiting his turn in the ration queue at Agartala airport transit camp, ran away howling with fear when I pointed my camera at him. "He thinks it's a gun," explained an old man standing by. Two women fell at my feet begging, not for charity—nobody begs in this sad world but a few professionals—but for reassurance. Their husbands were killed by the West Pakistani army; their village razed.

Others, often nursing newborn babies, had no ration cards yet. Most had had nothing to do with politics and had left behind everything, often including members of their families unburied. In a stifling reception centre in Agartala a gentle old woman, sick with fever, lay on the ground. But she smiled and folded her hands in greeting, happy to be safe, and asked for nothing when I spoke to her.

In the inevitable feminine gesture, a young woman, beautiful despite the ordeal reflected in the gauntness of her face, her sleeping baby in her arms, raised a hand to adjust the sari on her head, as I focused the camera. But the human, everyday gestures are rare. People sit like automatons. The children, even the youngest, are deprived of childishness, infants are skull faces on skeleton bodies, the adults paralysed in resignation—bodies defeated by the physical ordeal, minds and hearts by terror.

For those who have been allotted camp-space, life of a sort begins again after a while. There is shelter from the rain, something to do, rations to collect, food to cook, clothes to wash and hang out. All along the roadside are bamboo shelters, built by the more enterprising. Women are busy inside, or sitting at the door preparing the next meal. A mother sits combing out her daughter's hair. A man completes the roof of his hut with the children helping.

But in this monsoon weather the low-lying Bengal countryside is flooded, and even in the camps the water often is several inches deep. Sometimes people must stand for hours, ankledeep in water, waiting for it to subside. Few have beds. They sleep in the muddy ground. Still there is a roof over the head, a pot on the fire. Most important, there are no soldiers, no Razakars—the local Yahya supporters armed by the Pakistan army.

In the camps of Assam and Tripura, built on high ground in the hilly, undulating countryside, there is adequate drainage. Each family has separate living space and a little privacy, instead of the mass barracks existence of many West Bengal camps which had to be constructed as rapidly as possible. For many the will to live has been rekindled. Children laugh and shout and surround the visitor, pestering and noisy, children once more. A little camp market sells vegetables, baskets, local cigarettes, some of the stalls manned by refugees. A refugee barber plies his trade. In the medical unit a nurse from Bangla Desh has her hands full and in all the camps refugee doctors tend their fellow victims.

But the past is ever present. In Chandranathpur camp near Silchar in Assam, sad-faced Nikury Chakravarty holds her youngest baby close. In an expressionless voice she tells how in May her husband and two sons went to attend a "peace committee" meeting in their village in Ballaganj district. They and others were fired on in the committee hall, her husband and 16-year-old son killed on the spot. Her elder son, 21, escaped and is still in Silchar hospital. Her tears have dried, but the pain survives in her widowed eyes.

Chandu Chandra, a young man from Borlakha in Sylhet District, recalls how the army came to his village. First they called all the men out of their homes, then the women. "They forced our mothers, our sisters, the young and the old to sit down and stand up repeatedly, as they ordered. When they tired of watching this humiliation, they took their jewelry. We were helpless. They had guns. Then they tied us up, took our ladies inside, and we could hear them screaming."

It is the familiar story of rape and savagery which accompanies all accounts of the Pakistan army's actions. Chandu's uncle was shot and everything was looted in the village, which was then razed. Homeless anyway, they fled before the next visit. We asked if we could meet the women in the family. Chandu looked embarrassed. They were reluctant to come, and we did not insist. Camp officers explained that in other similar cases women were hesitant to relate their experiences. Again as outsiders we felt intrusive and wretchedly inadequate.

Every camp, every roadside, has such stories. Abdul Subhan was sitting in his home in Casba, when the soldiers came. They took hold of him and shot him twice in the leg. He doesn't know why. They took five rupees from his brother and left. His brother carried him across the border, but his leg had to be amputated once he reached Agartala hospital—where a young doctor, one of the first refugees, explained: "Almost everyday we receive new bullet or shell injuries." One patient, Mohammed Chaddmiah, schoolteacher in Chandla village, told how on July 11 the army came. They called him out of the house, asked if he was a member of the Mukti Fauj (liberation army). Despite his denial they shot him and two other people in his house. His neighbour, a government employee who had joined the Mukti Fauj and had come home the night before after a guerilla operation, was killed before the soldiers set fire to the houses in the village in reprisal for the killing of a Pakistani soldier the day before. "But we will go on helping the Mukti Fauj," said Chaddmiah. "With bullets they cannot rule Bangla Desh for long." He will return only when East Pakistan is free.

Two brothers sat on their pallet in the corridor outside the surgical ward, the eldest, seven, holding his three-year-old brother's hand. The little one's foot was bandaged, a bullet injury. Their parents were killed and they are kept in the hospital because the foot must be dressed, and there is no one else to care for them. Behind a screen nearby was a dead baby nine days old, the pitifully small head swathed in an enormous bandage, miniature fists clenched tight. The mother, fleeing two days before, was killed instantly by a bullet. The baby, shot in the head, was

carried to India by its grandfather and survived a day and a half.

A boy of 13, blinded in both eyes, is still under treatment. He had gone to deliver food to his father, a worker on a tea estate, when bombs fell from the air. He has no idea where his parents are. The doctors worked hard to try to save one eye, but the injury was too deep. These were only a handful. The roster of children dead, maimed physically and psychologically, orphaned, homeless, runs into millions. When cholera strikes, it is the infants, the children who succumb quickly. The number of victims will never be known.

Each camp and roadside has children by the thousand of all ages. Unchildlike because they don't complain, cry or demand despite empty stomachs; eyes still haunted by the terror of flight, of cowering in fear, or startled with pain of memories of things no child should ever see and which, uncomprehending, they perhaps can never forget, their existence and their plight are West Pakistan's accusers.

"Life is cheap in Pakistan," explained a member of Sheikh Mujibur Rahman's Awami League who spends his time between Bangla Desh and India, acting as a civilian reconnaissance link for the Mukti Fauj. This goes for Moslems and Hindus alike.

Debu Chakravatry left Dacca, where he worked in a good business, in April with his parents and sister. For weeks they wandered in East Pakistan, sheltering with relatives and friends. "But it was impossible to stay there," he said. Behind him the family sat on little bundles of cloth sheltering from the rain on the Jessore road. Debu's story came out falteringly, though his English was fluent. He smiled; but every few words he would swallow, hesitating, remembering. "We have come now because they were making life too difficult for us." "They" are the Razakars, of which each village has a committee of 12, many of them members of the Moslem League or the Jamiati-i-Islam, rightwing opponents of the Awami League, routed by it in the elections and now Yahya's enthusiastic and armed aides in the eastern wing.

"They make everything difficult. They make lists of all the boys and girls aged 14–20, and give these lists to the army." There is a long pause, as he remembers. "If one of our boys went out to buy anything, he might never come back. We never knew. At any time they could come and take our girls, and we might never see them again. How long can you keep young people in the house, like prisoners? They make life impossible. They have taken everything from me, so I have nothing to live on. But if I tried to go out and sell anything just to have enough money to eat, I could not, because I am a Hindu. So we have run away."

Debu's sister was to have sat examinations at Dacca University. "But how can she go back?" he asked—as if the reality had still not dawned. He and his family lived a good life in Dacca. The thought of nothing now, and no future, is hard to assimilate. "I have come to India. What am I to do?" He sought the solution to his dilemma. A man listening to his story offered to take him to the registration spot to get his ration card. But to his real question, I had no answer—could only mumble I hoped things would turn out all right and turn away.

A mile from the border we met Iqbal Anrul Islam, an Awami League Moslem member of the ill-fated new Pakistan legislative assembly, which has met only in secret in Bangla Desh. He described with tears in his eyes how the elected representatives of the people, his friends, were killed by the army in the first days of the massacres. "They have taken our young men, drained them of their blood for the soldiers, and thrown them away, half dead, to die. They have taken our young women into the army barracks. They give no saris, no blouses, no clothes, just blankets. They play with our women, like their playthings, like toys! You must tell the world what is happening. They killed my two sons. Because they were my sons. That was their only crime." His voice rises in anger, then breaks in sorrow.

His bushy white beard neatly combed, his grey hair worn low on the neck, 83-year-old Abdul Jabber, a Moslem from Comilla district, crossed over into Tripura 15 days before we met. "I try my level best to stay there but I cannot." His mobile face is a patriarch's; the expressive hand gestures to emphasize the broken English he prefers to speak, rather than use an interpreter for Bengali. "All my village of 17 families come here. We leave all things. With our life we come to India. The Punjabis came, killed, took our women. My sister was beaten, my wife, aged 65 years, robbed. First they raped the ladies in front of us; even dogs cannot do what they did in the open field.

"In front of me more than 50 ladies were attacked. Ten to 15 soldiers did this at separate times. I can't express it but these young girls were taken away and worse than raped. Even my sister. I was second officer in the district judge's court in Comilla." Asked how he explained Moslem soldiers behaving like this to their "brothers in Islam", he replied with anger. "This is one sort of Moslem we can't understand. They are not Moslems!"

Abdul Jabber had voted for Mujib, and had told the soldiers so. "Why should I tell them false? A Moslem who votes for Mujib is a bad man they say. I was chairman of the Awami League in my village, so the Moslem League and Jamiat-i-Islam had spotted me." But he was confident the Mukti Fauj would triumph. "Since force of God is force of mind. Sure enough they will win. I tell my son to go away and join the Mukti Fauj." He points his finger to emphasize his next words "Rabindranath Tagore once said:

> You will win and win and win in the last;
> This world is not for demons and robbers,
> This is the world of men;
> And these men will win in the last."

An American correspondent calls his interview with refugees "his notebook of horror." And still the atrocities continue with a brutality, almost unbelievable, almost perverted. Eyewitnesses reported seeing three bodies, naked young women, lying along the road-side near the border just a few days before. They had been raped and killed, one of them shot through the female organs. Others tell of women raped and bayoneted in the same way. A Bangla Desh doctor described West Pakistan soldiers ripping open the stomach of pregnant women, pulling out the unborn bodies, and holding them in the air while they forced the people to shout: "Long live Bengal." A young Bengali Pakistan air force officer, who has deserted to India, cried during his interrogation, unable to continue his recital of atrocities he had witnessed. As a foreign journalist commented: "There is something sick in these people." But comment is inadequate.

Last week, Yahya returned to the charge that India was trying to stop refugees returning. US Senator Edward Kennedy, who toured the camps in India earlier this month, wished to go to East Pakistan to see what conditions for the refugees' return are like. Presumably because he expressed some of the horror all who have seen the camps must feel, Islamabad denied him a visa on the ground of "prejudice." But nobody flees his country, on foot, for nothing. If they do not go back, their own stories are the clear proofs why they dare not.

Who Is My Neighbour?

As the human inundation continues, pouring from one poor country into another, India's concern sharply rises. Those who doubt Indian sincerity in wanting a solution to the tragedy in East Pakistan seem to forget the refugees are costing the government US$3 million a day just to provide minimal food, shelter and medical care.

Foreign relief organisations have called this perhaps the biggest single relief operation ever tackled, and the seven million could become 10 by the year's end. For India, humanitarian considerations aside, it is a major catastrophe. The refugees have created an emergency which has taken priority over everything else. The magnitude of the task is overwhelming, the demands on the Indian exchequer and human resources, unprecedented. For India to meet them is "unreasonable", for these are not Indians but nationals of a foreign country. It is not India's responsibility, but there is no escape. The restoration of "normal conditions" in East Pakistan is a remote dream, whatever Yahya Khan claims or Islamabad officials have persuaded themselves. The victims of West Pakistan's repression of the eastern wing are India's burden—perhaps for years.

Bongaon subdivision in the politically explosive state of West Bengal illustrates the effect of the great influx. Refugees started pouring into this area on March 27—the day the Pakistani army began "to restore normality" in what was supposed to be originally a 72-hour operation—and the flow has continued ever since. The first camp in Bongaon opened on March 30. The subdivision covers 320 square miles and along two sides shares a border with East Pakistan. The 1961 census put the population at 350,000. Now there are 29 camps housing exactly the same number of people. In addition more than 100,000 refugees are living with friends or relatives, and there is a "floating" population of more than 50,000. New arrivals are in the region of 35,000 a day.

The official specification in the camps allows 20 square feet a head, but 15 people are occupying the space intended for 10. Many camps are just long lines of barracks—bambo structures with roofs of thatch or tarpaulin, common dormitories with many families living without any privacy. But even these camps are full. Here, as in most of West Bengal, it is difficult to find non-agricultural land for camp sites. The normal population density is very high: 1,500 per square mile. Today it is 5–6,000 per square mile. There is no more space.

This is low-lying land, mostly jute and paddy fields, without drainage conduits. Where there is no standing water, there is marsh. Under such conditions efforts at sanitation are almost futile. In some places separate latrines have been built, in others trenches dug. But in the monsoon, the water and human congestion create a gigantic hygiene problem. Danger of polluted water and resultant diseases is constant.

Compared to West Bengal, the Tripura and Assam camps are luxurious. The influx has been lower and the current flow of arrivals is put at 4–5,000. The first few weeks were as chaotic as in West Bengal, but the newly constructed camps are well designed, built on healthy ground, with plenty of space between buildings. Assam camps even provide for a separate kitchen for each family in the allotted space.

But there are other serious problems. Tripura, Assam and Meghalya are eastern border states, not readily accessible from the rest of the country. Transporting building materials, food supplies, even the refugees themselves, is a major difficulty. Roads are narrow, only a few have hard surfaces and none are built for regular heavy truck traffic. Camps are far from the towns because land near them is unavailable, and towns are connected only by precarious communications with railheads and airfields.

In Tripura 200 tons of food has to be brought in daily even under normal conditions. The state's population of 1.55 million has been almost doubled by the refugee in-

flux of 1.12 million. Food requirements are now 660 tons a day. Local officials describe their situation as a "truck to mouth existence"—foodstocks are nil and monsoon conditions generate frequent landslides, which can cut the roads at any time. The railhead is 125 miles from Agartala, even further from other refugee camp points. There is a chronic shortage of trucks which the state is trying desperately to meet, and an airlift, also dependent on the weather, can only bring in about 60 tons daily. Nobody seems to know what will happen if the supply line is cut.

To reduce the daily requirements to 300 tons, the refugee ration has already been cut by 50%. Further cuts are impossible for nutritional reasons. In Bengal each refugee receives 800 grammes a day of foodstuffs, cereals, vegetables and pulses, with a small cash payment for extras. This costs the government one rupee a day. Rations elsewhere are approximately the same. This is a minimal amount, but the government cannot afford even this, and already there is resentment because millions of Indians live on less.

The refugees need much else besides—clothes, utensils, supplementary foods, soap and kerosene. But the Indian government cannot even attempt any relief of this kind. Private and foreign agencies are trying to fill the gap but they still have a long way to go. However milk powder—the most important supplementary food for children, the sick and prenatal and postnatal cases—is being provided by them and distributed in 50% of the West Bengal camps and in many others.

Distribution is not always efficient and the chief victims are children. But it is no easy matter to organize distribution, registration and rations on such a vast scale, when the administrative apparatus is already strained beyond capacity, and when the number of people to be served increases every hour. Despite bottlenecks, lack of experienced relief personnel and other drawbacks, India has done a magnificent job under extraordinary circumstances.

Foreign assistance, shockingly little in the beginning, is now a steady flow, but although the materials provided—for shelter, medical care, extra food—are all vitally important, they only complement the massive national effort. India is paying for Yahya Khan's terror.

Medical care, preventive and curative, requires full medical teams. One doctor per 6,000 persons has been provided, according to officials. Bangla Desh doctors are included in this figure. Again this is the barest minimum. Cholera is under control, thanks to a massive inoculation campaign and high-speed injections along with large supplies of saline solution. Whenever there is a heavy influx of refugees, the number of cases goes up; 90% of the new arrivals bring the disease with them. Still, the fear of huge epidemics is gone. But other threats—tuberculosis, pneumonia, intestinal diseases, all aggravated by malnutrition and weakness—are just around the corner. In the more settled camps, conditions of health have improved. Asked if he was worried about the deathrate in the Tripura camps, a local official smiled: "I should say I am more worried about the birthrate."

But Indians are asking when the influx will end. Reports of imminent famine conditions in East Bengal are well founded. Those who were doing relief work in last year's cyclone-torn areas say near-famine conditions were forecast there even before the present crisis. With the winter harvest untended and the new crop unsown, a famine of cruel intensity is likely. Well over 500,000 persons are already said to be on the move in search of food. Their inevitable destination seems to be India. Conservative estimates in India of 10 million refugees within a few months are giving place to the terrifying picture of a possible 15 million.

Care of the present numbers of "evacuees"—as the Indian government insists on calling them officially—is achieved at the cost of Indian development. Even normal programmes in fields such as education, health, family planning are suffering. If the number of refugees remains fairly static, which is highly unlikely, the total expenditure on them for this financial year will be at least 20% of the entire Indian budget. The refugees have already been here five months, and so far only a tiny handful have gone back. India is already drawing on its foodstocks, especially rice, to meet their needs. The economy has been seriously disrupted and the five-year plan will inevitably be affected.

In places where refugees are concentrated, local administration has time for nothing else. These are all backward districts. Many are in a state of intense political tension partly due to the violent activities of the Maoist Naxalites. Schools and colleges, filled with refugees, have not opened in these areas, a dangerous situation when the young are the main targets for Naxalite peruasion. All development work has stopped. Planning for urban improvements in Calcutta, a priority project, has been postponed. "Our plans for a minigreen revolution have all been shelved," says a Tripura administrator ruefully.

The federal government is bending over backwards to preserve what many Indians feels is an illusion: that the refugees are temporary evacuees, who will certainly return to their country. For this reason no schools are being opened in the camps. Only "education centres" keep the children occupied. Certain human problems cannot be postponed. Orphans, who must be cared for, are being looked after in "temporary" orphanages, widowed women and women who are alone in "temporary" homes.

"Our refugee provision in every respect is for six months," explains Tripura's relief secretary. "Our local population is friendly because we have assured them the refugees are only here for six months. This is tribal country. Local people go in for shifting cultivation and are very jealous of their land rights. If they think these people are here permanently, we may have serious trouble." Locals are already complaining because prices have gone up since the refugees have been forced to buy in the open market after the ration cut. In Assam it is the same story, and where the refugees are not installed in camps, prices have risen by 30%. In West Bengal people are resentful because schools have not reopened. There is friction when the refugees help themselves to fruit from trees, or break off kinling. In areas near Calcutta, some refugees have started undercutting the local wage rates, thus taking jobs from residents. As the influx increases more of this will happen and small irritations may culminate in serious trouble. There are also fears that the continuing influx may push refugees in camps near Calcutta into the congested, tension-gripped metropolis—in which case, say observers: "Calcutta will explode."

India's security problems have been aggravated by the influx. In Assam, fears lest the large number of Moslem refugees upset the population balance, always an ultra-sensitive point in this important border state, have already erupted into a riot in the state capital of Shillong. Recent reports of alleged saboteurs caught in Tripura lend credence to rumours that Pakistan agents may be infiltrating the area in the guise of refugees, as a potential fifth column in case of an Indo-Pakistani conflict.

In Agartala, the sound of Pakistani mortars falling into Indian territory can be heard almost every day. Indian civilians as well as soldiers are being killed or wounded all along the increasingly sensitive border. If the refugees keep coming and if there is no way for them to return, war—even with the calming influence of the Indo-Soviet security treaty—may become India's only way to solve its dilemma.

The refugees, India has rightly insisted, will only go back when there is a genuine political solution in Pakistan. Perhaps eventually Yahya will be persuaded by the great powers that, however distasteful he may find it, he must make his peace with the eastern wing. And this can only mean negotiations with the Awami League—before the communists take the political lead in building up guerilla resistance. But so far Islamabad shows no signs of modifying its political stance, or its military tactics—despite reports of potential trouble in West Pakistan.

Meanwhile the Mukti Fauj is keeping the Pakistan army on the alert, cutting important communication lines, capturing arms, exploding bombs in Dacca and killing soldiers and collaborators. The military forces sent in have not been able to establish control over the country. Guerillas penetrate the heart of Dacca and several times over the past weeks saboteurs have plunged the city into darkness. It is even said you can drive across the border from India to Dacca, spend the night in the Intercontinental hotel and leave very early in the morning—although recently even the hotel has not been immune from attack. The reason: the army reportedly retires to barracks at nightfall, and only emerges at dawn.

Eyewitnesses report the Mukti Fauj is increasingly better organised and claim more and more young men are joining it. An intensive recruitment drive is on in the camps to enlist all men and boys from the age of 14 up. Indian Defense Minister Jagivan Ram said recently that Yahya Khan's bellicosity towards India was a thermometer indicating the success of the Mukti Fauj. But guerilla warfare never brings rapid solutions, and the "freedom fighters" are pitted against formidable opponents.

Dedicated young faces sing the Bangla Desh national anthem in the soft Tripura twilight in a little refugee camp run by a Christian mission. If Yahya refuses to negotiate with the Awami League, and convicts Mujib, these youngsters will grow up—probably at India's expense—to fight for their freedom. But it is hard to see how India can bear the burden; impossible to predict what it will mean for its future. The sacrifice of Prime Minister Indira Gandhi's "Gharibi Hatao" (remove poverty) programme—on which she gained her great parliamentary majority this spring—will be crucial enough. In addition, there is the political dilemma. The numbers of the deprived and restless in India are growing and, by diverting so much of its already so inadequate means to succouring the victims of another country's repression, India risks revolt among its own nationals. West Bengal is possibly the worst place in the world to be called on to support a humanitarian burden which would weigh heavily on even the United States.

[From the Far Eastern Economic Review, Aug. 14, 1971]

INDIA: YAHYA'S HATEFUL WORK

(By A. Hariharan)

NEW DELHI.—The heavy economic drain on India caused by Islamabad's repressive policies in East Pakistan was underlined when Finance Minister Yeshwantrao Chavan had to request parliament for a further Rs2,000 million (US$266 million) for refugee relief to cover the rest of this calendar year.

He warned that new demands for refugee relief would have to be made early in January if the situation did not improve by then. About Rs500 million has been promised by other nations, although only around Rs80 million worth of assistance had arrived by last week.

Under the next federal budget in February no supplementary taxation is proposed to augment government revenues. But an increase of Rs3,000 million for the plan was announced in the last budget; as deficit financing cannot be carried beyond the level then contemplated, this entire plan allocation will have to be written off.

Indian economic development will be badly retarded at a time when the country was looking forward to greater industrial production and more employment opportunities. International memory is short. Between 1947 when India and Pakistan were created as separate entities and 1965 when the last armed conflict between the two countries took place, some eight to nine million Hindu refugees came to India, never to return. They were all Bengalis and had a common culture, language and literature with the people of West Bengal, even in 1947 one of the most populous states in India.

Most remained in West Bengal adding to the bustee (city slum) population. There was even then no space for erecting camps. There were serious riots in Gauhati, Shillong and other Assam towns in which the Bengalis were the sufferers.

After much persuasion and as an alternative to slow starvation about 8,000 refugee families from the earlier influx went to Madhya Pradesh where a large virgin forest tract was cleared for them—the present Dandakaranya.

But the present influx exceeds the seven million mark and even this kind of dispersal has become difficult. Social tensions are surfacing. In West Bengal, Assam and Tripura the local population has put up with the newcomers because they believe they will return in less than six months. As this becomes less and less probable, resentment is growing.

In the first place prices of essential commodities have shot up, especially of edible oils and fish. The East Pakistani refugee, with assistance from the Indian government, has more purchasing power than the poorest of the Bengalis. There is also intense competition for unskilled manual labour. Unemployment has been West Bengal's biggest problem for years. And with recent increasing lawlessness hardly any new industries have sprung up. Many have closed or shifted their operations to other states. The newcomers bidding for casual labour underquote the natives and this again is a source of bitterness.

The people of the border states also fear, if the influx should prove permanent, for the education of their children. Every school and college in the border sectors of all the states has been used to house the refugees and education has come to a standstill. The millions of children who have fled East Bengal, for whom no schooling is now planned, are in a potentially even worse position. The disruption of education all over West Bengal leaves the youth of the state anchorless, possibly easy prey to Naxalite propaganda.

In Assam the problem is different. For years there had been a Moslem infiltration of the state from East Pakistan—even at one time promoting fears that a calculated plan was under way to make Assam a Moslem majority state, eventually seeking to merge with Pakistan. Many of the present wave of refugees in Assam are Moslems.

Some refugees could perhaps be settled in Bihar. But the Bengali is not welcome here, partly because several Biharis were killed in the initial stages of the "Bangla Desh" movement. Moreover half of Bihar today is flooded. Because of the daily growing pressure on the border states, New Delhi has been compelled to shift some refugees. The central government has chosen sites for nine more camps in Madhya Pradesh, Uttar Pradesh, Tripura and West Bengal to accommodate 500,000.

Apart from the possibly dangerous economic and political problems, health hazards are still great. Cholera has been controlled but the congestion, lack of fresh water, sanitary arrangements and adequate medical attention combined with malnutrition and mental agony will take a terrifying toll in the months—even weeks—ahead.

By Mr. WILLIAMS:

S. 2569. A bill to amend title 18 of the United States Code to permit the mailing of lottery tickets and related matter, the broadcasting or televising of lottery information, and the transportation and advertising of lottery tickets in interstate commerce, but only where the lottery is conducted by a State agency. Referred to the Committee on the Judiciary.

STATE-RUN LOTTERIES AND THE BROADCAST MEDIA

Mr. WILLIAMS. Mr. President, today I am introducing, for appropriate reference, a bill to amend title 18 of the United States Code which, at present, prohibits the broadcasting of information regarding State-run lotteries, sweepstakes, and wagering pools via television or radio.

Under present law, newspapers may publish such information regarding these State-run programs on the grounds that it constitutes news. But because of the July 20th ruling by the FCC, the broadcast media is not allowed this privilege. The bill I am offering, which is similar to one introduced in the House of Representatives by Congressman RODINO—H.R. 2374—would make the Federal regulations which prohibit broadcasting information concerning lotteries, sweepstakes, and wagering pools inapplicable in the case of a program conducted by a State agency or the District of Columbia.

Since the FCC's ruling, there have been many attempts by State officials and private individuals to obtain a revision of this current restriction. At this point, I ask unanimous consent to have printed in the RECORD an article and an editorial, both of the Trenton, N.J., Evening Times which illustrate the concern for a need to correct this inequity currently existing in our system of law.

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

SHH! SAYS THE FCC

We have seen the New Jersey lottery, as Lincoln Steffens might have said, and it works. It is still a regressive form of taxation and an unseeming business for a state government to be in; but it appears to be widely popular, it is certainly bringing in the dollars, and its 50-cent weekly-drawing format has spawned an imitation in New Hampshire and soon will spawn another in New York and, as soon as Governor Shapp signs the bill, in Pennsylvania. To cry "turn back" now would be a gesture of futility that would make King Canute's attempt to roll back the tides look like an even-money shot.

As long, then, as the Eastern Seaboard is going in big for state-sponsored action, we might as well get rid of some of the little inconsistencies and arbitrary rules that make it more difficult to operate. Chief among these is the Federal Communications Commission's ban on the broadcasting of winning lottery numbers. The radio and TV stations can broadcast the results of horse races, but they cannot do the same for the lottery. As a result, the switchboards of newspapers and radio stations are lit up like tote boards on Thursdays, and the telephone queries also flood into ticket vendors' stores and motor vehicle agencies. Rep. Cornelius Gallagher, D., Bayonne, and other New Jersey congressmen have sponsored a bill to remove this ban and also to allow the transmission of lottery tickets in the mails and advertising of the lottery in interstate commerce. We are not assured of the merit of these latter two provisions, which are, of course, aimed at spreading the market for the New Jersey lottery nationwide; one result would almost assuredly be the adoption by the hinterlands states of lotteries of their own in self-defense, and perhaps they ought to be allowed to arrive at that kind of decision independently, without any pushing from New Jersey. However, the broadcast ban makes no sense, saves nobody from corruption or anything else, and ought to be eliminated.

LOTTERY REVIEWS FCC BAN

(By Knight Kiplinger)

WASHINGTON.—Three officials of the New Jersey State Lottery were briefed Monday by a member of the Federal Communications Commission (FCC) on procedures for appealing the FCC's ban on broadcasting of winning lottery numbers.

Lottery director Ralph Batch said after the meeting that Robert E. Lee, one of the six FCC commissioners, would offer neither encouragement nor discouragement on the prospects of an appeal of the FCC's lottery ruling issued July 20.

Batch said that information that Lee gave the lottery delegation will be used to decide whether to appeal.

In a related decision, Rep. Cornelius E. Gallagher (D-Bayonne) protested the ruling in a letter to FCC Chairman Dean Burch, and said the lottery commission is in the process of filing a formal appeal with the FCC.

The congressman said that Congress should approve a pending bill that would circumvent the ruling in the event the FCC refuses to reconsider its decision.

The bill, co-sponsored by Gallagher and several other members of the New Jersey congressional delegation, would authorize the mailing of lottery tickets, broadcasting of lottery information, and publicizing of lotteries across state lines.

Gallagher wrote Burch, "There are more than five million tickets purchased each week in the New Jersey lottery, and to impose such a restriction on the broadcast media amounts to a ban on legitimate news."

The FCC disagrees. In their ruling July 20, they said the issue is not a freedom of speech and press issue under the first amendment.

Radio and television announcements about the purchasing of tickets and the winning number, the FCC said, tend to advertise the lottery, which is forbidden by federal law.

Mr. WILLIAMS. Mr. President, at present 11 states are either operating a lottery program or seriously considering such a program in their legislatures. I am certain that additional States will soon follow. The revenues involved are being put toward a most worthy cause—education expenses within the State. In my own State of New Jersey, alone, after only the first 4 months in operation, the program had contributed $13.5 million to the area of education.

The time for a revision in this outdated restriction is at hand, and I am hopeful that this Congress will act promptly and favorably on this necessary legislation.

By Mr. McGOVERN:

S. 2570. A bill to declare that certain federally owned land is held by the United States in trust for the United Sioux Tribes of South Dakota Develop-

ment Corporation. Referred to the Committee on Interior and Insular Affairs.

bill I introduce today concerns certain

Mr. McGOVERN. Mr. President, the Federally owned land now held by the United States in trust for the United Sioux Tribes of South Dakota. Essentially the legislation would transfer the title of approximately 120 acres of Federal land to the United Sioux Tribes of South Dakota with the U.S. Government as the trustee.

It is the wish of the United Sioux Tribes that this land be used for educational services for Indians who have left the reservations and are now living in urban areas, where the land in question is located. This bill in this urban area with the opportunity to increase their understanding of their heritage and to more easily make the transition from reservation to urban living.

Mr. President, I ask unanimous consent that the text of my bill and a memorandum from the United Sioux Tribes in connection with the legislation be printed in the RECORD.

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

S. 2570

A bill to declare that certain federally owned land is held by the United States in trust for the United Sioux Tribes of South Dakota Development Corporation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in the following described land, which remains excess to the needs of the United States and to the purposes authorized by the Act of May 20, 1948 (62 Stat. 248), authorizing the Secretary of the Interior to convey certain lands in South Dakota for municipal or public purposes, is hereby declared to be held by the United States in trust for the United Sioux Tribes of South Dakota Development Corporation, a South Dakota corporation:

Parcel 1. That part of the northwest quarter southeast quarter, section 4, township 1 north, range 7 east, Black Hills Meridian, Pennington County, South Dakota, lying north of the north right-of-way line of Canyon Lake Drive, except lot 1 thereof as shown on that certain plat recorded in book 4 of plats, page 117, in the office of the Register of Deeds of Pennington County, South Dakota, and also excepting therefrom block 1 of the northwest quarter southeast quarter, section 4, township 1 north, range 7 east, as shown on that certain plat recorded in book 7 of plats, page 102, in the office of the Register of Deeds of Pennington County, South Dakota, said parcel of land comprising 25 acres, more or less.

Parcel 2. Northeast quarter northeast quarter, east half northwest quarter northeast quarter, southwest quarter northeast quarter, section 8, township 1 north, range 7 east, Black Hills Meridian, Pennington County, South Dakota, except lot 1 of the north half northeast quarter, section 8, township 1 north, range 7 east, the parcel comprising 92.90 acres, more or less.

UNITED SIOUX TRIBES MEMORANDUM

Date: September 22, 1971.
From: Clarence W. Skye.
Subject: Bill: H.R. No. 10414.

With the introduction of legislation proposing to transfer the Federal Land into trust status for the Indian People, it is our request to have this Land used for Educational Services.

The United Sioux Tribes wish to utilize this Federal Land for the benefit of the Indian People who leave the Reservation to live in an urban setting to become educated in a non-Indian Society. In developing the use of the Federal Land, we have plans for buildings that would contain an Indian Studies Laboratory that would offer the Indians in the area an initial understanding of their background and the environment they are placed in today.

This Indian Studies Laboratory would involve: Library Research Lab, Junior Achievement Lab, Fine Arts Lab, all types of Educational Services needed, a Cultural Heritage Lab, Career Development Lab, Adult Education in all phases Offices, a Laboratory of Technical Resources for the Reservations, and most important serving in the area is a Guidance Informational Laboratory to our People.

The Land would service us in all Educational Phases to make the necessary injection into Society with a more encouraged attitude. The United Sioux Tribes wish to utilize the Federal Land if placed in trust for the Indian People to place some Indian-Oriented Programs on our educational opportunities.

By Mr. McGOVERN:

S. 2571. A bill entitled "Rural Development and Population Dispersion Act of 1971". Referred to the Committee on Agriculture and Forestry.

RURAL DEVELOPMENT AND POPULATION DISPERSION ACT

Mr. McGOVERN. Mr. President, I introduce today for appropriate reference, a bill entitled the "Rural Development and Population Dispersion Act of 1971."

I introduce this bill with the conviction that the interrelated problems of rural development and population balance have now reached such proportions that they require a major statutory commitment of the Federal Government to their resolution. Title IX of the Agricultural Act of 1970, which contains a commitment by the Congress to a sound balance between rural and urban America, was a good step in this direction. But we still need an explicit, national statute on rural development and balanced national growth policy that elevates these problems to the highest level of attention in the same way that the 1946 Employment Act committed the Nation to promotion of maximum employment and the National Environmental Policy Act of 1969 committed us to protection of the natural environment.

My bill is not a complicated measure. Essentially, it is designed to accomplish four things: First, declare that it is the policy and responsibility of the Federal Government, in cooperation with other levels of government and private entities, to achieve revitalization of the open country and smaller communities of America and to promote a better geographical distribution of population across the United States; second, create a Council on Rural Development and Population Dispersion in the Executive Office of the President to advise the President, Congress, and the Nation on these problems and alternative means toward their solution; third, require the President, with the assistance of the Council, to submit to the Congress an annual Rural Development and Population Dispersion Report; and fourth, establish basic guidelines for the executive departments and agencies of the national government to integrate their ongoing programs, and their recommendations for new legislation, with the objectives of rural renewal and improved population balance.

Mr. President, I believe that a new governmental unit located in the Executive Office of the President and giving continuous attention to the problems of rural revitalization and population balance can make a real contribution toward getting the long-overdue movement for rural development into high gear. The Council on Rural Development and Population Dispersion, if given comparable status to the Council of Economic Advisers and other agencies in the President's Office, can fulfill this need. The council's job, as I envision it, would be largely one of advocacy—to publicize and crystallize public support for policies and programs to bring about rural development and population dispersion. Beyond this, the council could serve the President, Congress, and executive agencies and departments so as to facilitate an innovative, yet integrated, rural development-population dispersion policy.

By encouraging public awareness of the need for more geographical balance of population and more support for comprehensive rural revitalization, the council would seek to provide the climate of opinion and the general framework within which to achieve specific programs to serve rural areas and people.

The argument for rural public housing, for example, will take on additional meaning if it is made within a basic commitment to rebuilding the less populated areas of the United States. The same kind of added impetus would be given to policies to encourage greater movement of industry to rural environs, for better community health centers in less populated areas, for improved transportation networks linking rural communities with each other and with more populated centers, and for all the other programs that would be part of rural development.

The point is that in order most effectively to push for specific programs to build rural America, we need a basic policy commitment to balanced growth and rural redevelopment. Then and only then can we expect to get maximum results in achieving and adequately funding concrete governmental rural development programs.

My bill does not detract in any way from the incremental, but nonetheless substantial progress that is now being made toward bringing better housing, community water and waste treatment facilities, and other amenities to rural America. As we all know, in the final analysis specific action-oriented programs in these and other areas in which rural areas lag behind are the only means of renewing countryside and smaller town America, and of encouraging a larger proportion of our people out of overburdened cities and into rural America. In all of the specific human resource and job-stimulating programs, we must continue to work for a fair share of spending in rural areas in proportion to the percentage of the Nation's poverty, underemployment, substandard housing,

and other deprivations that are borne by rural Americans.

But an approach to rural-urban balance that depends upon such a formula of proportionate shares of tax dollars to achieve parity for rural America is not enough. It lacks the dynamic element that can sustain programs of rural renewal, and can bring to these programs the public understanding and support necessary to assure their success.

It is my hope that the Council on Rural Development and Population Dispersion to be created by this bill can help to give the rural revitalization movement the positive and dynamic thrust that it requires to be truly successful.

If the trend toward urbanization of Americans can be terminated and a countermovement in the direction of rural inhabitation can be gotten underway, clearly it would be advantageous to both urban and rural places. Such a change of direction could alleviate pressures on urban welfare roles, public housing needs, water and fuel requirements, police, and other items of expenditure in cities and suburbs. Environmental protection would be advanced in several ways, including greater location of industry in open spaces and retention of people on the land to protect soil and water resources. Paul Ehrlich, the prominent scientist and environmentalist, has pointed out that the United States as a whole is not overpopulated; the problem, rather, is basically one of population maldistribution.

In a macroeconomic sense, rural development can serve the entire Nation by opening up new vistas for our stagnating economy, and providing new jobs to alleviate the unemployment problem that seemingly is so intractable. The ingredients for economic expansion are all present in rural America: resources, labor force, potential purchasing power—and, perhaps most important, open space. Of course, we must be careful that growth in rural America is orderly growth, and is undertaken with effective safeguards to protect the neutral environment.

Although it does not do so in any explicit sense, my bill should also help to preserve the independent, family-farm pattern of agriculture in this Nation. A healthy family-farm agriculture is of course only a part of rural development, but it is an essential element. Certainly rural development requires that we do enable the people who now reside in rural America to remain there under quality living conditions. And family-farm agriculture is a people's agriculture. Much more than corporate agriculture, the independent-farmer pattern will keep farm families on the land and provide the solid nucleus around which rural revitalization and a better geographical balance of population can be achieved.

According to recent projections, 100 million people will be added to the population of the United States by the end of this century. If present trends are allowed to continue, most of the 300 million Americans of the year 2000 will be concentrated on a very small proportion of the Nation's land area. Projections of the Urban Land Institute place 60 percent of the country's population—or 187 million persons—in just four huge urban complexes. One continuous urban strip, containing 68 million people, will extend 500 miles down the Atlantic seaboard from North Boston to South of Washington, D.C. Another, 61 million, will run from Utica, N.Y. along the base of the Great Lakes as far as Green Bay, Wis. Some 44 million persons will live on a Pacific strip between the San Francisco Bay Area and the Mexican border. A fourth concentration, with 14 million will extend along the Florida east coast from Jacksonville to Miami and across the peninsula to Tampa and St. Petersburg.

Today, with 26.5 percent of Americans still living in places of 2,500 inhabitants or less, we can already see very clearly the mounting dangers in a continued migration out of rural America and into the Nation's overcrowded and congested cities and suburbs. We must stop and reverse this rural outmigration.

Mr. President, I would hope that the Rural Development and Population Dispersion Act can be enacted during this Congress, so that we can get on with the overdue task of renewing our rural areas and achieving a more rational rural-urban balance of population.

Mr. President, I ask unanimous consent that the text of the Rural Development and Population Dispersion Act of 1971 be printed at this point in the RECORD.

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

S. 2571

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled,

SHORT TITLE

That the Act be cited as the "Rural Development and Population Dispersion Act of 1971."

TITLE I

DECLARATION OF POLICY

SEC. —. The Congress, recognizing that the trend toward urbanization in the United States has reached the point that many urban areas face diseconomies of scale, whereby urban concentration is contributing to the costs of difficulties of solving pollution, transportation, energy, crime, and other problems; and recognizing further that the termination of this trend toward urbanization and promotion of a counter-movement in the direction of rural development and revitalization promises not only to mitigate problems of urban areas but also to provide an infrastructure for more effective and efficient handling of agricultural, employment, health, housing and other problems of rural areas; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) Develop and maintain greater economic enterprise and employment opportunities, including a viable pattern of independent-farmer agriculture, in rural areas that are substantially distance geographically from urban complexes;

(2) Strengthen and revitalize towns and communities, and develop new towns, under conditions and in circumstances that life within such places and in the countryside surrounding them will be more sustainable and fulfilling;

(3) Increase the quality and quantity of transportation, health, educational, housing, cultural, and other services to rural people and amenities of rural life; and

(4) Achieve the geographical distribution of population across the United States that is most conducive to the maximum net realization of human values for the American people.

SEC. —. The Congress authorizes and directs that the policies, regulations, and public laws of the United States to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government on a continuing basis—

(1) Structure and carry out their policies and programs in such a way as to conform, to the maximum extent feasible, to the purposes and provisions of this Act; and

(2) Propose to the President and to the Congress such measures as may be necessary to make their authority consistent with this Act.

TITLE II

SEC. —. (a) There is created in the Executive Office of the President a Council on Rural Development and Population Dispersion (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training and experience, be professionally qualified to analyze and interpret population distribution trends of all kinds and shall be conscious of and responsive to the economic, social, esthetic, and cultural needs and interests of rural areas in particular and of the Nation in general. The President shall designate the Chairman and Vice Chairman of the Council from such members.

(b) Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for level IV of the Executive Schedule Pay Rate (5 U.S.C. 5315).

SEC. —. (a) The primary function of the Council shall be to coordinate governmental recommendations and activities related to rural development and population dispersion, and to publicize and crystallize public support for policies, programs, and budgetary appropriations to achieve these goals. In carrying out this function, the Council shall—

(1) report at least once each year to the President on the state and condition of rural development and population distribution trends;

(2) provide advice, assistance, and staff support to the President on the formulation of national policies to foster and promote rural development and population balance; and

(3) obtain information using existing sources, to the greatest extent practicable, concerning rural development and the quality of life in rural America (including the condition of farm life) and make such information available to the public.

(b) The Board shall periodically review and appraise Federal programs, projects, activities, and policies which affect rural development and make recommendations thereon to the President.

(c) It shall be the duty and function of the Board to assist and advise the President in the preparation of the annual Report required under section —.

SEC. —. The President shall transmit to the Congress, beginning June 30, 1972, an annual Rural Development and Population Dispersion Report, which shall set forth:

(a) current and foreseeable trends in rural development and population distribution, and the implications of those trends in terms of human problems and values that are at stake; and

(b) a comprehensive and coordinated program of governmental action—covering needed new legislation as well as the administration and enforcement of existing programs—designed to hedge those trends toward the maximum net achievement of the interests and values affected by rural development and population distribution.

SEC. —. The Council may employ such officers and employees as may be necessary to carry out its functions of this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. —. There are hereby authorized to be appropriated $1,000,000 annually to carry out the purposes of this title.

By Mr. PERCY (for himself, Mr. STEVENSON, and Mr. SYMINGTON):

S. 2572. A bill to authorize the Secretary of the Interior to enlarge the Jefferson National Expansion Memorial National Historic Site, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. PERCY. Mr. President, I am introducing today on behalf of the distinguished junior Senator from Illinois (Mr. STEVENSON), the distinguished Senator from Missouri (Mr. SYMINGTON), and myself, a bill to enlarge the Jefferson National Expansion Memorial along the East St. Louis riverfront. The bill proposes that the Secretary of the Interior acquire a 50-acre site between the Eads Bridge and the Poplar Street Bridge for the purpose of expanding the existing memorial located on the St. Louis side of the Mississippi River.

Many of our colleagues know about the desperate economic conditions that East St. Louis is now experiencing and the urgent need for urban redevelopment, particularly along the riverfront.

The city of St. Louis is the 10th largest metropolitan area in the country, and East St. Louis is its most depressed section. For more than 12 years, East St. Louis has suffered a heavy loss of industry and commerce, resulting in high unemployment and a low median income of approximately $3,000 for the city's predominantly black population. One-half of the families in East St. Louis do not own automobiles and they are virtually trapped in a city that offers minimal recreational developments and parks for children, adults and the elderly. The remnants of industrial development can be clearly seen along the riverfront area with its mass of railroad tracks, freight locations, deteriorating housing and general residential decay.

The bill that Senator STEVENSON and I propose would almost certainly help initiate the revitalization of East St. Louis that is so necessary.

At the current time, there is little promise of relief for the city. It needs a renewal that requires a total commitment by the city, its people, the State of Illinois and the Federal Government. Without that revitalization, the city will continue to deteriorate and its historical value will be depreciated. Establishment of a National Park Service area in East St. Louis, along the lines that we propose, would, however, catalyze development along the riverfront and lead the way to a comprehensive urban renewal plan, while creating needed employment opportunities. Studies already conducted by the National Park Service over the last 2 years indicate that both recreational and historical interpretations are valid and compatible uses of the riverfront.

In addition to Park Service studies of the riverfront, initial steps are being undertaken by the Department of Transportation to relocate existing rail facilities and provide for redevelopment of more than 500 acres of valuable riverfront property. Secretary Volpe announced last week approval of a study to be conducted by the East-West Gateway Coordinating Council of St. Louis which will develop proposals for relocating and consolidating railway facilities. Successful relocation of these railroad lines is essential both for eliminating automobile congestion around the yards and for improved efficiency. Relocation can then make way for urban redevelopment with improved housing and recreational opportunities.

Extension of the Jefferson Memorial expansion would serve an historical as well as economic need. Named as an historic site, the 50-acre space, with 140 acres of scenic easement, would receive an historical interpretation commemorating westward American settlement. In earlier times East St. Louis was a major transportation link with the East and was the termination point of the first railroad to connect the East with the Mississippi. Today, the gateway area still serves as a major transportation interchange for 5 percent of the country's railway business.

The economic and historic relevance of the East St. Louis riverfront area has been clearly determined. However, neither the city nor the State of Illinois has the financial wherewithal to redevelop the site at the present time.

Budgetary restraints in the State are such that Illinois now spends less in per capita acreage for recreation and historical preservation than any other State in the Nation. We cannot establish and maintain urban parks or preserve the valuable historic landmarks which now are threatened by deterioration. Illinois has only recently acquired the first National Park Service area in the State through the passage of my bill to establish the Lincoln Home National Historic Site in Springfield. Without Federal support of this valuable landmark, the early home of President Lincoln would not have been preserved for future generations to study and enjoy.

In my opinion, Mr. President, National Park Service involvement is also urgently needed in redevelopment of the East St. Louis riverfront to bring economic vitality and to insure alternative uses of the land that will include appropriate historical and recreational benefits. A comparable bill was originally introduced into the House by Congressman MEL PRICE and I congratulate him on his initiative.

Mr. STEVENSON. Mr. President, East St. Louis, Ill. sits at the crossroads of mid-America. The resources which could make it one of Illinois' great cities are all there waiting for the catalyst to help this slumbering industrial giant overcome years of neglect and inaction.

There is no greater symbol of the hopes and frustrations of East St. Louis than its riverfront. In a city with an inner city unemployment rate approaching 22 percent, where 25 percent of the standing buildings are uninhabitable and another 20 percent below acceptable minimum standards, and where the past decline of industry and jobs is symbolized by the deserted tracks and warehouses that comprise the empty riverfront, the undeveloped potential of that very same riverfront stands as one of the greatest untapped resources in the Midwest.

The need and desire to revitalize East St. Louis is further highlighted by the example across the river in St. Louis of what can be done. The results of this classic 20th century story of a rebuilt American city can be seen in the St. Louis riverfront's dynamic new skyline symbolized by the now famous arch of the Jefferson National Expansion Memorial.

The bill Senator PERCY and I introduce today, already introduced in the House by Congressman PRICE, sets aside 50 acres on the Illinois side of the river as part of the Jefferson National Expansion Memorial.

There is a breath of fresh air in East St. Louis. There are plans for a new airport, the possibility of a water and sewer grant which could lead to industrial development of parts of the riverfront, a recently funded $400,000 study for relocating the railroads and developing a total land-use plan for the riverfront, an increase in the number of small businesses, and a new city administration dedicated to ending the years of neglect and disorganization.

Things are beginning to come together for East St. Louis. This bill which will initiate the first tangible riverfront development may very well be that all important catalyst in the new formula of economic development that will enable East St. Louis to assume its rightful place among the great cities of the Nation.

By Mr. STEVENS:

S. 2573. A bill to provide for inspection of foreign fish processing plants preparing fish for importation into the United States. Referred to the Committee on Commerce.

Mr. STEVENS. Mr. President, as we strengthen the controls on the quality of food produced for the American consumer, I fear we have overlooked an important source—the foreign fisheries industry. Within the seafood plants in this country Federal inspectors are present to be sure that safeguards are carried out.

The value of this program can be attested to in the fact that of the 800 million pounds of seafood consumed by Americans from American plants during 1970, only 32 lots were detained by the

Food and Drug Administration. These lots represented less than 1 percent of the total. But, more important than the percentage is the fact that the inspection program stopped the questionable lots from being delivered to the conusmer.

During the same period of time—the year of 1970—foreign imports accounted for 60 percent of the market. Of the 1,189 lots the FDA checked from foreign sources, a total of 350 were detained. This amounts to 29 percent—nearly one in every three shipments—of the seafood products that were checked.

During the first 9 months of this year, the FDA increased its testing effort on imported seafood products. A total of 3,420 lots were tested. Of these, 500 were detained. This high number of questionable lots that the FDA inspectors are stopping is indicative of the problem we face.

On one hand we tell the American fisheries industry it must meet stringent regulations and to be sure it does, we have inspectors in the plants checking on the operations. American fisheries produce only 40 percent of the total 2 billion pounds of seafood that Americans eat every year. The remaining 60 percent—1.2 billion pounds—comes from the foreign countries whose plants are not regulated by our laws or to the same standards.

We are sure of the quality of American seafood because of these regulations and this inspection program. But what of these foreign imports—the bulk of the market? How do we know they are up to our standards? How do we check them? With the exception of the very limited inspection procedure at the point of import, we do not.

To remedy this situation and to insure that foreign fisheries products meet the same standards as those of this country, I would like to offer my bill to provide for inspection of foreign fish processing plants preparing fish for importation into the United States.

This legislation would allow the Secretary of Health, Education, and Welfare—after consultation with the Secretary of State—to establish regulations for inspection of foreign processing plants which prepare fish and shellfish for sale in the United States. It would allow for a ban on the import of fisheries products from countries not allowing inspection of its plants, plants not allowing inspection, and plants not meeting U.S. standards.

This bill includes a provision for a fine of $10,000 for the first violation and not more than $25,000 for each subsequent violation.

I realize that this bill has far-reaching implications in our relations with our friends in other nations, but I feel that it is a necessity if we are to protect our citizens.

By Mr. JAVITS:

S.J. Res. 159. Joint resolution proposing an amendment to the Constitution relative to equal protection under the law on account of sex. Referred to the Committee on the Judiciary.

WOMEN'S RIGHTS AMENDMENT

Mr. JAVITS. Mr. President, last year, when the Senate considered but did not pass the equal rights amendment, a group of us offered a version of that proposal when it became apparent that amendments to the original version had rendered it unacceptable. The significant difference between the original equal rights amendment and the version which we offered last year is that the latter replaces the term "equality of rights" with "equal protection of the laws." This term carries with it settled legal doctrine which can most effectively serve the just delineation of women's equal rights.

As a constitutional lawyer, I believe that the equal protection clause of the 14th amendment to the Constitution should be read to apply the same standard of prohibition to discrimination on account of sex as to discrimination on account of race. The courts have presumed the invalidity of racial classification and have cast upon public authority the heavy burden of proving justification for racial classification. The substitute equal rights amendment makes this same presumption with regard to sexual classification, placing the burden of justification on the State.

Since the House will consider the equal rights amendment next week, and Senate consideration is likely this year, I now send to the desk a proposed constitutional amendment identical to the substitute offered last year. I offer this proposal so that it will be available for consideration should the proponents of the equal rights amendment decide that its consideration is desirable.

I ask that the text of the proposal be printed in the RECORD.

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

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years of the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. Neither the United States nor any State shall, on account of sex, deny to any person within its jurisdiction the equal protection of the laws.

"SEC. 2. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

"SEC. 3. This article shall take effect two years after the date of ratification."

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 1379

At the request of Mr. JORDAN of Idaho, the Senator from Tennessee (Mr. BAKER) was added as a cosponsor of S. 1379, to authorize the Secretary of Agriculture to establish a volunteers in the national forests program, and for other purposes.

S. 1437

At the request of Mr. CANNON, the Senator from New York (Mr. JAVITS) was added as a cosponsor of S. 1437, the Airport and Airways Development Act of 1970.

S. 1595

At the request of Mr. BIBLE (for Mr. JACKSON), the Senator from Washington (Mr. MAGNUSON) was added as a cosponsor of S. 1595, to authorize the Secretary of the Interior to establish and administer a program of direct Federal employment to improve the quality of the environment, the public lands, Indian reservations, and commonly owned and shared resources through a program of recreational development, reforestation and conservation management, and for other purposes.

S. 1644

At the request of Mr. DOLE, the Senator from Oklahoma (Mr. BELLMON) was added as a cosponsor of S. 1644, to amend section 103 of the Internal Revenue Code of 1954 to increase the small issue exemption from the industrial development bond provision from $5,000,000 to $10,000,000.

S. 2223

At the request of Mr. HUMPHREY, the Senator from Texas (Mr. BENTSEN) was added as a cosponsor of S. 2223, to amend the Consolidated Farmers Home Administration Act of 1961, and for other purposes.

MILITARY PROCUREMENT AUTHORIZATIONS, 1972—AMENDMENTS

AMENDMENT NO. 433

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

Mr. GRAVEL submitted an amendment, intended to be proposed by him, to 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.

AMENDMENT NO. 434

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

Mr. SYMINGTON submitted an amendment, intended to be proposed by him, to House bill 8687, supra.

AMENDMENTS NOS. 435 AND 436

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

Mr. PROXMIRE (for Mr. HARTKE and himself) submitted two amendments, intended to be proposed by them, jointly to House bill 8687, supra.

NOTICE OF HEARINGS ON FREEDOM OF THE PRESS

Mr. ERVIN. Mr. President, next week, beginning on Tuesday, September 28, the Constitutional Rights Subcommittee will conduct a series of hearings on freedom of the press. These will be exploratory and educational hearings. Our purpose is twofold. First, we will examine some current problems now facing society in

resolving the first amendment guarantee with other competing social interests and forces. The major issues we will focus on are ones which have been suggested to the subcommittee in correspondence and conversations with persons and organizations in the fields of journalism, law, and government. The preliminary study of the subcommittee, dating back over a year, produced a number of issues worthy of discussion. Four appear to be of special concern:

First. The increased use of subpenas to require testimony by reporters and production of their notes;

Second. The use of false press credentials by investigative arms of government;

Third. The problem, exemplified by the recent New York Times and Washington Post cases, of reconciling national security and foreign diplomacy with the first amendment prohibition against prior restraints; and

Fourth. The increasing amount of government control and influence over the broadcasting press and the content of broadcasting.

Over and above these four particular issues lies another more general and more serious one. That is the growing deterioration of the relationship between the press and government. This problem needs little explanation at this time, since the existence of the controversy is obvious to all. But it does need exploration, and it will no doubt occupy much of the testimony presented by the subcommittee.

While these issues are the ones which the subcommittee will focus on, the hearing will, of course, explore other problems raised by our witnesses. As part of our first goal, we desire to have our witnesses raise and discuss other first amendment issues which have not received general notice and which deserve public attention.

Our second purpose or goal in these hearings is to reassess the meaning of the first amendment and to restate the purpose and functions that free speech and free press serve, and are meant to serve, in our democracy. This exercise is never out of place when dealing with constitutional liberties. But it is especially important in the areas of free speech and free press. No one has much complaint when these freedoms are exercised in ways which do not raise hackles, controversy, or conflicts. Free speech is not difficult to accept when exercised by those with whom we agree.

It is easy to forget, however, that these freedoms must be protected even when exercised by those we hate, when the words uttered are words we hate, and the ideas advanced are ideas we hate.

Free speech is not difficult to preserve in an era of calm. In one of high tension, social discord and fear it is much more difficult. It is in times like these that competing interests begin to encroach upon the freedoms. For example, only in a time of political and military crisis would it be seen as a basic clash between national security and freedom of press to publish historical materials like the Pentagon papers. As some of the Supreme Court Justices' opinions make clear, they were unhappy about having to resolve this conflict in an atmosphere of crisis and alarm. However, that is the time when the clash of basic interests is seen as irreconcilable.

Since we are in a general time of crisis, it is especially appropriate to discuss the fundamentals of the first amendment. In this way we will be better able to put controversies like the New York Times case in perspective.

Our witnesses are especially well qualified to help us in this twofold task. Among those invited to testify over the next few weeks are: Senator JAMES B. PEARSON, of Kansas; Congressman HARLEY STAGGERS, of West Virginia; Congressman CHARLES W. WHALEN, of Ohio; Attorney General John Mitchell; Mr. Earl Caldwell, reporter, the New York Times; Mr. Walter Cronkite, CBS News; Mr. Dean Burch, Chairman of the Federal Communications Commission; Mr. Nicholas Johnson, member, Federal Communications Commission; Mr. Herb Klein, Director of Communications for the White House; Mr. Howard K. Smith, ABC News; Mr. David Brinkley, NBC News; Dr. Frank Stanton, president, Columbia Broadcasting System; Mr. Julian Goodman, president, National Broadcasting System; Mr. James J. Kilpatrick, columnist; Prof. Leonard Levy, Claremont Graduate College, California; Prof. Philip Kurland, Chicago Law School; Prof. Paul Freund, Harvard Law School; Prof. Thomas Emerson, Yale Law School; and representatives from such organizations as the American Society of Newspaper Editors, the American Civil Liberties Union, the Association of American Publishers, the National Newspaper Association, the Radio and Television News Directors Association, and the North Carolina Broadcasters Association.

ANNOUNCEMENT OF HEARINGS ON FEDERAL ADVISORY COMMITTEE BILLS

Mr. METCALF. Mr. President, the chairman of the Senate Subcommittee on Intergovernmental Relations, the distinguished Senator from Maine (Mr. MUSKIE), has asked me to announce that the subcommittee will continue hearings on the Federal Advisory Committee bills, beginning October 1, 1971: S. 1637, the Open Advisory Committee Act, which I introduced on April 22; S. 1964, the Federal Advisory Committee Standards Act, introduced on May 26 by the junior Senator from Delaware (Mr. ROTH) on behalf of himself and the junior Senator from Tennessee (Mr. BROCK); and S. 2064, the Federal Advisory Committee Efficiency Act, introduced on June 15 by the Senator from Illinois (Mr. PERCY).

Senator MUSKIE has requested that I preside at the hearings which are scheduled for October 1, 6, 7, and 8, beginning at 10 a.m., in room 3302 of the New Senate Office Building.

It is the subcommittee's present intention that these will be the final hearings this year in consideration of the legislation.

Any Member of Congress or other person wishing to testify with respect to the above legislation should notify Mrs. Lucinda Dennis, chief clerk of the subcommittee. She can be reached by calling 225–4718.

ADDITIONAL STATEMENTS

TRIBUTE TO SENATOR STENNIS

Mr. ALLEN. Mr. President, no Member of the Senate, or no person in the entire Nation, is more deserving of the double accolade of statesman and patriot than is the illustrious and distinguished Senator from Mississippi (Mr. STENNIS). During the time I have had the honor of serving in the Senate, no Member of this body has made a greater imprint, or has had a greater impact on the U.S. Senate, or has played a greater role in influencing its deliberations and shaping its course and direction than this great man.

During months of debate on a multitude of issues, he has stood like a stone wall, under terrific pressure and strain, exerting leadership and displaying statesmanship, patriotism, knowledge, skill, courage, patience, and courtesy.

Dozens of articles have been written assessing the Senator's amazing accomplishments. Typical of those are two from the Washington Star of September 22, 1971, which I ask unanimous consent to have printed in the RECORD.

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

[From the Washington Star, Sept. 22, 1971]

SEVEN-MONTH EFFORT: STENNIS PLOWS UNDER THE DRAFT OPPOSITION

(By James Doyle)

There had been seven months of talking and maneuvering on the draft bill, first in committee, then on the floor and then back in committee.

It all ended yesterday with John Cornelius Stennis, the 70-year-old junior senator from Mississippi, standing by his desk and allowing a nervous smile as time ran out on the opposition.

During all those months, the opponents had come and gone, floating their amendments, gathering some headlines and passing on to less boring or strenuous exercise.

Stennis went the distance.

A STRAIGHT FURROW

In the new cities and the dusty towns of Mississippi, John Stennis is remembered for his constant campaign slogan: "I will plow a straight furrow right down to the end of my row."

It's a bit unwieldly on a roadside billboard, but it perfectly fits the man who heads the Senate Armed Services Committee.

The draft bill was John Stennis' latest furrow. He had predicted last spring that the fight over the draft would be long and bitter.

And although the interruptions were many and the detours boldly marked, Stennis was on the floor every day seeing that the Senate did not stray from the path he had planned.

In all there were 54 amendments offered, most of them defeated on roll call votes. Some days, Stennis held the floor and debated against five different amendments in an afternoon.

Almost always, when the day drew to a close, Stennis was the only man who had been on the Senate floor almost continuously. And almost always he had won his way.

STENNIS STRATEGY

He stood by his chair each day, often in a navy-blue suit and a red necktie, while his opponents held news conferences and outlined their strategy to the press.

Stennis suffered all the insults to his body

and his soul, although not always cheerily. He negotiated with the opposition and cajoled friends. He whipped his staff to turn out more speeches, to keep up with the latest moves of the opposition.

On May 19, two weeks into the debate, majority leader Mike Mansfield offered his amendment calling for a 50-percent reduction in European forces. After a debate that sent the White House into a frenzy of activity, it was defeated 36 to 61.

On June 16, the most publicized of the anti-war amendments, the McGovern-Hatfield proposal calling for a Dec. 31 troop withdrawal deadline, was voted on after a public campaign and lobbying effort. It was defeated 42 to 55.

Stennis had debated 26 amendments. He was to handle 16 more before the passage of the Mansfield amendment on June 22 which called for the withdrawal of U.S. forces from Indochina within nine months. And there were more to come.

On June 24, the Senate passed the draft bill for the first time, and Stennis commenced a series of negotiations with his counterpart in the House, Rep. F. Edward Hébert, D-La. Stennis tried to salvage the Mansfield amendment from Armed Services Committee hawks. He failed to salvage much, and many of his Senate colleagues suspected that Stennis wasn't troubled by that.

The actions of the conference committee—slashing both servicemen's pay raises and the Mansfield amendment—offered the draft oppoents their greatest opening.

PREDICTION OF DEFEAT

When the matter came to the floor last Thursday, Stennis' lieutenants advised him he would lose by four or five votes.

In the cloakroom he went to Mansfield and requested—almost demanded—a postponement as a matter of courtesy for a senior committee chairman.

Mansfield left it up to the Senate and Stennis made his plea to his colleagues.

"I am not asking for any favors," Stennis told the overflowing chamber. "This is not a personal matter, I repeat. But I do not hesitate to make this an official request . . . Give me just a little more time . . . just two or three or four more calendar days."

Stennis won a single day's delay, and with the aid of the White House and the top brass of the Pentagon, he mustered his forces, split his foes, and managed to get a new senator, Robert T. Stafford of Vermont, sworn in a day early.

He won by 11 votes.

[From the Washington Star, Sept. 22, 1971]

DRAFT WIN MAY CUT DEBATE ON VIETNAM

What may have been the last great Vietnam war debate in the Senate has ended with the passage of the Selective Service Act of 1971.

That is the view of hawks and doves in the Senate, who credit, Sen. John C. Stennis, D-Miss., with defusing President Nixon's most explosive military policy problem by successfully steering the draft bill through the Senate during 4½ months of debate and delay.

The bill extends the draft until June 30, 1973, and authorizes a $2.4 billion-a-year pay increase for servicemen—the largest in history. It now awaits President Nixon's signature.

The Senate defeated a filibuster attempt yesterday and then passed the bill 55 to 30. The old law expired June 30, and no one has been drafted in July, August and September.

CALL SET IN WEEK

Pentagon sources said they expect to have a figure for an October call in about a week. They said it is anticipated some draftees would be inducted next month.

Majority Leader Mike Mansfield of Montana plans to bring up the Vietnam issue once again during debate begun yesterday, on the $21 billion military procurement bill. And his amendment will be but one of many anti-war measures introduced and discussed this fall.

But senators on both sides of the debate admit that, unless the situation in Vietnam deteriorates the real debate is over for 1971—and Nixon has won.

NO SPOTLIGHT ANYMORE

And with troop levels dropping steadily and American participation in the ground war lessening, many senators predict that Vietnam may never again command center stage in the Senate to the degree it did in the past three sessions.

"I don't think there is any clout or muscle or backbone in the Senate to do anything more," Sen. Mike Gravel, D-Alaska, said.

Gravel vowed a filibuster to stop the draft bill, but was unable to get the one-third support necessary. He was obviously angered and disappointed by his loss. But he found a happier partisan note.

"The draft as a spectre looming over the heads of young people may be just the catalyst we need to bring out young voters next year," he said. "Richard Nixon may have won a victory but lost a second term in office.

Gravel was the only Senator who spent as much time on the floor as Stennis during the lengthy draft debate.

During their many colloyuies, Gravel was sometimes rough edged, complaining that Stennis used his seniority and chairmanship of the Armed Services Committee to intimidate younger senators like Gravel, who is a 41-year-old freshman. But he paid tribute to Stennis yesterday.

"He's one of the senatorial giants," Gravel said. "His understanding of the operations of the Senate, his diligence in tending to floor business, and his toughness are unmatched among the doves.

"He's a much tougher man than our senior senators," Gravel said, referring to the doves. "That's why he won. If we had the same toughness on our side of the fence we would have won. We had the votes at times, but we had some weak sisters."

MANSFIELD HAILS STENNIS

Mansfield, too, praised Stennis, even though the Mississippi Senator was the senior man on the conference committee that gutted the Mansfield amendment.

"He's done a hell of a job. He put his heart and soul into it," Mansfield said, "I have nothing but commendation for him. He really did put up a fight in conference for the Mansfield amendment. It's because of John Stennis' tenacity that we got what we did."

The impact of other major provisions of the act will be slow to materialize, officials said. Included are the phasing out of undergraduate deferments, the right of a man to present witnesses before the Selective Service Board, requiring a local or appeal board to have a quorum when hearing a registrant, and lowering the maximum length of service on boards from 25 to 20 years.

Pentagon officials have said that about 20,000 draftees would be needed this year, including a 16,000 July-August request left hanging when the authority expired June 30.

That would bring this year's total to less than 110,000, the smallest call-up since 107,500 were drafted in 1964.

Nixon's Cost of Living Council is reported opposed to allowing the military pay raise to go into effect during the wage-price freeze.

Although the council declined official comment, sources familiar with the group's thinking told the Associated Press it regards the pay raises as inconsistent with the freeze.

Although the boost is more than twice what the Pentagon originally proposed, Defense officials said they favored putting it into effect on the congressionally decreed date of Oct. 1.

Among District-area's senators, only Charles McC. Mathias, R-Md., voted with the antidraft forces, opposing both cloture and the final bill.

INTERNATIONAL ECONOMY

Mr. JAVITS. Mr. President, on September 15, the Senator from Connecticut (Mr. RIBICOFF), chairman of the Subcommittee of International Trade, of the Committee on Finance, delivered an important address on the international economic situation to the Public Affairs Seminar on Public Affairs Problems of the Multinational Corporation.

The address represents some of the conclusions that Senator RIBICOFF drew from hearings over which he presided on the international aspects of the President's new economic program.

Also, Senator RIBICOFF's remarks concerning the multinational corporation should be of great interest. While I do not share certain of his views, I feel that there are many misconceptions regarding the role of the multinational corporation and that it is imperative that better information be developed on the relationship between the activities of the multinational corporation and the levels of employment in the United States. I am aware that the Department of Commerce, the chamber of commerce, and the Emergency Committee for American Trade are conducting surveys that should shed considerable light on contributions of the multinational corporation in the American economy. It is imperative that the information developed by these surveys be made available to Congress and the public at the earliest possible time.

I ask unanimous consent that Senator RIBICOFF's remarks be placed in the RECORD.

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

SPEECH BY SENATOR ABE RIBICOFF*

Taken alone, any one of the economic measures announced by the President last month would have made waves throughout the world economy. The simultaneous launching of these proposals, however, focused immediate attention on their domestic impact and has lessened the perception in our country of their disruptive effects internationally. In the Congress the legislative focus largely centered on the increases on income tax exemptions.

The foreign trade and monetary consequences of the President's actions are of immense importance and are intimately linked to the future well-being of our economy. In order to widen the scope of Congressional interest, I held hearings in my Subcommittee on International Trade earlier this week on the international aspects of the New Economic Policy. It soon became apparent to me that our top trade officials were entering into negotiations without any long range plans or specific goals.

Foreign governments too, are guilty of short-sightedness. Instead of using the crisis

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*Delivered to the Public Affairs Council Seminar on Public Affairs Problems of the Multinational Corp., at Hotel Sonesta, Washington, D.C., on Wednesday, September 15, 1971, at 12:00 noon.

as an opportunity to devise fundamental reforms in the international economic mechanisms, they have concentrated on bringing about the rapid elimination of the 10% import surcharge, and have sought to minimize changes in the value of their own floating currencies in relation to the dollar. Here and abroad, the failure to deal with the causes of the recurrent crises in the world economy is a serious error in the long run.

How the world trading community comes to grips with the underlying weaknesses in the international economic system will have the profoundest significance on the future operations of multinational corporations.

Even before the President's dramatic announcements, there were already clear signs of mounting concern in the Congress over our Nation's lack of a coherent, logical foreign economic policy.

My Subcommittee on International Trade was set up in the Finance Committee only last February after my trip to Europe to explore our growing difficulties with the EEC. In the House, new life is being breathed into the House Foreign Affairs Subcommittee on Foreign Economic Policy. Congressman Mills' active role in seeking to settle the festering United States-Japanese textile dispute has sharpened the dispute between the Executive and Congress over the appropriate distribution of duties with regard to the regulation of foreign commerce.

This conflict is bound to continue as the Congress seeks to reassert its prerogatives in all areas of foreign relations including the economic sphere. This is a Constitutional issue. The Constitutional delegation of power in the foreign trade field is in Article I, Section 8. The Constitution states that the Congress has the exclusive power to "lay and collect duties" and to "regulate commerce with foreign nations."

As it deems necessary, the Congress may delegate limited authority to the President to carry out trade programs established by the Congress.

But as has been the case in the formulation of our foreign policies in general, the Executive branch has expanded its own powers, periodically presenting Congress with settled agreements negotiated without explicit Congressional authority. As a result there has been a diminution of Congressional influence. In the months ahead we can expect that the Congress will actively seek to redress this growing imbalance.

In the Executive branch, the need for changes in the management of international economic affairs has finally been recognized.

The creation of the Council on International Economic Policy in the White House last January, a step which I welcomed, was an admission that the more than 60 separate agencies making and implementing our foreign economic policies lacked direction and leadership from the top. However, any institution is only effective if it is used. This Council, as well as the Departments of State and Commerce do not seem to have had much of a role in formulating the international portions of the President's New Economic Policy.

The Williams Commission Report, which on the whole I consider excellent, provides a much needed long-range set of objectives for U.S. trade policy. However, a good part of the problem remains effective, high-level implementation.

The dramatic August announcements have had a profound effect on the economies, and on the politics, of other nations. We obviously gave no real advance notice to longtime foreign friends. We cannot afford to continue to conduct our foreign economic relations on the basis of shock effect. Policy by adrenalin can be used only so often. Once the shock wears off this ploy cannot be used again for some time.

They key to the establishment of a workable international trade and monetary system is still cooperation rather than coercion, and negotiation rather than the use of threats.

Moreover, a deterioration in our economic relations with other countries will inevitably damage American interests across the board.

I returned from my own visits to Europe in January and June on behalf of the Finance Committee convinced that a critical factor in U.S.–EEC relations and in our relations with Eastern Europe and the underdeveloped nations would be the rapid increase in the internationalization of production that is taking place. There is much ignorance in the public mind and in the Congress as to the nature of this phenomenon and the part played by the multinational corporation.

The multinational company today in the public mind is associated with the excesses of "big business", and is castigated by labor for creating "runaway Mill" situations. The multinational corporation, as you well know, is not solely an American creation, but this fact does not prevent American firms from receiving a disproportionate amount of the criticism generated both domestically and abroad. While our own corporations operate with fewer controls and governmental interference than their European or Japanese counterparts, they receive much less assistance from their governments in competing internationally.

It should also be noted that while American companies are expanding faster in Europe than their European rivals, European multinational firms are more than holding their own. They are expanding their activities elsewhere, even in the United States. The current rate of capital outflow from Japan, the Common Market countries, and the United States is roughly the same proportion of GNP for all three economies.

Corporations have been internationally oriented for decades. The fears they now raise and their capacity to elude the grasp of governments, are based upon their rapidly growing size and number, relative to the growth of national economies. The combined sales of these multinational corporations have been estimated at about $300 billion. This is larger than the GNP of every country except the U.S., the Soviet Union, and Japan. This sheer size represents potential to harm host countries. Nations react politically, to the image of what they perceive as threats, not necessarily to the actual practices of foreign interests or enterprises.

The spectacular growth of these entities in the world economy truly represents the beginning of a new era in international economic relationships. But the critical question remains whether they will be a source of conflict or of instability. The concerns of European governments about multinational corporations are *not* the same as those raised publicly here at home. The underdeveloped world has different concerns from either those of the U.S. or Europe.

In my report to the Finance Committee, I called for our government, in conjunction with an enlarged EEC and Japan, to face up to the new problems spawned by the phenomenal growth of multinational corporations.

The need to resolve the critical questions of the proper relationship between the multinational corporation and the nation in which it operates is just as pressing a problem as the task of eliminating barriers to international trade and investment. This problem is not being given a high priority by many of my colleagues. However, many of them view the multinational corporation as a significant cause of increasing plant closings and unemployment in their own states or Congressional districts.

The growth of these corporate activities abroad is increasingly associated with our high unemployment rate, our declining fortunes in international trade, and our serious balance of payments difficulties.

Arguing against these sentiments is difficult. Precise figures are hard to come by, and it is difficult to explain how sending money abroad creates jobs at home.

These sentiments will have a feedback on the content of any trade and investment legislation likely to come out of the Congress in the near future.

A widespread and deeply felt conviction exists in the Congress that our nation is being taken advantage of by unscrupulous foreigners who have repaid our own generosity by flooding our markets with their goods while denying us entry into their own. The effective competition of our trading partners only aggravates this feeling. The "Made in Japan" label to American producers and workers is no longer a cause for a humorous comment about cheap imitations, but is looked upon today as a real threat to American profits and jobs.

This resentment against imports and the tendency of more American manufacturers to establish themselves overseas, has translated itself into two potent political facts of life. First, the labor movement in America which had long been in the forefront of advocating freer trade is now lining up on the side of restrictive measures against imports. This in turn has reinforced a second political fact of life—the growing mood of protectionism in the Congress.

Very fundamental questions are being raised by American labor. George Meany appeared in May before my Subcommittee.

In his statement, Mr. Meany made it clear that he believes the freedom of American corporations to establish production facilities abroad is detrimental to the interest of American labor.

The freedom to invest in any country, to build production facilities wherever in the world cost conditions are most favorable, to make available to others the fruits of our technology, may seem to management to be an essential characteristic of the free-enterprise system. The AFL–CIO, and other groups on the opposite side of the political spectrum are challenging that fundamental belief.

Demands are now being made for restrictions on the outflow of capital from the U.S., for restrictions on imports from other countries, and for elimination of present ambiguities and incentives in our laws which encourage foreign investment. Today the arguments made by many labor leaders are appealing to a wide range of public opinion.

Our data on jobs created or displaced by trade is inadequate, and it is difficult to prove whether foreign investment displaces jobs or not.

It is not sufficient to answer these arguments with a recital of the record of increased exports from the U.S. which accompany the establishment of production facilities in other countries. In some general way that may often be true. However, it should be obvious that trade patterns are being changed by the internationalization of the production base of our big corporations, and that certain kinds of jobs are being affected.

The AFL-CIO Executive Council has proposed that the following specific steps be taken and their introduction as legislation is likely in a matter of weeks:

1. Tax law changes to remove all of the incentives to establish production facilities abroad and to create tax disincentives to curb overseas activities of American companies.

2. More strict control of U.S. foreign direct investment, with specific approval of investment required.

3. Close regulation of the transfer of technology through licensing and patent agreements.

4. Establishment of international fair labor standards.

5. Regulation of manufactured imports into the U.S. through quotas.

6. Stricter requirements for labeling of imports by country of origin.

7. Stricter regulation of imports to protect consumers.

8. Establishment of new uniform federal standards for accounting by all U.S. firms with overseas operations, for all of their operations, domestic and foreign.

9. Changes in our trade laws, including relaxation of the ability to raise import protection when an industry is threatened by imports.

These measures will increasingly become major public issues as we move closer to the 1972 elections. Legislation of this kind may be offered piecemeal, as amendments, or as a package. If enacted in whole or in part these measures would change the environment within which corporations operate, and undoubtedly reduce the inventives which make overseas activities attractive.

The climate for this kind of legislative change is favorable. The Trade Bill of 1970 is a clear example of the present mood.

If the Trade Bill of 1970 had come to a vote in the Senate last December, I feel that it would have passed by at least a 2 to 1 margin. The sentiment in the Senate has not changed significantly in the past nine months. If anything it has intensified because of our continuing high unemployment, faltering economy and the latest dollar crisis.

In the light of these political facts, it is incumbent upon us all to do some fundamental rethinking. It seems to me that there are some basic developments we ought to take into account.

Among the developed countries, there is a growing two-way flow of direct investment and of long-term investment in shares of the corporations of other countries. Europe's direct investment position in the U.S. is now only about one-third that of the U.S. in Europe. However, when we include long-term portfolio investment, Europe becomes the larger of the two. This growing two-way flow of international investment is developing an increasing mutuality of interest among investors on both sides of the Atlantic.

We are also finding a growing effort by governments to promote domestic industry, domestic technology, better environmental conditions, and many social programs which affect the location and operations of business. In light of these developments, industry throughout the world ought to be exploring ways in which their mutual interests can be developed, without running into conflicts of national policy.

A constructive approach would be to develop industry positions on an acceptable international code of conduct. If governments were to reach agreement on a code which covered such matters as government discrimination and principles of regulation of international corporations, there would be much less confusion for industry about likely government policies and much less incentive for companies to outmaneuver governments. Sensible, forward-looking ideas ought to be emerging now, from industry, rather than waiting for crises among governments to generate painful controls. Crises rarely lead to well balanced policies which protect the interests of outsiders.

Even the developing countries have an incentive to favor some degree of foreign investment, especially in manufacturing. These countries must develop their industries to create jobs for their own teeming populations. They need the production know-how, and the marketing channels that the big international companies can provide. This need will become increasingly apparent to economic planners in the poor countries in the next decade or two.

The fear of the freedom of multinational corporations to act outside the normal constraints imposed by national governments will grow as the scope of foreign investments and sales grow. At some point, companies will become so large that some new forms of regulation will be inevitable.

The corporations have not made any real effort to reveal what they are doing in each country, believing that secrecy provides a legitimate competitive advantage. That may be true, but secrecy also breeds politically-based suspicions. That is a major problem in dealing with critics here and in other countries.

What is needed is serious study of the impact of the multinational firm's operations on jobs, on U.S. trade and on world investment patterns. Several committees of the House and Senate will probably be studying these questions intensively.

My own Subcommittee has asked the Tariff Commission to undertake a major investigation of these factors.

I am aware that industry has its own studies underway, in the Chamber of Commerce, the National Association of Manufacturers, the Emergency Committee for American Trade and other organizations.

These studies are vital not only to the interests of U.S. multinational corporations but for the future well-being of the entire world. Basic philosophical issues will have to be confronted as a clearer picture emerges from these studies.

As I have stated on numerous occasions in the past 6 months both here in the United States and to government officials in Eastern and Western Europe, ecopolitics is replacing geopolitics as a prime mover in the affairs of nations.

Just as the modern nation state is basically a 19th Century concept, and the corporation is a 20th Century conception, so are geopolitical considerations becoming secondary in shaping relations among nations. The multinational corporation is a major ecopolitical force. If the multinational corporation as we know it today is to survive, bold new thinking is needed to remove the sources of friction between the companies and the countries whose economics and politics they inevitably influence.

ADMISSION OF MAINLAND CHINA TO THE UNITED NATIONS

Mr. McGEE. Mr. President, last Sunday's Washington Post contains a column by Charles W. Yost, former U.S. Ambassador to the United Nations. The article, entitled "Some Implications of Admitting China to the U.N.," is an excellent "think piece," worthy of consideration not only by this body but by the American people, as well.

Although I do not agree with Mr. Yost's conclusions that a two-China approach to the United Nations is a virtual impossibility, I feel that his thoughts represent an excellent perspective into the issues involved in the efforts to gain admission of the People's Republic of China to the U.N.

I therefore ask unanimous consent that Mr. Yost's column be printed in the RECORD.

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

RECONCILING MORAL AND MILITARY OBLIGATIONS—SOME IMPLICATIONS OF ADMITTING CHINA TO THE U.N.

(By Charles W. Yost)

From the perspective of history, our children and grandchildren will no doubt be amazed that the government which unquestionably controlled the whole of China except Formosa was denied representation in the United Nations for more than two decades after it won the civil war. This prolonged exclusion was an impressive, though hardly an inspiring demonstration of the power of the United States exercised during those decades.

For years many governments, including many that voted against Peking because they opposed the expulsion of Taiwan, or merely out of friendship for the United States, felt it increasingly illogical and unwise that there should be no place in an international institution which aspires to be universal, for the government firmly in control of the world's largest population.

Even many of those most friendly to the United States were growing increasingly unhappy with its insistence that they conform to a policy they felt was obsolete and damaging to their own interests and those of the United Nations.

President Nixon himself had several times voiced his belief that the People's Republic of China should be drawn out of its long-standing isolation and into participation in the common endeavors of the international community.

The stage was already set at the beginning of 1971, therefore, for some dramatic movement during the fall General Assembly, which begins Sept. 21.

It did not require much perspicacity to divine that in these circumstances even the United States must be seriously reconsidering its policy, its interests and its options.

It was in this highly fluid environment that there occurred the famous Ping Pong episode, a clear signal from the People's Republic that it was at last prepared to respond to the cautious overtures for more normal relations which the Nixon administration had for some time been putting forward.

For its part the United States Government, with admirable agility and flexibility, almost at once replied with the secret Kissinger visit to Peking and with the extraordinary announcement of the President's intention to visit the Chinese capital.

It is not relevant to the subject of this article to go into all the implications of the President's decision—to discuss, for example, whether a summit meeting with the Chinese before one with the Soviets is wise; whether such a meeting could or could not hasten a Vietnam settlement or whether it is likely to prove politically profitable or unprofitable to Mr. Nixon in November 1972.

Two points are, however, both clear and relevant. First, the visit is a bold and imaginative step which, whatever its other consequences, cannot but help to reduce the regrettable isolation of China.

Second, many if not most UN members will interpret this gesture by the chief traditional adversary of Communist China as removing any conceivable justification for its further exclusion from the United Nations.

Unfortunately, however, nothing is ever simple in international relations. The United States also has long-standing obligations and commitments to the Republic of China on Taiwan.

Washington has jettisoned the last vestige of fiction that this government has any legitimate claim to mainland China; but it cannot, without loss of "honor" and "credibility," abandon altogether a faithful ally and a strategically important Pacific outpost. How to reconcile these moral and military obligations to Taipei with the newly emerging relationship with Peking is as difficult a problem in diplomacy as one can imagine.

Insofar as the UN aspects are concerned, the administration has chosen to straddle, to try to have its cake and eat it too—in other words, to breathe new life into the old concept of "two Chinas." Washington is urging that "the People's Republic of China should be represented and at the same time provision should be made that the Republic of China is not deprived of its representation."

On the face of it, this position does not seem illogical or unreasonable. There has in recent years been a growing sentiment among UN members, which has also been voiced by the Secretary-General, in favor of "universality," that is, that the UN should become as nearly universal as possible.

In particular, it has been felt, and the Secretary-General has urged, that the states divided after World War II should no longer be excluded pending reunification, but that the governments established in both parts should be represented in the UN—of course without prejudice to eventual reunification by agreement between them.

This "dual representation" would presumably include the two Germanys, the two Koreas and perhaps, after the war there is ended, the two Vietnams.

It is probable that, had the United States been willing to support or accept a "dual representation" formula for China several years ago, even one or two years ago, the Assembly would have approved. But having—as in other cases—waited too long, the United States (and Nationalist China) may well have missed the bus.

Of course the Nationalist government, still claiming to be the government of the whole of China, has itself hitherto strongly opposed "dual representation" but it might be prevailed upon to live with it if the only alternative were total exclusion.

However, the real, and probably decisive, obstacle to adoption of a "dual representation" formula for China in 1971 is that the People's Republic, which a majority of UN members now certainly desire to see seated in the UN, continues to insist that it would not under any circumstances sit if Taiwan were still there.

Peking reiterated this condition in the most categorical terms last month following Secretary of State William P. Rogers' announcement of the latest United States position.

There is no reason not to take the condition seriously, particularly since Peking must calculate that the tide is moving so irresistibly in its favor that, even should the American tactic prevail this year, it would almost certainly be set aside by the Assembly next year.

There would appear to be almost no incentive for Peking to compromise on an issue which has for years been so central to its national aims. Indeed the Chinese are likely now, in the light of the diminishing United States presence in East Asia and their obvious concern that a rearmed Japan might eventually fill the "vacuum," to be even more determined than before not to admit that Taiwan has even the shadow of a right to a status separate from the mainland.

The United States administration is therefore now confronted with a dilemma perhaps even more acute than that which existed before the proposed summit meeting was announced. It has felt compelled to move in two opposite directions at once—and the two objectives have become wholly incompatible.

Just why the administration, so soon after dramatically renewing contact with the People's Republic of China and committing itself to a summit meeting in Peking, should display such zeal in pursuing in the UN a policy it knows to be utterly obnoxious to the Chinese, is far from clear.

Perhaps the very fact that it leaned so far and so suddenly toward Peking, to the consternation not only the Taipei but of Tokyo and other friends in East Asia and to the horror of some right-wing opinion in the United States, has caused the administration to attempt to compensate and to reassure those thus offended by ardently defending the "rights" of Taiwan in the U.N.

It is hard to see, however, how this tactic, even if it should be temporarily successful, could be profitable to the United States or to anyone else.

Peking no doubt expects the United States, at least for the present, to remain loyal to the Nationalists and to continue to maintain their right to sit in the General Assembly. It seems doubtful, however, that the People's Republic would expect the United States, just after having agreed to the summit in Peking, to carry its loyalty to Taipei so far as actually to mobilize a UN majority for a posture which Peking has repeatedly and categorically stated would prevent its assuming a UN seat.

If this should occur, one wonders what would happen to the new climate of detente between the two countries. Certainly there would be an outburst of rage in Peking which would be more than ritualistic. Under those circumstances would the Nixon-Chou meeting take place as and when planned? If it did, would it in that atmosphere be able to accomplish the objectives the participants originally had in mind?

In announcing the meeting far in advance, both parties have given hostages to fortune in that each has to some extent constrained himself not to take, in the interval, action so obnoxious to the other that the meeting would be called off—or, if held, would prove a fiasco. In this respect President Nixon would seem to have more of a problem than the Chinese prime minister, for he would suffer politically at home and abroad more than would Chou En-lai if his dramatic initiative should fizzle out.

In light of these considerations, perhaps what we should devoutly hope for is that despite its conspicuous efforts, the United States would fail in the forthcoming UN Assembly to obtain approval of any form of dual representation; that Peking would be seated in the Security Council and the General Assembly on its own terms, and the Nationalist Chinese would consequently lose their seats.

Actually this would seem to be the more probable outcome. It seems doubtful that so strong a tide could be stemmed at the last minute by a tactical device which, no matter how plausible and attractive it may seem in principle, how consonant it may be with the widely routed goal of "universality," would nevertheless clearly frustrate the will of the majority that the mainland at last be seated. It seems questionable that the majority would tolerate any such frustration.

The United States is therefore likely to be saved by its friends, hopefully this year rather than next, from the hazards of the curiously ambivalent tactics it has chosen to pursue.

THE VARIED ACCOMPLISHMENTS OF FORMER SENATOR HARRY DARBY OF KANSAS

Mr. DOLE. Mr. President, the State of Kansas has produced many outstanding national leaders in both public and private fields, but few have achieved the broad degree of recognition in so many areas as Harry Darby, of Kansas City, Kans. As Joe Lastelic, of the Kansas City Star, asked in a recent Star magazine article, "Is there anything Harry Darby hasn't done?"

A former U.S. Senator, successful industrialist, Republican Party leader, father, grandfather, and friend to countless individuals of all ages and stations in life, Harry Darby is one of Kansas' and America's most remarkable men.

I believe his former colleagues in the Senate would find this article to be interesting and enjoyable. I ask unanimous consent that it be printed in the RECORD.

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

IS THERE ANYTHING HARRY DARBY HASN'T DONE?

(By Joe Lastelic)

Walk into Harry Darby's spacious office in Kansas City, Kansas, and you find a place filled with a friendly man surrounded by comfortable clutter. No plush carpet, no exotic plants, no decorator touches in these two rooms to enhance the occupant. Here it is all genuine—souvenirs, pictures, plaques and books that tell a story of a life of community service.

He's up from his desk, walking toward you, smiling, and a handshake. An inquiry about your family greets the caller. That friendliness of the country makes you feel right at home.

"Coffee?" he inquires. He offers a cigar from his best stock.

On the walls are scores of black and white photographs, row on row of familiar faces in the news, important men, powerful men, some long gone, others still active. They're all friends of the former U.S. senator.

Those plaques, the cattle bookends, the boots he wears, the big picture of his country home in Wyandotte County, all identify him as a man interested in agriculture.

There are souvenirs from his years as leader of the American Royal Livestock and Horse Show, as a mover for the Agricultural Hall of Fame and friend of the Cowboy Hall of Fame. Another picture shows his plant in Kansas City, Kansas, where steel products are fabricated, railroad tank cars built and water towers constructed. Next to it is an LST typical of the almost 1,500 his plant turned out in World War II and used in the invasions in Europe and the Pacific. His wealth comes from the industrial firms he guides.

Other gifts, remembrances, certificates, and badges bring back memories of his days as Republican national committeeman for Kansas for 25 years. Books on the presidential papers of his friends, Eisenhower, Truman and Johnson, indicate his bipartisan political friendships.

Darby sits down at his desk, swings around in his chair, smiles broadly and says he's open for questions. You spy a picture of General Eisenhower on his desk. You ask about it and Darby is eager to talk about his old friend. He mentions a telephone call that might be said to be a prelude to Eisenhower's campaign for the Presidency.

Just before the 1948 election the G.O.P. national chairman, Herbert Brownell, and Republican leaders around the country talked together on a conference call about the only race that mattered—Thomas E. Dewey challenging President Harry S. Truman.

"Everybody said everything was fine," Darby recalled, "until it came to my turn. 'I think we're in trouble,' I told them. Clarence Brown (Ohio member of Congress) interrupted me. 'Tut, tut, Harry, what did you have for breakfast?' "

The rest is history—the upset victory of Truman. For Darby it was no time to wring hands. He had tasted defeat before, in fact it seemed to be a steady diet for Republicans from 1932—five presidential elections in a row.

"In 1936 we were seriously thinking of throwing the name Republican out of this world," Darby said recalling the F.D.R. landslide, "but there just was no other thing to call the party."

So his thoughts again turned to the future and the next presidential contest. He visited with his friend, Roy A. Roberts, the late chairman of the board of The Star. They talked about General Eisenhower, Kansan, victorious leader of the Allied forces, then president of Columbia university.

"One time Roy and I were at the Gridiron

club dinner in Washington and General (George) Marshall and General Eisenhower were there. I talked to Marshall and asked him to help me interest Ike in running. He agreed to that and thought Ike should do it."

Eisenhower did not think much of the idea.

"I'm just not interested," Darby quoted Eisenhower. "I'm just not interested in that at all. I just don't want to be in politics. Take Milton (his brother). He's the politician in the family. He's had great experience in public life. He'd make you a good candidate."

"I still told Ike I was going to plan on him being available," Darby said.

He fell into deep thought, a smile crossed his face.

"I'll never forget those two guys," he said of Marshall and Eisenhower. "Handsome, well-dressed, personable, and they just gave the appearance of the great leaders they both were. You could always tell it when they walked into the room."

It wasn't long before Darby found himself in the peculiar position of being the baby of the United States Senate, the only one singing the praises of Eisenhower while every other Republican rallied around the most powerful and influential party member of the moment, Senator Robert A. Taft of Ohio.

"Everybody was for Taft," Darby said. "He was at his height. He was a good friend of mine, but I didn't think he could win. Taft was way out in front, then Earl Warren, then Harold Stassen. I told them I wasn't against anybody, I was for Eisenhower."

Darby got to the Senate on the appointment of then Gov. Frank Carlson, filling the vacancy caused by the death of Sen. Clyde Reed in late 1949. Darby at first had declined the offer.

"I guess 250 fellows wanted to go to the Senate," Darby laughed. "Frank (Carlson) called me up and talked to me about it. I said I just couldn't do it. But he asked me to visit with him about it in his office. So I agreed to that, but I didn't tell my wife."

The next day Darby left home early for Topeka.

"I walked into the Governor's office and he had all of the press corps there," Darby remembered. "He said 'Good morning, senator,' and I never got a chance to say a word."

That caused some problems at home.

"Roy (Roberts) called Edith, thinking she would be pleased and happy, and congratulated her," Darby said. "She argued with him and said it just couldn't be so. It was a shock for the whole family."

By 1951 General Eisenhower was back on active duty, this time as supreme commander of the North Atlantic Treaty Organization, and any thought of politics seemed out of the question.

"I took the position I would not talk politics to him," Darby said. "I realized that he did not want to talk politics because he was in the European theater and wearing the uniform. I instead talked to General (Jerry) Persons. He said Ike was listening, but never committed himself. He seemed to be taking time for thinking. Ike said he had no political ambitions, yet I felt sure he would accept a clear cut call from the people. If he could be convinced it was his duty to serve his country again—this time in the White House—he would do it. Some people doubted he was a Republican—the Democrats were trying to sell him on being their candidate—but I felt sure he was a Republican."

Darby noted he had known the Eisenhower family a long time and he always thought of the general as a natural leader, a sure winner.

"I knew him in and out of Abilene," Darby said. "I used to kid him that I got to France (in World War I) and he didn't. It was one of his disappointments that he did not get to France."

When did the first nibble come that Eisenhower would take up the challenge to enter politics?

"It came through Jerry Persons and he didn't have to tell me the answer was yes and he didn't quote Ike, he just indicated that we ought to get moving," Darby explained.

When General Eisenhower returned home to Abilene to begin his campaign for the Republican presidential nomination, things went poorly. It rained on the rally that day and his speech was a dud.

"Everything looked bad for us," Darby recalled. "The next day, though, it was all sunshine. He had a good press conference and very encouraging stories were written. At that time Taft had control of everything—the convention, the national committee and lots of friends as delegates."

"Our campaign," Darby explained, "was that Taft could be nominated, but it would be hard to get him elected. When Republicans talked about Ike they were sure he could be elected—and that's the philosophy that won for us."

Did Eisenhower have any doubts?

"No, no. After he said yes, it was nothing but full speed ahead," Darby replied. "He never worked so hard in his life, and said so, and all because we sold him on the idea he was answering another call to duty."

Again the rest is history—a hard-fought convention, the nomination, a difficult campaign against the articulate and refreshing Democratic candidate, Adlai Stevenson, and a big victory for Eisenhower. Darby feels the votes of women made the difference.

"People liked Ike, especially the women," Darby said. "I notice it even today that when women talk about him they say how wonderful he was, how lovable he was."

In his books, Eisenhower has little to say about the selection of his running mate, then Sen. Richard M. Nixon of California. Darby remembers that about 10 Republican leaders got together to discuss the matter.

"We decided Nixon would be the best man," Darby said. "We knew he was a great speaker, he was a returning serviceman, he was young, he had political experience. We had talked about Bill Knowland, Dan Thornton and Henry Cabot Lodge We decided on Nixon. Of course, we checked it with Ike and it was agreeable with him."

Four years later in the 1956 convention some Republicans close to President Eisenhower sought ways to dump Nixon from the ticket, feeling that instead the "wonder boy from Minnesota," Harold Stassen, would be ideal. Nixon's father was critically ill and as it turned out the plotting politicians did not have the heart to hit Nixon with another personal blow. It is a story few know about. Darby confirms it, but in deference to the President he now feels the least said about it, the better. Darby was not among those seeking a replacement for Nixon.

What of President Nixon today?

"I always gave the President credit for knowing what he was doing," Darby said. "I always had confidence in him. He was still young when he was defeated for the presidency in 1960 and I felt he would beat his way back up. Experience is a great teacher, and he had a lot of it. Smart as he is, I felt he would find a way up."

Will Nixon be re-elected?

"I think he'll come out on top again," Darby predicted.

With Eisenhower in the White House there was talk from time to time of Darby becoming G.O.P. national chairman.

"I always knew that would take too much time away from my interests in Kansas," Darby explained. "It was hard to turn down, sure, but I didn't like the idea of spending time away from home."

His father was a Wyandotte County commissioner, his grandfather a member of the board of education in Kansas City, Kansas, and so politics came naturally to Darby. He managed Clyde Reed's campaign for governor in 1928, served as chairman of the Kansas highway commission during the depression years and was G.O.P. national committeeman for Kansas from 1940 to 1964. Darby answered some political questions:

Is political life cleaner today than it used to be?

"I think so, because of the mass media—people looking over your shoulder—so there's much more integrity in government."

Have voting machines helped?

"The way elections are held now, they are very much in accordance with the law. Both sides watch closely and intelligently."

Are voters better informed than in the past?

"I think so. Education has a lot to do with it. The press now is so informative. People get enough information to make up their own minds. They don't have to go around asking 'What's in the air? What's going on?' "

You have been an officer at six national conventions. Would you change the system of choosing candidates?

"I think we should keep it as it is. The system now gets some good delegates, and pretty good results."

Democrats such as Harry S. Truman, Lyndon B. Johnson and Hubert Humphrey all consider themselves your friends. How do you account for that when you have spent so much money and time and worked so hard to defeat them?

"I don't find that difficult at all. That's the object of the game: To win. They play it the same way. I'm not embarrassed to oppose them. There's been no reluctance on their part to oppose me. For I always respected them as worthy competitors and decent competitors, and I tried to be just as decent. You know, it isn't going to take away from the Republican party to be nice to people, to co-operate with men in government. One thing I've never done publicly is to criticize a political opponent. Sure I worked against them, but I never made a speech to tear anybody down because he was vying for public office."

You have had your share political fights. Have you forgotten the pot shots, forgiven them?

"It's not a bit hard to do. I think what you are and what you do is pretty well understood by the majority. I don't have any hate for my opposition. I don't hate or dislike anybody. I'm consoled with the feeling of knowing I have quite a few friends who do believe me, who want to cooperate with me and with my efforts."

You are one of those "angels" the party loves, the men who spend their money for campaign contributions, picking up the tab for political-social events, other expenses. Was it worth it?

"I could not have spent it for a better purpose. We had fun, and it was in the interest of good government." Adding with a twinkle in his eye, "I always managed to get our Kansas delegation in the front rows of the convention."

So many friends know Darby's generosity, his remembering folks at a time of travail or of happiness, throwing a party or sending a gift.

"I'm just normal. I don't think I'm unusual in that respect," he said. "I think most people are as generous as they can afford to be."

A look around the walls of the Darby office means gazing upon row after row of famous personages, virtually all of them politicians, Republicans and Democrats. Some overflow with compliments in signing their

autographs. Sample: "To Harry Darby, big enough and grand enough to be a Texan. L.B.J." A picture of Darby on crutches brought a big smile instead of a pained expression.

"I think that picture went around the world," Darby said.

The reason was that he was injured when knocked down by Tibetan mastifs, huge dogs that were given to President Eisenhower, who, in turn, sent them as a gift to Darby. They proved to be a costly pair, first because of the veterinarian and then the physicians who attended Darby.

"Ike called and asked if I like dogs," Darby said. "I made a mistake and told him yes. They were very attractive when they arrived—a male and female as big as Shetland ponies—but no one knew that she was pregnant. We had four or five pups."

Darby said he worried about the animals because they had a reputation for being fierce, and he feared they might injure someone. So he gave them to friends who had large farms and could keep rein on them.

Souvenirs and mementoes around the Darby office indicated other interests besides politics: The American Royal Livestock and Horse Show, the Agricultural Hall of Fame, the Cowboy Hall of Fame, and the Eisenhower museum and library at Abilene.

"I was at it more than 50 years," Darby said of the American Royal. "I never got discouraged because I knew we were right to promote agriculture. Livestock is the basis of the economy of this entire area. If you don't have agriculture products, especially livestock, you don't have a good economy here. I think the Royal has been the ballyhoo for the industry. Kansas City is a great place for the Future Farmers and the 4–H club. I look upon them as character building and business organizations. They encourage our young men and women to practice farming, to raise better livestock and crops, and when they do that, they improve themselves and the economy as well."

The Agricultural Hall of Fame at Bonner Springs is another Darby love.

"I felt we were entitled to that kind of shrine. I was able to get most of the influential people in agriculture to agree that Wyandotte County was the best place for it. It's on the way. It's a sound project. It will continue to grow and be supported more in the future."

Darby wanted the Cowboy Hall of Fame to be built at that "Queen of Cowtowns," Dodge City, Kan., but Oklahoma City won out. Darby serves on the board and allows that "it is going along wonderfully, is on its feet, and financing itself with admissions."

The jewel is the Eisenhower center in which he was the prime mover, and his interest continues unflagging. A letter to Darby from President Eisenhower after a visit to Abilene expresses a grateful theme:

"Once again I experience the same feeling of frustration that is my lot whenever I endeavor to thank you, particularly for what you are doing on behalf of the Eisenhower library project."

The biggest obstacle was getting the Eisenhower brothers to agree that the family home should be turned over to the federal government along with everything in it. They did not believe in bureaucracy, they just did not like the idea of the government being in charge of something so personal to them.

"I had to argue with the whole gang for a couple of years," Darby said, "to get them to do what they were supposed to do."

Dwight was the first to agree, Milton next, but the others took more time and friendly persuasion to sign the deed relinquishing the property.

"My position was to ask them, "Who is going to care for it after we are all gone? A shrine like that belonged in the hands of the federal government.' "

Establishing the center in Kansas was not an easy task either. Some newspapers editorialized against building the Eisenhower museum in the dust bowl and some thought everything should remain in Washington. The physical plant is valued at 6 million dollars and the relics and papers are invaluable.

"I think it's wonderful to have the presidential libraries—Eisenhower, Truman, Hoover, Johnson, Roosevelt, soon Kennedy, someday Nixon, spread about the country," Darby said. "It gives people a chance to see them who never would be able otherwise to visit them."

How did Darby get so many things accomplished, and play so many important roles in project after project while directing an industrial plant that in itself is a full-time job?

"You never get it done by yourself," Darby answered. "It's your ability to get others associated with you to do a job. You have to know people. Roy Roberts was a giant at that. If you know a fellow, you've got a good chance of doing business with him."

Darby talked about his personal feelings about life around him.

Reflecting on the fact that the old timers are retiring or are gone, Darby expressed some disappointment that young men seem reluctant to take up the reins of leadership in the Kansas City area.

"It only takes one or two people to make the difference in any program," he confided. "There's always a champion. There must be if you're going to have strong leadership."

Darby is a family man—four daughters, 16 grandchildren and two great-grandchildren. How does he regard young people today?

"I like them because they speak out, they vent their feelings and there's no question about how they feel. As for the grandchildren, they're smart enough to follow their parents and grandparents. Really, about the only debate we have with them is their hair style."

His life is one of many successes; have there been disappointments?

"I haven't had many disappointments. My best friends have never disappointed me. They've always turned in a fine performance for me. I've taken my wife and family in partnership in my activities. I think they have enjoyed it."

Why at the age of 76 does he continue to work so hard?

"Because I like to. I've associated with a lot of good folks. I enjoy working with them."

Your doctors told you when you were a young man to quit working if you wanted to stay alive after difficult gall bladder surgery and an appendectomy. You were supposed to stay in bed. Why did you ignore their advice?

"Never in my life have I called it quits. I bucked the odds and stayed with it. I'm glad I did because I believe work and the time you spend with your family and friends is what keeps you alive. So many get to be senior citizens but they want to talk out and they don't want to be in the back seat. I believe if you give up an active life, you should quit talking."

UNITED STATES-IRELAND AIR TRANSPORT AGREEMENT

Mr. PELL. Mr. President, I deplore the action of our Government in denouncing the international airline landing rights Ireland has received in the past in New York City. I realize that it may seem a little unbalanced that Ireland should have landing rights in Boston, New York, and Chicago while the United States has landing rights only in Shannon. But Ireland is a small country, and it is therefore not too inappropriate that Ireland should be permitted to fly aircraft to three airports in our great Nation as opposed to one airport in her small nation. In fact, let us remember that our country is 135 times larger in area than Ireland.

More important, this action would seem to me to be a needless affront to a loyal ally of the United States. Moreover, throughout our history our Nation has done what it could to assist and aid Ireland. At the same time our Nation has received many of its finest people and leaders from that little country.

I would think that a special friend like Ireland should receive special treatment and would be permitted to retain her landing rights. I have had this view for some time and, in fact, protested any denouncement of our transportation agreement with Ireland in a letter to Secretary Rogers on March 11, 1971.

I ask unanimous consent that my letter and the reply I received from David M. Abshire, Assistant Secretary for Congressional Relations, on this subject be printed in the RECORD.

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

MARCH 11, 1971.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: I have been informed that the United States Government is considering serving notice of partial denunciation of our Air Transport Agreement with Ireland.

Such a proposed denunciation would, in my view, be most unfortunate. Ireland has had its share of economic problems and the continuation of the present agreement would be particularly helpful to that country. It seems to me that we should look upon the agreement as one method of extending informal aid to an old friend who has contributed much to the United States. I sincerely hope, therefore, that the Administration will not proceed with its plan to denounce the Air Transport Agreement with Ireland.

Sincerely yours,

CLAIBORNE PELL.

DEPARTMENT OF STATE,
Washington, D.C., March 29, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: The Department appreciates receiving the views expressed in your letter of March 11 about the problem of the US-Ireland Air Transport Agreement. I hope that the following will provide you with some additional information on the background of the problem.

For twelve years we have sought to obtain landing rights at Dublin as a means of restoring equity under the US-Ireland Agreement. Our rights are limited to Shannon alone, whereas Irish Airlines flies from Dublin to New York, Boston and Chicago. As a result, Irish Airlines has had consistently greater revenues from the 1954 Air Transport Agreement than the US airlines (Pan American and TWA). In 1969, a typical year, the figures were $26 million vs. $8 million. Over the past six years, the Irish have had about $100 million in revenues more than U.S. airlines ($140 vs. $40 million).

Shannon was critical to our trans-Atlantic routes just after World War II when the Agreement was negotiated, and it was necessary to give the Irish access to three US cities as part of that trade. But Shannon has

become far less valuable to us while New York, Boston and Chicago are extremely profitable for renegotiation when circumstances change. We have repeatedly tried to renegotiate since 1958, but the Irish have rebuffed all our attempts despite the fact that we have progressively softened the terms of our request. As a result, consideration must be given to measures that are likely to bring about serious negotiations on this matter.

Our international aviation policy calls for vigorous action to obtain for US carriers a fair and equal opportunity to compete abroad. Another principle we have endeavored to follow is to treat exchanges of aviation rights on their own merits. Unless we follow this principle, it becomes impossible to maintain satisfactory relatonshps with the many countries with which we have bilateral aviation agreements.

Please let me know if I can provide any further information on this matter.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

THE AIR FORCE COMMENTS IN RESPONSE TO SENATOR PROXMIRE'S PRESS RELEASE

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement containing the Air Force comments in response to Senator PROXMIRE's press release.

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

AIR FORCE COMMENTS IN RESPONSE TO SENATOR PROXMIRE'S PRESS RELEASE

Comment: The Air Force is resorting to a deceptive public relations gimmick when it suggests that its B–1 bomber development program is a "Fly Before you Buy" project which will cost only $2.7 billion to complete.

In reality, B–1 development will cost more than $4 billion.

Response: The Air Force is unabe to identify the $4 billion cost estimate mentioned for B–1 development. Our current estimate is $2628.3 million.

Comment: The Air Force intends to buy the plane long before development work and flight tests have been finished.

Response: Under present programing, and if a decision is made to buy the B–1, flight tests and development work will be required through 1978. Due to the time involved to complete this effort it would be illogical and prohibitively expensive (about $1.6 billion additional program cost) to delay the production decision point until completion of *all* development testing.

Secretary Seamans announced on February 11, 1971 that a flight test emphasizing *airframe* and *engine* performance will precede the B–1 production decision point. This basic test program will require a full year of ground and flight testing. "Full systems performance demonstrations of a completely integrated aircraft will be deferred until after the production decision." A reduction of total flight test hours which is possible through combined contractor and government flight testing will result in a significant cost avoidance, yet allow the Air Force to confidently make a timely and logical decision on production.

Comment: What the Air Force neglects to mention is that there will be no avionics systems or weapons on these planes when they are tested, and that after the tests are completed, it will be necessary to build four more planes for use in development tests.

Response: The Air Force in testimony to the Senate and House Armed Services Committee and in news releases going back to June 1970 has been careful to explain that complete mission avionics would not be installed in the B–1 test aircraft, and that only safety of flight items and off-the-shelf mission and traffic control avionics necessary to test the aircraft and engine performance combination would be used. Our experience has shown that we should not make a premature commitment to any avionics package, particularly to the defensive subsystem. The mission avionics, when selected, will have the characteristics of flexibility and growth to respond to a changing and expanding threat. It has also been emphasized that the production avionics, when defined by the Air Force, would be included in the first production aircraft for the maximum amount of flight test prior to introduction of the B–1 into the SAC inventory.

Comments: The Air Force is resorting to its present tactics in an attempt to conceal the mounting cost problems of the B–1 development program. In the past few years, the estimated cost of B–1 development has gone down 50 percent.

Two years ago the cost of developing the B–1 was officially estimated at $1.8 billion in the June, 1969 B–1 Selected Acquisition Report (SAR). It is now estimated by the Air Force at $2.7 billion.

Response: The Air Force in testimony to Congress and through press releases has explained the B–1 development program including the program revision from five to three test aircraft. There has been no mounting cost problem. The program estimate in the June 1969 SAR of $1.8 billion—expressed in 1968 dollars—was a preliminary government estimate developed prior to the issuance of the Request For Proposal to industry for the development contract. As the source selection was completed and contract values became available, the estimates were revised.

These subsequent revisions include prior year funding for AMSA, other costs attributable to SRAM interface, testing and support costs and to account for the effect of inflation. A cost track of these changes is reflected below:

Planning estimate based upon 1968 dollars	1,800.0
Adjustment due to rounding	28.0
Prior funding for AMSA	143.8
Conversion to then year dollars	411.5
Estimating changes:	
Avionics changes, initial spares estimating method change, planned design changes	171.9
Other costs:	
SRAM/B–1 interface, testing and support costs	129.8
30 June 1970 SAR Development estimate	2685.0
30 June 1971 SAR Development estimate	2628.3

Comment: Meanwhile, the number of research and development prototypes to be built has shrunk from seven to three, a static test vehicle has been dropped, and the number of engines have been sharply cut back.

Response: The original B–1 contract called for the fabrication of five flight test aircraft, plus one static and one fatigue ground test airframes.

Due to new closer Air Force/contractor management procedures and a decision to provide a full year of combined Air Force contractor flight testing prior to production decision, the number of flight test aircraft was reduced from five to three. The number of test engines needed was reduced accordingly. Adopting recently proven practices of the aircraft industry for the structural testing of commercial airliners, it was also possible to eliminate the static test airframe by conducting extensive static test of major structural subassemblies. This change will provide test results earlier and will thus contribute to structural integrity and avoid costly later modification.

Comment: The avionics work involved has been virtually eliminated. The present $2.7 billion estimate contains less than $200 million for avionics. And what we will get for this money is two complete avionics systems—both of which will be used for ground-based testing only.

Response: The avionics work has not been virtually eliminated. We have continually refined and optimized an avionics development plan since B–1 airframe development approval. This development plan and the associated system have been reviewed by the experts from both within the DOD and from the scientific community in general, and we believe that it is a most realistic and orderly approach to B–1 avionics development. This avionics system will provide the required penetration and weapon delivery capability against the threat projected during the early years of B–1 usage.

The current development program includes $175M for avionics development. This will indeed provide two sets of avionics systems and necessary spares; and we intend to effectively utilize these two systems in ground test facilities. An option to procure a third avionics subsystem has been included in Air Force planning to support flight test subsequent to a production decision.

Comment: There is no money provided in the B–1 development program for an avionics system which will be flight tested in a prototype airplane before a B–1 production decision is made.

Even the ground-based avionics work will be woefully inadequate.

Response: The majority of equipments which make up the B–1 avionics system are "off-the-shelf"—i.e., equipment is being from some other program (F–111, C–5, SRX71, etc.). Because of this, extensive development is not required—the predominant task is the integration or melding of all the equipments into a single operating entity. Even in intricate avionics development efforts, experience has shown that ground test facilities enabling the close control of the test environment, is more efficient than flight testing.

The Air Force believes that sufficient data can be obtained from a ground "hot-mock-up" and environmental test facility to provide adequate information on which to base an avionics production decision and benefit subsequent flight testing. If a production decision is positive, verification and operational suitability type testing can then be subsequently accomplished as required. If the decision is negative, these flight test funds can be saved.

Comment: There are no funds included for the equipment which will be needed to control the SCAD missiles which the B–1 would launch in penetrating enemy air defenses.

Response: The B–1 is being specifically designed to carry weapons available from current inventory or under development for the current bomber force. It is fully intended that the B–1 will inherit advanced weapons as the SCAD from the current bomber force. When SCAD is fully developed and becomes operational, its control is a software problem and can easily be included within the B–1 computer capability. In the prototype/test program, no funds are needed to include SCAD control since the B–1 is basically designed to include SCAD in its arsenal weapons.

Comment: And there is no money for work on hardening the avionics to withstand the effects of gamma and neutron radiation in a nuclear environment.

Response: The B–1 airframe will be the first aircraft ever designed to include nuclear survivability criteria. These criteria are part of the airframe specifications, and the same

criteria will be included in the design specifications, for the avionics equipment to be developed. Also, the off-the-shelf avionics equipment will be analyzed and engineered to meet these same criteria.

Comment: All this would come later, after a decision is made to buy a largely untested airplane. In fact, a lot of R&D work would come after a production decision is made, including 800 of the 900 hours of airframe flight tests presently planned.

Response: The Air Force believes that the decision to buy the B–1 can logically be based upon the adequate amount of *testing* provided for under the current development plan. It is true that much of the testing would be done after the production decision. The rationale for this approach is summarized in the next issue addressed below.

Comment: One would assume, with a three protoype program, that if the B–1 ever went into production, the fourth airplane built would become the first production model delivered.

Actually, under the current Air Force schedule, the eighth airplane built would be the first production model delivered to the active inventory.

After its three prototype 'Fly Before You Buy' program is concluded, the Air Force plans to build four more planes which would be used extensively for R&D purposes (and a limited amount of flight training). It rationalizes funding these planes with production funds on grounds that they would eventually be reconfigured and enter the active B–1 inventory.

Thus, the Air Force is 'saving' on R&D costs by deferring $1.5–$2.0 billion of R&D work. And it is throwing in a "Fly Before You Buy' label as an added sweetener for the Congress.

Response: One primary development objective is to provide sufficient information upon which to base a logical production decision. Another is to minimize the development funds expended at that decision point in the event the decision is not to produce.

In order to meet these objectives, many facets of former development approaches not needed to support a production decision are deferred either in total or in part, e.g.—ancillary equipment design, hard tooling commitments, verification testing and some flight testing. We believe that the three prototype fly-before-buy program, which provides one full year of airframe flight testing prior to production decision, adequately accomplishes the above objectives. However, those essential efforts which have been deferred must ultimately be accomplished, after the decision to produce, if we are to achieve reasonable production and operational effectivity.

The deferred flight testing would indeed be accomplished in air vehicles 4, 5, 6 and 7, and it is planned that those aircraft would be production funded. This seems to be a very logical and cost-effective approach since we intend to place those four aircraft in the operational inventory upon completion of the necessary follow-on test effort.

The $1.5–$2.0 billion referenced above does not seem to be derived from any factual information. The current Air Force development cost estimate includes the additional development funds which would be required to complete the development effort if the decision is made to produce.

The criticism on this issue infers that the Air Force is indeed trying to mislead the Congress. That is not the case. The B–1 program has been openly explained in detailed briefings and in document reports to the Congress. The Air Force and OSD believe that this particular approach to weapon system acquisition will provide the best possible information for a production decision at minimum cost and on a timely basis.

Comment: This funding of R&D work in the production budget is in direct conflict with the expressed intent of Congress. When the Navy attempted to do the same thing in recent years with the F–14 and S–3A programs, it was told to fund all prototypes used for development work in the R&D budget, even if they would be added later to the inventory.

Response: The B–1 program is for development only and has been structured to support a timely and logical production decision. The additional four aircraft to complete flight testing will be required unless a production decision is made. The Air Force believes this philosophy is not in conflict with the expressed intent of Congress.

Comment: And this testing of planes without avionics or weapons systems is the same emphasis on "the development of platforms for weapons themselves" which the Senate Armed Services Committee criticized in its recent procurement bill report. It is the old "Buy Before You Fly" policy, as usual.

Response: Apart from its nuclear gravity bombs, the primary weapon contemplated for the B–1 is SRAM, which has been fully flight tested and is to be produced for the B–52 and the FB–111. The B–1/SRAM interface specifications and integration are presently being defined, and the SRAM will be incorporated in the B–1 if a production goahead is approved. The B–1 design is such that, as new weapons are developed, they can be easily integrated due to the inherent growth capability of the total weapon platform. As for actual B–1/SRAM flight testing, the Air Force believes such testing is not required prior to production. The SRAM has been fully flight tested. Since the SRAM has self contained guidance and, therefore, the B–1 is only the platform, there is no logical reason to flight test the B–1/SRAM to support a B–1 production decision.

Comment: The Congress should see through this latest bit of Air Force chicanery, recognize the incredible costs just to develop the B–1, and end the program now.

Response: The Air Force has always provided Congress with its best estimate of the B–1 total program cost in the Selected Acquisition Report (SAR) which is submitted quarterly to Congress. We have also periodically provided briefings on the content and objectives of the program to individual members of the Congress and have made no attempt to conceal any aspect of the program. In fact, the OSD and the Air Force have many times attempted to highlight the beneficial aspects of this rather innovative approach to acquisition of a major weapon system.

We believe that this development approach will provide the information necessary to make an objective B–1 production decision. It will do so on a schedule which should permit that production decision and accompanying operational deployment on a timely basis in response to anticipated threat development. It will provide us these options and, at the same time, minimize the development costs expended at the first point of major acquisition cost commitment—production decision.

Comment: Re-engined B–52's with SCAD missiles aboard would give us all the improvement in our bomber capability needed until 1985. And we would be able to finance this alternative for less than the cost of the first three B–1 prototypes.

Response: Air Force witnesses, in testimony before Congress on the FY 72 Authorization Bill, have responded to similar statements as above which had resulted from a Boeing brochure. There are limitations to what can and should be done to an aircraft built with the technology of the '50s, and the Air Force carefully selects those modifications most urgently needed to maintain the B–52's combat capability in the face of a growing Soviet threat. Toward this end, we have concentrated on two major areas for improvement: (1) pre-launch survivability and (2) capability to penetrate defenses.

With respect to the first objective, re-engining the B–52 would not significantly enhance pre-launch survivability. The B–52 nuclear effects hardness and maximum allowable escape speed would be unchanged. A lower technical risk—and considerably less expensive—approach to improving the B–52's pre-launch survival is to provide the present engines with a quick starting capability which, in conjunction with our present basing plans, is expected to effectively counter possible depressed trajectory SLBM attacks.

Our second objective is an improved capability to penetrate. The ability to fly greater distances at low altitude *contributes* to penetration survivability. Re-engining the B–52 would increase low altitude range and be desirable if it could be done in a reasonable time, at low technical risk, and was not too expensive. However, re-engining would not alter those performance characteristics which collectively contribute *most* to penetration survivability; penetration speed would not be increased, radar cross section would not be decreased (if anything, it would increase), the airplane could not be flown any lower, and the infrared (IR) signature would not be significantly reduced. To date, the Air Force is supporting those programs which contribute more than the re-engining proposal to improving B–52 penetration capabilities; i.e., the Short Range Attack Missile (SRAM), the Subsonic Cruise Armed Decoy (SCAD), Electro-optical Viewing System (EVS), and continuing improvements in Electronic Countermeasures (ECM), Boeing's proposal, however, is being studied.

Boeing's first preliminary estimate (brochure) for their re-engining proposal was $6 to $10 million for the prototyping and $1.25 billion investment for the entire B–52G/H fleet. This estimate has been subsequently revised (brochure) to about $40 million for the prototyping and approximately $1.7 billion for re-engining the B–52G/H fleet. At present, these figures cannot be validated. The Air Force has undertaken a study of the concept to gain visibility on the costs and problems which are associated with re-engining and better understand re-engining as a bomber force improvement option.

GOLDEN MIKE AWARD WON BY RADIO STATION WONN, LAKELAND, FLA.

Mr. CHILES. Mr. President, each year the American Legion Auxiliary makes its Golden Mike Awards for the purpose of recognizing local radio and television stations which have presented outstanding youth-oriented programs. These awards are presented on a very selective basis and are cherished by those winning them. One radio station and one TV station are singled out each year for the awards nationally.

I am particularly proud of the Golden Mike Award earned this year by Radio Station WONN, Lakeland, Fla., for several reasons. It is located in my hometown, and it is the first Florida station to receive a Golden Mike. But most of all, I am pleased because it was a special award. WONN's program, "Salutes to Our Servicemen Overseas," did not exactly meet the requirements of the awards program's youth category, but it was judged so outstanding that the auxiliary national committee decided to design a special trophy for this one presentation.

Basically, "Salutes to Our Servicemen Overseas" consisted of hour-long taped shows of news, music, and other entertainment, interspersed with messages from the servicemen's families. These

tapes were sent to Lakeland servicemen and women overseas, including POW's.

While many people in the community deserve credit for the success of this effort, I particularly commend the owners and staff of WONN, American Legion Post No. 4 and its auxiliary.

Mr. President, I ask unanimous consent that the presentation which gained the award be printed in the RECORD.

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

GOLDEN MIKE AWARD

Some three years ago, when the son of a member of Lakeland Unit 4 was serving with the United States Marine Corps in Viet Nam, he wrote to his parents, indicating that the Viet Cong were jamming their radios, the wet weather was rusting their record players, and they had no entertainment for their off-duty hours. He asked them to contact a local radio station to make a tape of the top tunes of the day and send it to him. The program director, who was an ex-Marine himself, said they would gladly participate with a weekly program. Three other families with sons in Viet Nam were also contacted, and they too, became involved—even to the extent of joining the Post and Unit. The program was set up for ½ hour each week, during which families and friends could tape messages to service men and women overseas, interspersed with the top tunes of the day. It soon grew to 1 hour, and because the station donated the time and the physical facilities, and the announcers volunteered their services, someone had to pick up the tab for the cost of the tapes and postage. The American Legion Post 4 and its Auxiliary stepped in, and immediately became deeply involved. Eventually some 250 tapes were sent overseas, and the response from the boys was tremendous. As a recipient of all the tapes, the returned young Marine told what they meant to him—a touch of home, a loving embrace, a warm handclasp, and the encouragement to slog on that was so vitally needed. His tapes changed hands many times—going from company to company, to mess halls, rec halls—the boys didn't care that they didn't know the people sending the messages—it was love direct from stateside.

This is the way the program was developed. Approximately 10 service families and their friends were invited to come to the station each week to tape messages. An Auxiliary member typed the information needed—the name and address of the serviceman, and the name and relationship of the persons sending the messages, and gave it to the announcer so that he could intelligently interview the families. The Auxiliary members brought some kind of snack—homemade cookies, finger sandwiches, etc., and coffee, and with soft drinks donated by a local firm, saw that the guests were served while they waited their turn to be interviewed. At least two Legionnaires were present each week to assist the families and to tape their own messages of encouragement to the boys. The cost was nominal, approximately $15.00 per week, but the results could not be measured in dollars and cents.

Then last fall Radio Station W.O.N.N. again contacted the Post. This time they wanted a 4 hour taping extravaganza—to be held in the show rooms of Claude Jenkins Lakeland Lincoln-Mercury. Some 60 service families were contacted, with the help of the local recruiters, and 36 tapes were processed and mailed overseas. The news media gave us excellent coverage, in attempting to locate all service families, and our message was publicized through the Chamber of Commerce, all outdoor marquees in the city, official city bulletin boards, bulletin boards in every major industry, in the local shoppers news, and in service club and church bulletins. Auxiliary members manned the telephones in the radio station taking reservations, and made cookies and sandwiches, and they were all present the night of the taping. The original young Marine assisted with the clerical work which was so vital to the announcers and to keep a record of the addresses for mailing. This was particularly appropriate, since the idea originated with him, and after returning from his tour of duty in Viet Nam and having been wounded, he joined Post 4 and became deeply involved with sending tapes to other servicemen. In addition to the servicemen, tapes and letters were sent to President Richard M. Nixon, the Joint Chiefs of Staff, Senator Edward Gurney, Senator Spessard Holland, Congressmen James Haley and William Cramer, Governor Claude Kirk, a special letter to "Dear Abby", to the National Commander and National President, the Department Commander and the Department President, the 7th District Commander and the 7th District President, and the tape was played on The Voice of America. In addition, news stories were sent to the American Legion Magazine, The National Auxiliary News, and The Florida Legionnaire. The cost for the entire program was approximately $70.00.

Since the extravaganza, we have produced three more radio shows. In October, we made tapes to be received by Christmas. We decorated the radio station with Christmas decorations, had specially made cookies and sandwiches, and had a "Christmas in October" party for the families. Then in February we again made tapes to be received by Easter, and though we didn't have Easter decorations, we used the familiar red, white and blue accompaniments, but we did have an Easter prayer offered by the Post Chaplain and a Chanukah prayer offered by our local Rabbi, since one of the recipients was a Jewish boy. Our final taping of the year was perhaps our finest hour. This month we devoted our tappings to POW's and their families from the central area of Florida. Through the efforts of Senator Lawton Chiles, D–Fla, the program has the sanction of the United States Department of State. Also backing the project is "United We Stand", the organization headed by H. Ross Perot of Dallas, Texas, who was instrumental in getting packages and messages to the POW's last year, as well as the National League of Families of American Prisoners in Southeast Asia. Families from the Orlando-Satellite Beach area were escorted to Lakeland by Department of Florida vice-commander Robert Boyle, and families from the Tampa Bay area were escorted by 7th District Commander Robert Merakian. Post 4 and Unit 4 hosted a dinner at the Legion Home prior to the taping. In attendance were Department of Florida Commander Frank Reyes, Department Chaplain Fearon Hicks, W.O.N.N. President Duane McConnell, News Director Dan Sanborn, Bill Francisco, image director for the Chamber of Commerce, Mayor Joe Ruthven, National Vice Chairman of Americanism Committee, Charles Buckingham, Department Americanism Chairman John Rankin, District Executive Committeeman Joe V. Green, District President Mrs. L. Roy McDaniel, District Sergeant at Arms Mrs. Joe V. Green, District Secretary Mrs. Gladys Reed, Commander Grant Harden and President Mrs. F. Alvin Holland. This time the tapes were accompanied by a snapshot of the family, and were sent to the POW's directly, in care of the Hanoi government, and copies were sent to the North Vietnamese delegation in Paris with the hope that the tapes were delivered.

We received letters of commendation from President Nixon, the Joint Chiefs of Staff, Senators Gurney and Haley, National Commander Chamie, National President Shaw, an article in the National American Legion Magazine, and one in the Florida Legionnaire.

Prior to the programs, the Ledger and the Tampa Tribune printed 15 news stories, and 140 news spots were broadcast by W.O.N.N. 154 service families were contacted by phone from names obtained from the Army, Navy, Marine Corps and Air Force recruiters, from newspaper articles, from personal contacts, and from the hometown news received from the services by the press. There were 22 employees of W.O.N.N. participating, from the president to the technicians, the president of Lakeland Lincoln Mercury and 9 employees, assisting in the show rooms which were emptied of all automobiles in order to have enough space. 47 members of the Post and Unit 4 were involved in the various details, and untold hours were spent by each one. 34 dignitaries have sent messages on the tapes, including United States Senator Lawton Chiles, State Senator Robert F. Brannen, Mayor Joe Ruthven, City Manager Robert V. Youkey, Rabbi Louis Gorod, Father John Bodle, Image Director of the Chamber of Commerce Bill Francisco, Department of Florida Commander Frank Reyes, Department Chaplain Fearon Hicks, Department Americanism Chairman John Rankin, National Chairman of the Americanism Committee Charles Buckingham, Department of Florida Vice Commander Robert Boyle, 7th District Commander Robert Merakian, 7th District Executive Committeeman Joe V. Green, 7th District President Mrs. L. Roy McDaniel, 7th District Sergeant at Arms Mrs. Joe V. Green, 7th District Secretary Mrs. Gladys Reed, Post 4 Commander Grant Harden and his officers, Unit 4 President Mrs. F. Alvin Holland and her officers, and many past commanders and past presidents.

In all, 56 tapes were processed and sent overseas, and in addition 2 tapes of each program were given to each of the four recruiters to be sent to a Chaplain and a recreation hall in Viet Nam.

This program and tape were taken to the National Convention in Portland, Oregon, by Commander Harden, and a tape was played and the returned young Marine gave an informal talk on the program at the Central Area Conference in October.

Although the entire year's program of tapes has been relatively inexpensive—approximately $200.00, the net worth is almost astronomical, as witness the replies from the service men. Then too, had we paid for the radio time alone, it would have cost $538.12. However, if we have contributed in some small way to the morale and spirit of our magnificent fighting men, then it has been well worth it all.

As an interesting side light, one tape kept being returned to the Radio Station by the military marked "Undeliverable". After several tries, we finally enlisted the aid of one of the recruiters. Going through channels, he found that the Marine was stationed in a secret outpost and not even mail could be delivered to him. However, through the recruiter, a communications helicopter was sent to hover over the spot where the addressee was located, and they played the tape for him so that he could hear it from the air. We take special pride in the fact that the military thought that highly of our efforts.

We have selected this program as our Community Service Project for the year, and have prepared the scrap book as a guideline, in the hope that every Post and Unit in the country will pick up the idea, modify it and then put it into operation. So long as one American serviceman remains overseas, whether in wartime or peacetime, he needs our support.

Our service men and women of today are our Legionnaires of tomorrow, and as a service organization, and as committed American citizens, we owe them every bit of encouragement we can give, and we need to show them that "We Care".

FRANK NAYLOR, JR., RECEIVES AMERICAN LEGION AWARD

Mr. DOLE. Mr. President, in the hustle-bustle of day-to-day affairs events of much significance in the lives of our friends often go largely unnoticed. To be certain this does not occur with respect to an event which has just come to my attention involving an outstanding Kansan, I wish to share it with my colleagues at this time.

Frank Naylor, Jr., a young Kansan who is deputy manager of the Federal Crop Insurance Corporation, was presented a special citation at the recent annual convention of the American Legion, in Houston, Tex. This award cites Naylor as "All-American Veteran of the Vietnam Era" for the service he has performed for the nearly one-half million Vietnam veteran members of the Legion.

It has been my good fortune to know this rather quiet, unassuming young man for several years. He is a man of deep sincerity whose deeds and actions have gained wide attention for him, and this tribute could not have gone to a more deserving individual.

Since coming to the Department of Agriculture more than 2 years ago, Mr. Naylor has also gained rapid recognition for his dedication to his job. The imagination and talent he has exhibited in the performance of his office have brought unusual credit to the reputation of this agency.

In order that Senators may have the benefit of a more complete account of the award ceremony and Mr. Naylor's accomplishments, I ask unanimous consent that the complete story appearing in "The Managers Letter," Federal Crop Insurance Corporation, be printed in the RECORD.

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

THE MANAGER'S LETTER, FRIDAY, SEPTEMBER 17, 1971

FRANK NAYLOR AWARDED LEGION'S HIGHEST HONOR FOR VIETNAM VETERANS

Frank Naylor, Jr., FCIC's Deputy Manager and a Vietnam veteran who has been active in American Legion affairs for the last six years, was the surprised recipient of a unique award on stage at the American Legion's annual convention two weeks ago in Houston, Texas.

He was presented a new, special citation which names him the "All-American Veteran of the Vietnam Era"—primarily for his leadership in the 475,000-member Vietnam Veterans Division of the American Legion, but also for his public speaking role under Legion auspices in the midwest and particularly in his home state of Kansas and his service on several of the Legion's most important committees and commissions.

It was by coincidence that the award was presented to Naylor by a colleague in the U.S. Department of Agriculture—Past National Commander, William E. Galbraith, USDA Deputy Under Secretary, who was completing his term as President of the Past Commanders' Club (some 500 state and national past commanders of the Legion).

Naylor, who had a Navy Reserve Officers' Training Corps scholarship to the University of Kansas (where he was president of his Senior Class), server in the Navy 4½ years after his graduation, rising from ensign to senior grade lieutenant. During the last eight months of his Navy service (1965) he was head of the weapons dept. of a destroyer on air-strike and air-rescue assignment just off shore at Vietnam. Naylor directed the operation as planes from a nearby carrier and helicopters from his own destroyer fired on enemy targets—or as they went in to rescue U.S. fliers whose planes had been downed or crippled by enemy fire.

A strong feeling that the public needs more first-hand information about the Vietnam effort prompted Naylor to speak at a number of public affairs in Kansas immediately after he left the Navy. When Vietnam veterans became eligible for membership in the American Legion in 1966, Naylor joined— Post #83 in Kansas City, Kansas, where his father has been a member since his 4-year Navy service in World War II (Naylor's father was on the ship which put Ernie Pyle ashore in the South Pacific just before Pyle's death from an enemy bullet . . . shortly afterward the ship was hit by a Japanese "suicide plane" with an explosion in which Frank Naylor, Sr., was injured).

Frank, Jr., was a ground-floor organizer of Vietnam Veterans within the Legion as one of six (and chairman) who met in Indianapolis in 1966 to get the organization started. Continuing as chairman, he kept working and talking and organizing, and presided when the Vietnam Veterans met the following year in Boston—this time with representatives from every state. From this beginning, the organization now has 475,000 members and is the 2nd largest segment of veterans in the Legion, topped only by those who served in WW II. It wasn't until the National American Legion Convention last month in Houston that Naylor stepped down from his guiding role as chairman of the Vietnam Veterans' Advisory Committee.

In recent years Naylor also has been active in other Legion affairs. Currently he is on the Long Range Planning, Bi-Centennial and Publications Commissions, and is an advisor to the Legion's Insurance Commission.

Frank was with Metropolitan Life Ins. Co. in Kansas City, Kansas, before coming to FCIC as Deputy Manager in 1969. He was chairman of the Boy Scout Council for Kansas City. His wife, Karen, was an honor student at the University of Kansas. Their two children are Wesley, 7, and Mary, 6. The Naylors are active in the Episcopal church near their home in Fairfax, Va.

In other years at other conventions, the Legion traditionally has given a "Good Guy" award, and this year the "Good Guy" award went to TV network commentator Bob Considine. But Naylor's award is new and unique, a special recognition by the Legion to its Vietnam Veterans Division—and to the man, Frank Naylor, Jr., who has guided it from its inception to its present size and importance.

GLORIA STEINEM OF WOMEN'S POLITICAL RIGHTS

Mr. PROXMIRE. Mr. President, the writer, Gloria Steinem, has achieved increasing prominence in her role as a leading advocate of equal rights for women. Her articulate statements and persistent efforts have done much to bring this issue forward in the public's consciousness.

Indeed, one must express surprise that it took so long for the impact of this issue to reach its present dimensions. For not only is it a natural concern of a numerical majority of our citizens, the disposition of this issue reflects in a very real way on the true balance of power in our society.

It would, therefore, be most appropriate at this time for the Senate to ratify the International Convention on the Political Rights of Women. Ratification would attest to our commitment to social equality; it would reaffirm our official position against discrimination on the basis of sex. It would indicate to the people of this Nation and other nations that the United States seeks to fully integrate women into the political life of our country.

More than 40 nations have already ratified the provisions of this treaty. I strongly urge the Senate to add the United States to the list of signatory nations.

Ratification could be seen as a part of the continuing struggle for equal rights in this country. In this regard, I think it would be instructive to study some of the incisive remarks of Miss Steinem. I ask unanimous consent to have printed in the RECORD a New York Times article based on Miss Steinem's talk at the 1971 Harvard Law Review banquet.

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

A NEW EGALITARIAN LIFE STYLE

(By Gloria Steinem)

The first problem for all of us, men and women, is not to learn, but to unlearn. We are filled with the popular wisdom of several centuries just past, and we are terrified to give it up. Patriotism means obedience, age means wisdom, woman means submission, black means inferior; these are preconceptions imbedded so deeply in our thinking that we honestly may not know that they are there.

Whether it's woman's secondary role in society or the paternalistic role of the United States in the world, the old assumptions just don't work any more.

Part of living this revolution is having the scales fall from our eyes. Every day, we see small obvious truths that we had missed before. Our histories, for instance, have generally been written for and about white men. Inhabited countries were "discovered" when the first white male set foot there, and most of us learned more about any one European country than we did about Africa and Asia combined.

We need Women's Studies courses just as much as we need Black Studies. We need courses on sexism and American law just as much as we need them on racism. The number of laws that discriminate against women is staggering. At least to women.

"Anonymous," as Virginia Woolf once said bitterly, "was a woman."

If we weren't studying white paternalistic documents, after all, we might start long, before Charlemagne in history, or Blackstone in law. More than 5,000 years before, in fact, when women were treated as equals or superiors. When women were the gods, and worshipped because they had the children. Men didn't consider child-bearing a drawback, and in fact imitated that envied act in their ceremonies. It was thought that women bore fruit when they were ripe, like trees.

When paternity was discovered—a day I like to imagine as a gigantic light bulb over someone's head, as he says. "Oh, *that's* why"—the idea of ownership of children began. And the possibility of passing authority and goods down to them. And the origin of marriage—which was locking women up long enough to make sure who the father was. Women were subjugated, the original political subjugation and the pattern which others were to follow, as the means of production. They were given whatever tasks the men considered odious, and they became "feminine," a cultural habit which has continued till today.

When other tribes or groups were captured, they were given the least desirable role: that of women. When black people were brought to these shores as slaves, for instance, they were given the legal satus of wives; that is, chattel. Since then, our revolutions have followed, each on the heels of the other.

I don't mean to equate women's problems with the sufferings of slavery. Women lose their identities: black men lose their lives. But, as Gunnar Myrdal pointed out more than thirty years ago, the parallel between women and blacks—the two largest second-class groups—is the deepest truth of American life.

We suffer from the same myths—childlike natures, smaller brains, naturally passive, lack of objectivity (Harvard Law School professors are still peddling that), inability to govern ourselves, identity as sex objects, supernatural powers—usually evil, and special job skills. We're great at detail work for instance, as long as it's poorly paid, but brain surgery is something else.

When we make a generalization about women, it helps if we substitute black, or Chicano or Puerto Rican. Then we see what we are saying.

The truth is that women are so much more durable than men at every stage of life, so much less subject to diseases of stress, for instance. Childbearing shouldn't mean child-rearing. Motherhood is not all-consuming, nor is fatherhood a sometime thing. In fact, there are tribes in which the fathers rear the children, and the famous mother instinct turns out to be largely cultural.

The problem is achieving a compassionate balance, something this society has not done. It's clear that most American children suffer from too much mother and too little father.

Women employes in general lose no more time from work than men do, even including childbirth. They change jobs less, since they have less chance of trading upward, and tend to leave only after long periods of no promotion; thus benefiting male employes by financing their retirement plans.

Women don't want to imitate the male pattern of obsessive work ending up with a heart attack and an engraved wrist watch. We want to humanize the work pattern, to make new, egalitarian life styles.

We are not more moral, we are only less corrupted by power. But we haven't been culturally trained to feel our identity depends on money, manipulative power, or a gun.

From now on, no man can call himself liberal, or radical, or even a conservative advocate of fair play, if his work depends in any way on the unpaid or underpaid labor of women at home, or in the office. Politics doesn't begin in Washington. Politics begins with those who are opposed right here.

And maybe, if we live this revolution every day, we will put a suitable end to this second 5,000-year period, that of patriarchy and racism. Perhaps we have a chance for a third and new period—one of humanism.

JAVITS ESSAY CONTEST

Mr. JAVITS. Mr. President, this year for the first time I sponsored an essay contest held at the New York State Seventh Annual Teen Age Republican (TAR) School of Politics on August 16–20, 1971, at Siena College, Albany, N.Y. This will be a yearly event from now on. The title of the essay was "Attracting My Peers to Political Involvement." Over 150 high school aged New Yorkers attended the school and were eligible to participate in the contest. The winning essay was written by Andrew Scott Waterman, of 712 Genesee Street, Olean, N.Y.

I ask unanimous consent that the essay be printed in the RECORD.

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

ATTRACTING MY PEERS TO POLITICAL INVOLVEMENT

The only way you can attract young people into becoming more involved in politics is by having the Party go to the young people. You must realize that politics is for the people and that anyone enrolled in a political party is a member of that party. It is your duty as a member to speak up and bring about changes for the good of the Party. It is up to you, and not just the party leaders, to work for the highest goals of the Party.

You must go to the young people and say, "We do not understand exactly what your problems are, but, we want to help you. Tell us your wants and we shall work together for solutions agreeable to both groups. Most importantly, we must know your issues."

If the young people feel that the War in Viet-Nam is wrong, the Party should announce, "Come work with us and we will try to solve the problem. Protests, riots, etc., just will not work. You can't successfully fight the system by force alone. Force alone has never proven anything. To succeed, you must work from within the existing system."

Other issues, such as the draft, should also be discussed and reasonably thought out. Obviously, both generations have different opinions on the subject. However, these differences can be ironed out. Changes can be instituted within the present draft system, but the young people must work for it. It will not be handed to them by the older generation who represent the system.

Many may think that most people will say that the Party should not work with the young because it just won't work. This idea could not be further from the truth. We have seen that his "coalition" can and will work with the advent of the 18-year-old vote. The vote would never have been given to the young if the Party had not gone to the young people and worked together.

As can be seen, both sides must work. Whether you are 18 or 50 years old, you are still an American and should be counted.

DON RUMSFELD

Mr. DOLE. Mr. President, the September 19 edition of Washington, the Sunday Star magazine, carried an interesting article on Presidential adviser Donald Rumsfeld. As assistant to the President and Director of the Office of Economic Opportunity, Don is one of the busiest members of the Nixon administration and one of the most dynamic and articulate spokesmen for the President's policies and programs.

I first came to know Don in 1962 when we were both freshmen in Congress and neighbors in the House Office Building. In the House he proved himself to be an exceptionally capable legislator and a vigorous and dedicated worker on behalf of his constituents. So when President Nixon tapped him to be Director of OEO, he knew he was getting a man of great energy with the capacity to handle significant responsibilities and large challenges. Don, of course, has lived up to the President's expectations as those of us who knew him in Congress were sure he would.

For the benefit of those who might not have seen this article by Josephine F. Caplan, I ask unanimous consent that it be printed in the RECORD.

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

THE PRAGMATIC WORLD OF DONALD RUMSFELD

(By Josephine F. Caplan)

He sat in his cream-colored office at the top of the stairs in the White House wing and answered with a smile that said absolutely nothing, and meant very definitely something. Might he be tapped for the Vice Presidency if they "dumped Agnew"? Opaque. It had been the same way on the nationwide broadcast of "Issues and Answers," when the interviewer looked at him and Robert Finch and said, "You are now the only two men listed as counselors to the President, the title that in the official pecking order places you just below the President in the White House staff. . . ." Who would be recommended for the Vice Presidency? He let Finch answer it—get around it—because he knew people had begun to look at him—a young man who might appeal to the new 18-year-old vote, a former congressman from Illinois, the state that had once cost Nixon the election. And most importantly, a certain type of man—one who had lost friends and trusts along the way. But one who never, according to observers, lost the confidence of the President.

Donald Rumsfeld is 39 years old and has gotten to his office by playing according to a very definite set of rules—and by playing hard. He has moved across the legislative-executive spectrum of the government, leaving almost everyone with the same impression—"tough, gutsy, agile, smart, attractive—and ambitious." He was elected to Congress in 1962, took over OEO in 1969 along with the title Assistant to the President, which included Cabinet rank, and proceeded to cut the agency back with the cool knife of a perfectly confident surgeon, despite the outrage in the operating room.

He is the kind of man who has been known to parachute-jump for fun, fight bulls, and enter a wrestling tournament with mononucleosis while still keeping up with his duties as captain of a college football team and the demands of a scholarship. He is the kind of man who *still* relaxes after a 14-hour day with a game of tennis or a wrestling match. The kind who, according to his wife, rarely makes it to his pleasant Georgetown house for dinner twice a week, "works best under pressure," and can get up the morning after an election and turn his attention to his three children. His friends, when he gets a chance to see them, include Dan Rather of CBS; Sen. Robert Dole, R-Kans.; Rep. William Steiger, R-Wis.; Rep. Edward Biester, R-Pa.; Rep. Ed Derwinski, R-Ill.; Rep. Sam Devine, R-Ohio; Sen. Charles Percy, R-Ill., and an array of friends from high school and college days.

He likes Presidential campaigns: "Some find the politics confusing or unpleasant. I find it intriguing." He likes the executive branch of the government: "That's where the rubber hits the ground." He is, according to former aide Don Murdock, "a very intelligent non-intellectual," not given to philosophical machinations. Rumsfeld more or less agrees. He doesn't care to be likened to Mayor John Lindsay, as columnists have done. "He's a flashier model." And he doesn't care to apply the standard terms of "liberal, moderate or conservative" as definitions of politcal philosophy. "I'm a pragmatist." He is also, according to colleagues, an "expert strategist," a man who "doesn't make many mistakes."

And so each day that Donald Rumsfeld has spent in his office near the President may be part of the gamble that has cost him what he's lost and gotten him where he is, the last chapter of a strategy he has never violated and that has moved him from congress-

man's assistant through Congress, into post-election inner circles of Key Biscayne through OEO, and up as the President's man, with only two more rungs left on the ladder. It is the strategy of the team player.

Rumsfeld leaned back in his chair, in his neatly tailored gray suit, his evenly cut handsome face smiling, and began to handle the questions with the skill of the wrestler who likes the sport because "it is a tough complex of holds and balances" and the quick positioning of the football player who knows his place on the team. Rumsfeld is an aide. He is visible when the President wants him to be visible and obscure when the President wishes him obscure. Rumsfeld will only tell as much of his activities and endeavors as is becoming for an aide. And he makes it clear that his only ultimatums come from the President and not, in a time of individual dissent and protest, from his own desires.

"My job is to do what the President wants me to do. And that varies from things public to private." He shook his head when asked about the criticism from many persons that he had been so loyal to the President in cutting back OEO that he had betrayed his trust and loyalty to the agency. He leaned forward with a look of mild irritation.

"Look, the President and the Congress are the ones who are elected, and if people don't like what's being done, then they should run for office."

But didn't the President's policies ever conflict with his own personal feelings? Rumsfeld sat back, and answered bluntly, "Sure," as though the most elementary rule had been questioned. How far did the loyalty bind a man's conscience? What did he feel about the Daniel Ellisberg-type of conduct? He answered brusquely as he knocked his pipe against the ash-tray. "You have a perfect right to disassociate yourself, and you have to make that judgment. But it's not proper to step off someone's head. It's not proper to stay in and subvert. And then it's not proper to stay and ulcerate either. If you find," he continued, "that more often than not you don't agree, then the thing to do it quietly go your own way." He pulled on his pipe. "Obviously," he finished, "I net out very much in support of the President."

Were there also demands from the Republican Party to bow to? Rumsfeld waved his hand as though tired of hearing that sort of thing. "The Republican Party is very loose, little discipline. The policy of the Party is the President's policy."

He began to talk of Nixon, with whom former assistant Don Murdock said he was fascinated, overwhelmed. "I enjoy working with Nixon because he's incredibly intelligent, sharp, and because"— Rumsfeld looked squarely—"he *is* the President of the United States." He begins to move around a little.

"This is an unusual job for me, more of a private, a staff job. When you're a congressman—or when I was head of OEO—you're your own man. This is a little different."

He hesitated and looked around his office. If the office was small, no big staff like John D. Ehrlichman had working for him, it was because he and Ehrlichman were there for different reasons. Ehrlichman had come, and Ehrlichman would go out, with this President, because Ehrlichman was the type of man whose involvement was to serve only one President. And, of course, that very thing made him more "powerful" among the White House staffers, closer to the President. But Rumsfeld—the articulate speaker, the recognizable face, the man who could gain attention as he traveled around the country—would go on in politics. The President would groom him and make him his protege and move him around meeting foreign dignitaries so later he could deal with them. And while he was doing it, the President would use the assets of style and name he could offer.

"My day starts with the 7:30 a.m. meeting, then there is another meeting beginning at 8 a.m." He brushed over the rest, purposely vague, saying there were "more meetings," usually finishing about 7:30 p.m., and so on. He spent, he said, most of his time with the senior White House staff, and worked on some specific projects—such as the Property Reserve Board and the Cabinet Committee on Education. His other assignments were varied—domestic, foreign, standing in for the President at Nasser's funeral, Whitney Young's funeral, traveling with Finch to 10 countries abroad to discuss the drug problem, criss-crossing the United States, speaking on various Presidential proposals. He sees the President "anywhere from two or three times a day to two or three times a week," and travels with him frequently.

What did he consider his most important contributions as an adviser? He gave the perfect aide's answer: "Oh, well, its like trying to untangle a knot." He reached the well-tailored arm to remove a bit of tobacco from his pipe. "It's not really important, anyway." He smiles. "Because you're not the President." Rumsfeld added coolly, "However, I wouldn't want to do it for a career."

Rumsfeld really only left Washington once, and though no one is sure and Rumsfeld won't say, it might have been only to return. He left as a congressman's assistant, and when he returned, he was a congressman. "Rumsfeld always," noted a former colleague, "had that rare smell of a politician." He was also impatient.

"I got tired of being an assistant that long." Congressman David Dennison of Ohio hired him when he was 25 years old and just out of Navy jets. "He had no practical political experience, but he certainly had no trouble picking it up," said Dennison. "He immediately began making friends with the other AA's," he added, and in a pretty short time, he "knew a lot of people." "Politics," noted his wife, Joyce—who added that she had been "crazy" about him ever since their high school days when he was "always in the center of things, class officer, athlete"—is "in his blood."

Dennison said that Rumsfeld was the kind of guy who could work a 14-hour day effortlessly. But while he was moving around on his own on the Hill, there was one thing in particular that impressed Dennison. "He was completely loyal to me—his job was to make me attractive, and he did it." The fact that Rumsfeld was his campaign manager for two unsuccessful tries after that didn't make a dent in Dennison's impression.

"I told him—you belong in Congress as a member. He agreed." After a brief stint working for Congressman Robert Griffin of Michigan in 1959, he decided to go back to the North Shore of Chicago where he came from—ostensibly to go into investment banking.

"His timing was really incredible," observed his old Princeton roommate, Joseph Castle. "Rummy was well behind the pack at that point. By then the other fellows were vice presidents of banks and so on, and there was Rummy after six years out of college and he had just started off as an investment broker with A. G. Becker after a few years as someone's assistant in Washington." Castle thought about the Rumsfeld he had known at Princeton—a popular fellow, member of the prestigious Cap & Gown Club, the Chicago Club, athlete and big man on campus who was also "hard-nosed and the most disciplined guy I've ever met," and what happened next didn't surprise him at all.

Moving through the crowd, smiling, shaking hands, Rumsfeld was pulling all the pieces together. Those years working on the Hill, the contacts from the North Shore establishment where his father was a realtor, old New Trier High School classmates, some of whom had moved into Illinois politics; coming to it, one of the most affluent districts, one of the safest Republican seats, and one of the most bored after years of reelecting Marguerite Stitt Church and her husband Frank, before her. Charisma of the Princeton graduate, captain of the wrestling team, the football player, part of the "establishment." He knew, said Castle, how to "satisfy it eminently."

"It almost became a social in-thing to do," according to Allen Marrinson, who later became the campaign manager for his second campaign. He gathered 2,300 volunteer workers, benefited enormously from a scandal surrounding his Democratic opponent, and won the election. He won it three times after that.

"Don conducted his office like he was always campaigning," said Marrinson. Rumsfeld had returned to Washington.

If many wondered why Rumsfeld accepted ("It's very hard to say no to the President"), equally as many wondered how he managed to be standing in front of the President's desk when he was looking for someone to head OEO.

When Rumsfeld met Nixon, observed a former aide, it was "an attraction of like spirits." Rumsfeld, while compiling a voting record in Congress that the United States Chamber of Congress scored as its position 100 percent of the time in 1967, was also spending time with influential Republicans such as Rogers C. B. Morton and becoming known in Republican circles as a first-class strategist. Tom Houser of the FCC, who used to be with Charles Percy, remembers his being active in Percy's 1964 campaign for governor, his 1966 campaign for the Senate (a time when Nixon was doing some campaigning himself), talking to them in the advisory council where Houser said he was "honing his wings back in state politics," and gaining a fast-moving reputation as a "good strategical brain."

So while Morton launched the Nixon campaign for 1968, he launched Rumsfeld too.

Rumsfeld was linked up with Sen. Hugh Scott to head the "Truth Squad" following the Humphrey campaign, became Nixon's assistant floor manager at the Republican Convention, and went around the country for Nixon as one of his 10 surrogate speakers. By the end of the election, Rumsfeld was sitting in on the post-election strategy sessions in Key Biscayne, and rumors were spreading that he'd replace Ray C. Bliss as Republican National Committee chairman.

By the time the 1968 campaign was over, Nixon's strong displeasure over the OEO operation in general was clear. It seemed to him a chaotic agency, continually indulging in distasteful tactics and counter-productive actions. Observers felt that the entire style and sprawl of OEO flying under the banner of War on Poverty was offensive to him. Rumsfeld, on the other hand, was a man described by one former aide as "someone tough enough to know how to get the job done using all of the Washington tactics—cajolery and the whole array of authority and contacts," and by another former aide as "someone who wastes no energy in neurotic stewing, has little time for those hung up on philosophic codes, and doesn't go bleeding all over the streets."

Though many contended it was a big risk, leaving one of the safest seats in the House, Rumsfeld, it was thought, was looking beyond the House, and what he saw was hardly promising. Percy was in the Senate seat. And senior GOP members were angry because Rumsfeld had waged war against the seniority system, and so were some of the powers in the Illinois delegation over his attempt to unseat the party whip, Leslie Arends. If the OEO job went well, it would certainly serve to broaden his base of appeal for a Presidential election, which many felt by now he was carefully aiming for.

"The President," said Rumsfeld, "came at

me two or three times before I accepted." The package that was accepted included being an assistant to the President and holding Cabinet rank, a status that former OEO Dirctor Sargent Shriver never attained. "If you fly planes, and there's a faster one, then you want to fly that one."

Rumsfeld pulled on his cauliflower ear. The agency then had been called an administrative "nightmare." The venture had begun with midnight meetings with his friend and old wrestling partner, Al Lowenstein, culling ideas on how to do the job, with Lowenstein backing him up as people hooted over his appointment. (Rumsfeld had actually voted against the creation of OEO in 1964.) Rumsfeld, said Lowenstein, could be "one of the half dozen men in the country who could actually do something to change the shape of things," if he adhered to the principles he then professed.

He would sit occasionally in his office watching the puddle gather by his desk as the roof leaked while Lowenstein was becoming quieter and quieter. What they really needed to do around here, he'd always felt, was to get rid of those nonproductive projects, that haphazard funding, and time to evaluate the existing program. And to put an end to these obnoxious confrontation tactics. If the black law students insisted on staging a sit-in at the headquarters, then he'd respond accordingly. He called the police.

He knew these people looked at him as the funeral director, even though he'd worked night and day—bucking some important GOP contacts—to get the agency a two-year extension. He knew how people such as the legal services advisory board member felt about him, that "he just didn't understand that world, what pushed those people. The whole thing was too unruly for him—the sit-ins, the confrontations, the screaming, the style of poverty politics. He could only put it in the context of the politics he had known—and so he figured that everyone just wanted a piece of the pie." Well, these fellows didn't seem to understand some of the easy facts either—like they were not only responsible to the poor they were representing, but ought to keep in mind the fact that they were also working for a government, an administration, a President, and ought to have enough sense to stop bringing suits against the government defending Black Panthers, embarrassing the Administration. He knew that people persisted in saying, as December of 1970 rolled around, that the reason why OEO had slipped from the headlines was not because he had channeled the energy of the confrontations into productive action, but that the agency had quietly, under his skilled hand, suffocated.

By that time, he and Lowenstein were no longer friends. The rift began with Rumsfeld's action at OEO. But the end came when Rumsfeld was forced to choose between loyalty to his friend and loyalty to the Republican team. He chose the Republicans. Lowenstein, running for a congressional seat in New York, had come under strong attack from his opponent, who had begun to suggest that Lowenstein was a violence-advocating subversive. Lowenstein, outraged, turned to Rumsfeld, a man of well-known reputation and a close friend, to clear his name. Rumsfeld commented later that he had done what he could—said that he'd never known Al to advocate violence. But Al should have known the heat that statement caused him in the party when it hit the press. Should have known how the game had to be played if it looked as though Rumsfeld next went out of his way to support Lowenstein's opponent. There should be nothing so surprising about the flier that appeared in mailboxes all over New York one morning with a letter of endorsement by Rumsfeld for Al's opponent. After all, "when the President was actively seeking to elect Republicans" he "could hardly be expected to go out campaigning for Democrats."

When he left OEO, Al had thought back on his comment about Rumsfeld—could he have adhered to his principles?—and said that he hadn't. The White House said that he had. His wife said he'd never lost a night's sleep.

Rumsfeld smiled from behind his desk, as footsteps moved along quietly on the White House carpeting outside his door. "I enjoyed doing it (directing OEO). The dollars are now well spent, and we changed the office—brought in some new people to balance it."

And he summed it all up as he cleaned out his pipe. "You can't make everyone happy all the time. Change is hard—but that's too bad. And no one likes to be criticized. But the President gave me the charge to do the job, was available when I needed advice, and supported me when I asked for support. That," he said, "was very helpful in accepting it (the criticism)."

Rumsfeld leaned back in his chair knowing that he'd be asked next where all of that was going to take him. A question with an answer that might mean the strategy, the gamble, had been won or lost. A question he would not answer himself.

He pointed to the pictures of his three children. "I've been very involved for quite some time now. I think a change of subject matter is good sometimes," he said earnestly, though his wife said she couldn't really imagine him out of politics. "And I'd like to spend a little more time with them before they are gone." He pointed to the pictures of the kids, who had said they liked summertime the best because then they could stay up late to see their father. Maybe he would leave government and come back. He might go back into investment banking ("I'd like to improve my economic position"), or he might go back in Illinois politics ("I like to campaign"), or then he's always been interested in foreign affairs—"maybe a post in the Far East." Yes, he'd often thought that maybe a change would be good. "But, as Adlai Stevenson said, 'I'll jump off that bridge when I get to it.'" He sat smiling at the pictures on the wall, as his secretary buzzed him.

What about the rumors that had begun to leak out of the top Republican strata—the fact that he was being talked about for the Vice Presidency? "Well," he smiled, "that's certainly very interesting, isn't it?" He left to catch the next plane.

JOHN BROOKS—A REHABILITATED DRUG ADDICT WORKING TO REHABILITATE OTHERS

Mr. WILLIAMS. Mr. President, it has been a great pleasure for me to be acquainted with a most remarkable man who is dedicating himself to helping drug addicts in the Atlantic City, N.J., area to find their way back into satisfying, productive, lives. His name is John Brooks, and the organization through which he works is the Narcotics Addicts Rehabilitation Center Organization—NARCO.

John Brooks knows what drug addicts are going through, and what kind of help they need, because he himself is a former addict. He has been able to put together an effective program of treatment and rehabilitation, which has attracted widespread attention, and I am very pleased that I was able to help Mr. Brooks in securing a $5.6 million grant for NARCO from the National Institute of Mental Health, the largest grant of its kind ever made by NIH. This money will enable NARCO to operate on a sound financial footing, and to substantially expand its activities.

Mr. President, the September issue of Ebony magazine contained an excellent article describing how John Brooks pulled himself back from the despair of drug addiction and became a leader in the fight to help other addicts. I think this story is of particular significance to anyone concerned with our Nation's growing drug problem. I ask that it be printed in the RECORD.

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

[From Ebony magazine, Sept. 1971]

RETURN FROM THE DRUG SCENE

FORMER ADDICT HEADS NEW JERSEY TREATMENT CENTER

John Brooks has lived a life and a half in 35 years. Junkie, dealer, convict, organizer, fund-raiser, executive, human being. After 17 years of drug addiction and over 87 months in various prisons, Brooks' "return from the drug scene" has had a dramatic impact upon his community. Last January he was named "Outstanding Young Man of the Year" by the Atlantic City (N.J.) Junior Chamber of Commerce.

Brooks is the administrative director of NARCO (Narcotics Addicts Rehabilitation Center Organization) in Atlantic City, a group now celebrating its second anniversary.

The highlights in a man's life are often difficult to identify; more so when all the achievements and accomplishments are heaped one upon the other in the brief span of two years, a deep sense of the need to serve propelled Brooks and four other ex-addicts to organize NARCO in January, 1969.

But first it was necessary to convince the community of the far-reaching ravages and horror of the drug scene. The central focus of this effort was the establishment of a facility where drug addicts could live and learn about themselves.

Brooks looks back to "the time I came home from the Atlantic County Jail just begging for a place to rest my weary, drug-filled head. If I went to the hospital, they would have sent me back to jail. There was absolutely no place to go."

On December 29, 1970, NARCO opened the doors to a new 24,000-square-foot building, a vivid contrast to the two-room store-front the organization originally occupied. The new property once served as a skating rink, fight arena, and clothing factory. When leased by NARCO, nothing stood on the land except the barren shell of a building.

The new NARCO building now contains 37 offices, meeting and counseling rooms as well as three dormitories for in-residents, some of whom are asked to stay at the center for at least six months.

The building itself represents to Brooks the necessary foundation upon which to build for the future; for his major concern is fund-raising, planning and expansion into other problem areas in the community.

During a recent week, his schedule included a meeting with Atlantic City Mayor William Somers. That same day he hosted Robert Kennedy from the New Jersey Dept. of Community Affairs, who came to visit the rehabilitation unit. In the late afternoon, Brooks left for a trip to Washington, D. C., where he had an appointment with Dr. Lois Chatham, chief of the Narcotic Addict Rehabilitation Branch of the National Institute of Mental Health.

In reviewing this activity, Brooks remarked wryly, "It's a strange thing. These are the same people who were putting me in jail 15 years ago. Now I'm asking them for thousands of dollars. I guess the big difference is that now I'm not looking out for myself. I'm working to help a lot of people."

One government official with whom Brooks is in close contact is Sen. Harold Hughes of

Iowa. The two first met when Brooks was asked to testify before the Special Subcommittee on Alcoholism and Drugs.

"When I testified before the subcommittee, they were a little shocked at my candid remarks. It was necessary to spell out in detail how much merchandise a junkie has to steal to get the money to support his habit. You can imagine, there was no refuting what I told them. Man, I have proven experience in the field," Brooks recalls.

The experience that Brooks referred to started at age 15. "I wanted to be slick, like the hot-shot dudes in the big cars. No matter how much they tried to tell me, I still wanted heroin."

It took only months before Brooks was really hooked. He dropped out of school and after three years of "mainlining" and eluding policemen who had a warrant for his arrest, Brooks joined the Navy. By the time he was 20 years old, Brooks was given an "Undesirable Discharge" for stealing drugs from a military hospital supply room.

A drug raid in Atlantic County caught Brooks in its net and he was sentenced to five years imprisonment without parole. Life in prison provided a sophisticated education in shop-lifting, robbery and breaking and entering. "What I learned from the other prisoners," he says, "started me keeping a notebook filled with information, including names and addresses. It was an excellent education—in how to break the law."

Brooks returned home smart in the ways of the underworld and anxious to get back to the needle. Even though drugs were available in prison, the physical addiction for drugs was broken. "Sure, we could get scag and plenty of ups and downs, but basically I was clean," he remembers.

For the next seven years, Brooks reverted to his life as a junkie and as a result made two trips to Ancora State Hospital and another 39 months were spent in jail.

When he was released, Brooks sought help in the community. But that was 1967 and there were no drug rehabilitation centers available. In fact, the people in Atlantic City resented the presence of known drug addicts and residents from surrounding suburbs rejected the idea that drugs existed in their area.

Along with four other addicts who were "tired of chasing drugs," he affiliated with an organization called "The New Well." That organization soon crumbled but the four men and one woman later founded NARCO.

Initially, many of the people and the established institutions were suspicious and skeptical. Typical of their reaction was the oft-expressed opinion. "Once a junkie, always a junkie." However, three religious leaders—Dean William H. Paul of St. Stephen's Episcopal Church in Waretown, N.J., Bishop Alfred L. Banyard of the Episcopal Diocese of New Jersey (which has appropriated $20,000 a year for three years to NARCO), and Rabbi Phillip Schechter of Beth Israel Synagogue provided early moral and financial support.

To acquaint those not directly touched by drugs, a speaking schedule for NARCO members was implemented. "We went to every conceivable type of meeting," said Richard Derry, the center manager who was a dope addict for 20 years. "Gradually, society recognized that a drug problem did exist at all levels, rich, poor, ghetto, suburb, white, black, educated and disadvantaged. Once they came to that realization, the people were beautiful. They just couldn't believe that we were ready to stand in front of an audience and tell them about the underside of drug abuse."

The honorariums earned from these speaking engagements provided a base of funds along with contributions but Brooks says, "Even though we raised $38,000 in our first year, it was nothing compared to the need. There were many months when our staff went without pay."

Early successes with drug abusers added to the fervor with which Brooks worked. During its first few months, NARCO was the only place where a drug addict could expect help in South Jersey. During the first year of activity, almost 200 addicts registered for treatment and therapy. A "Clean-up" rate in excess of ten per cent increased the validity of former addicts running a rehabilitation center. This concept has now become standard procedure in treating drug addiction throughout the country.

Because of the new resident facilities, therapy is a constant thing at NARCO. Brooks sits in a glass-enclosed office which gives him a visual sweep of what is happening in the building. He is in close contact with each resident and his tactics are hard.

"You like the way you're living, brother, but you're dodging the issue," he said to an addict recently. "Why don't you stop acting like a baby? I poured more scag on the floor than you ever shot, and if I made it, so can you."

Brooks still makes speaking engagements and attends therapy sessions. But the bulk of his time is devoted to long-range planning and financing. NARCO's yearly budget of $200,000 barely supports the 65 residents and the out-reach program which deals with about 100 people on a detoxification schedule. More than 1,200 addicts have been treated in the past year and there is a waiting list of others who want to become residents.

This broad range of support augurs well for the massive federal funding being sought. Recently, an eight-year proposal calling for $5.6 million was approved for NARCO by the National Institute of Mental Health, the largest grant ever awarded by that agency for a black-controlled program. And Brooks has met regularly with officials in the office of New Jersey Governor William Cahill. Under the Safe Streets Planning of the State Law Enforcement Agency, he has received $117,369 for a three-year program to "make an attack on the criminal element in our community."

Mindful of the legal needs of the residents, Brooks sought help from the State Public Defender's office. A part-time attorney, Robert LaGore, has been assigned to handle cases emanating from NARCO.

Another plan is also being formulated for the establishment of a Boy's Academy in the area. Brooks is working with Richard Cohen, a local psychologist who is a volunteer consultant to NARCO. A funding proposal for that program is now being written.

All these projects and plans originated in the mind of a man who for 17 years had "dropped out of society." It is possible those years of shooting dope, stealing, lying, cheating and manipulating have wrought a unique human being.

On the other hand, one might consider the waste of 17 valuable years in the life of John Brooks and what it could have meant to society.

As Brooks himself admits, "Personal growth and development are intertwined. What is important is the chance to do for others. If my own waste and former degradation serve as a beacon for other drug addicts, then my life will not be in vain."

CAPT. LEONARD BALLARD HONORED IN KANSAS

Mr. DOLE. Mr. President, yesterday one of the Capitol's most well-liked officials was honored in Dodge City, Kans. Capt. Leonard H. Ballard, of the Capitol Police Force, was made an honorary Dodge City marshal in a special ceremony at the Dodge City Community College, presided over by Mayor Dale Northern. Following the presentation of his award, Captain Ballard delivered an address on his favorite topic, the history of the U.S. Capitol. He speaks with great authority on this subject, having taken part in the last six presidential inaugurations and every state funeral since that of General Pershing. His scholarship has also been recognized by the U.S. Capitol Historical Society for his contribution to the famous Capitol history, "We The People," 10 million copies of which have been printed in six languages.

Many Kansas and other Capitol visitors from all parts of the country have had the pleasure of receiving personally escorted tours of the Capitol from Captain Ballard and hearing many of his fascinating stories of its history.

Many Members of the House and Senate have come to know Captain Ballard during their terms in office, and I thought they might enjoy learning of his latest honor.

THE EFFORT TO IMPROVE UPON NATURE

Mr. NELSON. Mr. President, there is no doubt that the original planning, design, and construction of our natural waterways and other features of our natural landscape was an undemocratic process. Man was not only excluded from the decisionmaking process; human factors and convenience were not even taken into consideration. But this dictatorial arrogance of nature's power can be conquered by men. We shall overcome—that is if we have the "stuff" it takes, as they say here in Washington.

Well, we surely have the "stuff" it takes here in the Nation's Capital, all right. Why, just take a look at the actions of the U.S. Senate yesterday. First of all, to help straighten out some of those mistakes of nature, we voiced our assent to a $4.7 billion public works appropriations conference report for fiscal year 1972, which includes about $1.25 billion of funding for waterway construction, flood control, and rehabilitation projects on streams and rivers throughout this country. The listing of these projects requires 10 pages of the CONGRESSIONAL RECORD—32867 to 32876—it can be seen that the effort to improve upon nature is not slackening at this end.

The Senate went on record later in the afternoon yesterday to say that it would not put a moratorium on the Navy's Project Sanguine proposal to turn several thousand square miles of northern Wisconsin into a live communications antenna until the possible effects upon the natural environment had been thoroughly studied as required by law and until the proposal had been reviewed to determine if it will even work.

Yes, sir, we have what it takes here in Washington to make sure that nature does not get in our way. With this attitude, I am sure that many people in this city are puzzled by an article entitled "The Mystery of the Lake," written by Larry Van Goethem, which was prominently featured on the opinion page of today's New York Times. The article is datelined Janesville, Wis. That's right, Janesville, Wis., in a community of 46,000 in the southern part of my State, where

Larry is the city editor of the local newspaper, the Janesville Gazette.

Larry's article deals with red and orange maple leaves flickering in the September sun on the surface of a clear lake—and the early morning cry of a loon—and the sight of a big green bass sitting on a lake bottom—things like that. But in addition to paint brushing a word picture of the physical features, Van Goethem describes some of the more illusive treasures which people can still find on a Wisconsin lake or in her surrounding wilderness—the awe of solitude and the wonder of aloneness, the awareness of the mysterious spirits of nature which loom larger than any human and remain forever outside his grasp and control.

As Larry Van Goethem writes in today's Times, the Indians understood these spirits and lived in daily recognition of this aspect of nature, giving the earth gods—the manitou—a very literal and very respectful place in their lives. But few men have been able to view nature as the Indian, and without their vision this kind of treasure is hidden or perhaps disappears.

And if the manitou—like the Indians themselves—have left Larry Van Goethem's lake, what does it matter to us here in Washington or New York, where the prime concern is in straightening the course of nature and imposing the rule of man?

Mr. President, so that Senators can ponder "The Mystery of the Lake," I ask unanimous consent that Larry Van Goethem's superb article published in the New York Times of September 23, 1971, be printed in the RECORD. Not even Aldo Leopold, one of nature's most eloquent poets, could have said it better than Van Goethem.

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

THE MYSTERY OF THE LAKE

(By Larry Van Goethem)

JANESVILLE, WIS.—I remember the first time I saw the lake. Its water was bright, diamond clear, and it flickered under the September sun so that red and orange maple leaves which had drifted into the lake lay on the white rippled sand like a pattern of old wallpaper.

The first frosts had caught the scattered maples around the bowl of the lake so that they burned orange and red against the golden fire of the poplar and birch trees and the evergreen of young pines left from the cutover of early years of the century.

By all accounts it was just another lake, one of thousands in the United States.

But there was this mystery that, once recognized, can take a man on long journeys.

On quiet days when the wind stilled and the sun flared down into the quiet reaches of the water, you could look down, eyes focusing beyond the surface blur, and see the bottom where a green bass might be lazing long the bottom.

I would take the pram out many times with a fishing pole and row to where the sandy shore gives sudden way to murky bottom and the deeper water slides down the sloping shore seemingly into a bottomless pit.

Here and there you could see a log waving gently in some unseen current. The depths were inviolate, the water crystalline. With no creek draining or filling it, the lake was fed by heavy springs which sent cold tendrils of heavy water around swimmers' bodies, sometimes shocking them in the middle of summer with a cold embrace—an elemental reminder of the glaciers which ground the land eons ago.

The lake is only 58 acres in size and deep—down to 38 feet says the state, but deeper, say knowing men who sit about crackling fires.

And through it all, spring, summer and fall, from year to troubled year, there was this thing about it. Some men look for it in far-calling mountains. Others seek it in the great oceans. Still others find it in remote explorations.

I found it in a quiet lake—this mystery. The cry of the loon at morning, the incessant call of the whippoorwill in June, the frog's throaty grummp and the lurking lake and forest depths.

There was this knowledge that behind the field across the narrow road there was nothing but swamp and forest for many miles. There were black bear in the woods, an occasional coyote calling, and deer were seen often around the lake, Government beef as some called them, a name that stuck from the Great Depression.

If you are afraid of the country it will conquer you. If you respect it then it may still conquer you. There is no compromise except electric lights, pastures, farm fields and automobiles. In between, the mystery persists.

Something lurking so that in January I dreamed a dream of June and of boys rowing a misty lake where they flick their lines toward the secret places where the grandfather bass lie, dreaming a dream of June.

There was this idea the Indians had, a fear and respect for the earth gods, the manitou, so that when the mist rose dancing from the dawn waters, dissipating like a ghost into the upper air, I thought it was the spirit of the lake.

Each year I returned and each year it was more crowded. Cabins were built across the lake and motorboats crowded the water on weekends. Water-skiers abounded as bass retreated. But always the water remained primal and clear.

But this year I returned and saw that the water finally was not as clear. It had a faint milky tint. A light film of oil drifted here and there.

On some days scum from detergents reached our windward shore. Oh, after it rained at night we could still see the thin white shroud of mist creeping, undulating across the water and along the shore.

But the mystery is ending—the lurking dream gone. The lake is giving up its manitou. It is shriveling upward in the summer air. Something nameless is dying. I don't know what it is.

A LOOK AT AFRICAN ISSUES AT THE UNITED NATIONS

Mr. McGEE. Mr. President, a perceptive view of African issues in the U.N. is reflected in the recent remarks of Assistant Secretary Newsom, delivered to the Atlanta Press Club.

I ask unanimous consent that they be printed in the RECORD.

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

A LOOK AT AFRICAN ISSUES AT THE UNITED NATIONS

(By the Honorable David D. Newsom)

This afternoon the Twenty-Sixth General Assembly of the United Nations opens in New York. One hundred and twenty-seven nations—plus probably three new members—will meet to wrestle with a wide range of political, economic, and social issues. Last year approximately one-fourth of the substantive resolutions in the General Assembly arose out of circumstances in Africa, particularly southern Africa. It is likely to be the same this year.

The United States, as an important member of the United Nations, will be involved. This year, as in past years, we will face the difficult task of reconciling pressing demands for action toward objectives that we generally accept in principle with realities as we see them, with our wider responsibilities, and with our concern for the respect and authority of the United Nations.

You will, I am sure find frequent references to African issues in New York on your tickers in the weeks to come. I welcome this opportunity today to discuss some of the basic problems which will lie behind the news: as the Africans see them and as we see them.

I speak today for a wider audience, in Africa as well as at home. I think it is particularly fitting that I should do so from Atlanta. Atlanta is well known in Africa. Visitors from that continent remember the warm hospitality you have accorded to them. Many of the Africans who today play important roles in the development of their countries were educated in your universities. The death of two of your great sons, Dr. Martin Luther King Jr. and Ralph McGill, left a void also in Africa.

The United States response to African issues has a special pertinence this year. In our own country there is an increasing consciousness of Africa and of the hard core of problems of human relations which exist in that continent. At the same time there is more and more questioning in Congress and in the public concerning our international obligations and involvements—including those in the United Nations.

The areas of southern Africa and that smaller region of West Africa which encompasses Portuguese Guinea contain the final and most difficult problems of colonialism. In South Africa, Rhodesia, and South West Africa lie the last vestiges of legalized racial discrimination. As such, these problems strike a vibrant emotional chord among Africans—and Asians—who have over the last three decades sought and achieved—sometimes with UN assistance—their own freedom and independence.

These problems are great in their dimensions. There are no easy or quick solutions in sight.

At stake, for blacks and whites alike, are basic issues of civil order and progress, fundamental human rights and the rule of law.

The issues are legal and political. They also are economic and social. They concern humanity in the broadest sense of the term. The problems of southern Africa have given rise to much discussion and debate in our government and among our people.

These issues present African leaders with some of their most difficult political problems. When the leaders of Zambia, Tanzania, Senegal, Guinea—to mention only a few—address these issues, they not only expound their own strong personal views. They also frequently reflect a genuine domestic problem: the interplay of pressures for action against the colonial territories and the possibilities of counteraction by the Portuguese and Rhodesians. Affected elements of their population and significant political figures reinforce the demands for action. Prudence may suggest otherwise.

On the wider scene, other Africans are drawn into these problems by the pressures for solidarity with their African brothers. Many Africans look upon the nations along the Zambesi as being in the front lines of their struggle. These sentiments underlie actions and pressures for action in the councils of the Organization of African Unity—and beyond the OAU in the United Nations itself.

Admittedly not every black African nation agrees on the more militant approaches often proposed. One can see a growing tendency in

Africa to seek other ways. Nevertheless, the depth of feeling, the impulses toward solidarity are strong. Even the most conservative members of the Organization of African Unity are reluctant to oppose the general approaches broadly agreed upon by the OAU. These approaches are reflected in the recommendations of the OAU African caucus which plays a key role in the African issues in New York.

What are the African preoccupations?

In the Republic of South Africa, the laws and government policy seek specifically to maintain the dominance of a white minority.

South West Africa, now known officially in the United Nations as Namibia, was a former German colony placed under a South African mandate after World War I. The United Nations, now supported by the International Court of Justice, has determined that South Africa has not fulfilled its mandate responsibilities and that the territory is, therefore, under the direct responsibility of the United Nations. The UN calls for the withdrawal of South Africa.

In Rhodesia, a white minority of four per cent of the population dominates the black ninety-six per cent and seeks by its present constitution to prevent the black majority from ever acquiring a decisive voice in their own country.

In Mozambique, Angola, and Portuguese Guinea, the Portuguese hold tenaciously to what they consider integral provinces of Portugal. The Africans regard these as the continent's last significant colonies denied the right to self-determination and independence.

In this situation, the basic African thrust has been and will probably continue to be to isolate South Africa and to manifest support for those seeking radical change in that country. At the outset this fall, there may be a challenge to the South African government's right to participate in the UN, on the grounds both of racial policies and refusal to cooperate on South West Africa. There will undoubtedly continue to be demands for the withdrawal of outside investment, for cutting air links with South Africa, and for restricting trade. Africans will seek resolutions calling on UN members and UN specialized agencies to "render moral and material support" to the African liberation movements, targeted not only against South Africa and Namibia, but against the Portuguese territories and Rhodesia as well.

The strong pressure by the Africans against any arms sales to South Africa will be highlighted by a continuing special OAU mission mandated to visit NATO nations and other arms suppliers.

Proposals for Namibia will also be laid before the Security Council and the General Assembly by a special OAU mission. These proposals will be based on the advisory opinion handed down by the International Court of Justice, which this June confirmed that South Africa's mandate over this former German colony was terminated and that South Africa's continued presence there is illegal.

The intensity of discussions on Rhodesia will probably depend, in part, on whether there is any progress in contacts reportedly now going on between the British and the Ian Smith regime in Rhodesia. The Africans support the United Nations economic sanctions against Rhodesia, but remain skeptical of their effectiveness. The African tendency will continue to be to call for the use of military force to oust the Smith regime. It remains their feeling that this should have been the initial reaction of the British in 1965.

African feelings against continuing rule by Portugal in its territories in Africa have undoubtedly been strengthened by the reported Portuguese involvement in an attack on Guinea last year and by complaints brought against Portugal in the Security Council in the intervening months by both Guinea and Senegal. The Africans will probably lose no opportunity to seek UN and other support for the liberation movements currently directed against Portuguese rule. The establishment of independent majority governments in these territories remains their objective.

African proposals and speeches on all these issues are likely, in the main, to reflect an increasing frustration and impatience over what Africans consider a lack of adequate progress on these issues and a lack of genuine support from the major Western nations, including the United States. South Africa to them appears firmly under white minority rule with little indication of immediate change. South African determination to stay in Namibia is clear. The Africans, so far, see little chance for early African rule in Rhodesia. Portugual's determination, both military and political, to retain its territories appears as firm as ever. The more militant Africans see in the new contacts between some black states and South Africa, in the proposals for "dialogue," and in increasing signs of security cooperation among the white ruled states, a movement away from their objectives. This heightens still further their frustrations.

The Africans stand by no means alone on these issues. In the main, they can count on the automatic support of the newly independent countries of Asia and of the Eastern European bloc. Support from us, however, is far less automatic. The issues are frequently posed in simplified terms. Those who vote against a particular resolution often appear to be standing in a small isolated group opposing self-determination and upholding continued racial discrimination.

Each year the UN votes are tabulated. The arguments, the explanations, the negotiations, the speeches are forgotten. What is noted by those in Africa and here at home is whether we have voted yes, or no, or abstained. The issues become simplified; the whys of our vote are forgotten. Depending on points of view, particular votes are seen as good common sense or a denial of fundamental US principles. Some see the votes as reasonable and realistic; others wonder if we're totally ignoring the issue. Still others may see our stance as a refusal to recognize the importance of an anti-Communist ally.

The United States is involved in these issues, whether it wishes it or not. We are one of the five permanent members of the Security Council. We strongly desire the continued strength and influence of the UN. By the example of our own history and in our frequent declarations, we have consistently endorsed the right of self-determination for the people of southern Africa. But it is our very concern for the future and respect for the UN which prevents us from endorsing positions on complex issues posed at the UN in simplified or patently unworkable form.

The stand we have taken on the African issues is clear. We have demonstrated, as unequivocally as any major nation, our support for the principles involved.

President Nixon said last year in his address to the 25th Anniversary of the General Assembly:

"We do hold certain principles to be universal:

That each nation has a sovereign right to its own independence and to recognition of its own dignity.

That each individual has a human right to that same recognition of his dignity.

That we all share a common obligation to demonstrate the mutual respect for rights and feelings of one another that is the mark of a civil society and also of a true community of nations."

We have maintained conscientiously the arms embargo against South Africa recommended by the United Nations Security Council in 1963, although under the terms of the resolution it is not mandatory.

We have supported fully the UN's determination that continued South African occupation of South West Africa is illegal. We supported the referral of the Namibia case to the International Court of Justice. We discourage US business from going into that territory.

We have been at the forefront in enforcing sanctions against Rhodesia, the only mandatory sanctions ever voted by the United Nations.

We have scrupulously maintained a voluntary arms embargo policy with respect to the Portuguese territories in Africa.

Most African leaders with whom I have spoken recognize and give us credit for what we have done and are doing. They wish only that we would do more.

They recognize, too, that actions in the United Nations are but one part of our total relationship. They know that our manifestation of interest in the causes and concerns of independent Africa occurs in other ways of importance to them. Not the least of these is our contribution to the economic and social development of their countries. Further, the varied currents of opinion in modern independent Africa are not fully manifested in the caucus approach taken by the Africans in the United Nations. The UN actions are, therefore, only a part of the picture. This does not diminish, however, the importance of United Nations action on both the world and the African scene.

It is not pessimism, but honesty, to say that we shall undoubtedly fail to achieve full agreement with the African nations on African issues in this General Assembly—just as we have during previous sessions. We hope our African friends and those deeply concerned in this country will recognize that in these issues we are not challenging the principle. The issue is how to achieve the objective.

The African nations quite understandably approach each issue relating to them from the single viewpoint of Africa. They are honestly and sincerely convinced that what they are calling upon the UN to do—sometimes in the way of enforcement actions—is "right."

But we, as a major power, need to consider each issue in a wider context. We must look beyond the immediate effect of a United Nations resolution. We have our own Congressional and public opinions and the ultimate matter of continuing US support for the United Nations. We must think in terms of the world picture, of how any particular action would affect other problem areas in the world.

We also must consider what effect the resolution will actually have. Experience shows that often, in addition to votes in favor, we must have the votes of those countries whose cooperation is essential to implement a resolution. The United Nations is not a world parliament where it is sufficient to assemble a majority to vote something into law.

Resolutions which express strong sentiments, but have no practical effect, may have a negative rather than positive influence on the prestige and authority of the UN.

We must consider carefully, for instance, resolutions calling for economic sanctions, since experience has shown that sanctions are most difficult to enforce and will be ineffective if the major countries concerned are not prepared to cooperate. A resolution that will be honored in the breach by a number of countries whose observance is essential to its success, helps no one. This isn't good for those who sponsored the resolution. It isn't good for the people who are supposed to benefit from it, and it isn't good for the United Nations.

We may often be in sympathy with the ultimate purpose of a resolution but we cannot support terms which, in our view, detract from its true effectiveness. We share with all United Nations members a responsibility to keep UN resolutions reasonable

and accurate and consistent. Draft resolutions, for example, which take into account the unverified allegations of one side only do not provide adequate factual basis for the UN's peacemaking processes.

We are particularly sensitive with respect to actions taken pursuant to Chapter VII of the United Nations Charter. This is the Chapter under which the Security Council has the power to take decisions binding on member nations. We regard that chapter of the Charter as a most precious thing. It might some day make the difference between world peace and holocaust. We are most concerned, therefore, that actions voted by the United Nations which in any way involve Chapter VII should be clearly related to threats to the peace or breaches of the peace. On this matter we have been especially scrupulous.

Specifically, much as we deplore apartheid in South Africa and other forms of racial discrimination, or the denial of majority rule, we cannot agree that they automatically constitute a "threat to the peace", in the sense of Chapter VII, Article 39, of the Charter which says that the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations or decide what measures shall be taken to maintain or restore international peace and security.

In our policy and in our actions we cannot be indifferent to our relations with non-African nations involved in these issues.

We have friendly relations, for example, with the Portuguese. We cooperate with them in NATO, but this a cooperation confined to Europe. We have made clear our basic disagreement with them on their African policy. We believe that the people inhabiting these territories are entitled to the right of self-determination. However, we are not ready automatically and without clarification of facts to jump to conclusions regarding the responsibility for incidents between Portugal and African states—as we are often pressed to do.

We have long had relations with South Africa. Although we strongly oppose racial discrimination, we recognize the complexity of the problem South Africa faces. We fully agree that the present situation must change, but we cannot subscribe to oversimplified solutions to complicated and intensely human problems.

Moreover, based on our experience, we cannot agree with the African assumption, often expressed, that we could exert significant influence on these areas, if only we wished to do so. Rarely can one nation, any nation, however powerful, so affect basic attitudes in another society if that society clings to its vested interests and resists change.

In the broader context, we are also concerned over the impact of these issues on the specialized agencies of the United Nations such as the World Health Organization, Food and Agriculture Organization and Economic Commission for Africa. The constant pressure to inject political considerations into technical bodies—and to expel members on political grounds—adversely affects their efficiency and the effectiveness both of their administration and of their field work. We do not believe it is in the interests of the Africans, who are among the principal benefactors of UN specialized agency work, thus to politicize what began as essentially technical organs.

In conclusion, our differences with the African nations are essentially over how change in southern Africa will be achieved—not whether. It is over how the United Nations can be most effectively used—not whether. In general, the Africans seek support for three broad approaches: isolation of the offenders, economic measures against them, and the use of military force. We have problems with each approach.

We believe change will come in southern Africa. Economic and demographic pressures make this inevitable. In South Africa itself there is a lessening of rigidity. Change is a central theme of discussion; there is psychological and intellectual ferment within the Afrikaner community; there have been isolated instances of acceptance of multiracial activities; there is a growing realism among businessmen that Africans are important to them as skilled workers and as a market. They are beginning to focus on the need for improvement of working conditions for non-whites. We cannot expect change to come quickly or easily. Our hope is that it will come peacefully.

Isolation can breed rigid resistance to change. Open doors can accelerate it. We believe the idea of expelling or suspending South Africa would represent a dangerous precedent, a move toward isolating South Africa's black population, and a move away from that universality of membership which the United Nations is gradually approaching.

Punitive economic measures are unpopular in this country. We have had experience in the problems of enforcement and control. These experiences do not encourage us to believe that such measures are workable against countries which are important economic entities. By their wealth such entities are able to cushion themselves against economic pressures and encourage non-compliance by others to weaken and thwart these pressures.

We have supported the economic sanctions against Rhodesia, but this is a special case. We have supported them as a feasible, if difficult, short term measure to create pressures for a settlement with the United Kingdom. Despite incomplete compliance by many nations, we feel this boycott is achieving its objective. We do not see it as a precedent for other, different-situations.

We can understand the impatience which leads to demands for the use of force. Nevertheless, we see little prospect of its effective use in bringing change in southern Africa and we cannot favor its use.

The United States is most unlikely to be involved in military intervention on any side in Africa. Moreover, actions of the UN itself to support force would not accord with the basic purposes of the organization.

This catalogue of potential differences is long. I have set it forth in order to put our response to the African issues in perspective. I have set it forth, also, as a means of frank communication with our African friends themselves. I have found they appreciate and respond to this type of diplomacy.

We do not expect the Africans to cease pressing their viewpoints on these issues. The United Nations represents one of the few means they have of continually mobilizing world opinion on their behalf. We, further, agree with them that the absence of substantial change in southern Africa will continue to create tensions and ultimately threatens the peace.

We do seek and hope for continuing discussions with the Africans on these issues and continuing cooperation in finding acceptable and effective courses of action. We hope that, in this way, the substantial influence of the United Nations can be preserved and exercised so as to generate not the appearance of solutions, but fair and workable progress toward human rights and self-determination for all in southern Africa.

CHILD DEVELOPMENT IN MINNESOTA

Mr. MONDALE. Mr. President, recently the St. Paul Pioneer Press ran a five-part series on Headstart and Child Development. This series of perceptive articles, written by Ann Baker, traced the history and discussed the experiences of the Headstart program in Minnesota generally and the Twin Cities specifically. It focuses on the key issue in day care: Whether these programs will be truly developmental or purely "cold storage" custodial operations.

The articles' analysis of the need for parental involvement in these programs; their review of the benefits both children and their parents have derived from child development activities, and their balanced assessment of the problems and potentials in development day care, provide an extremely useful insight into existing and proposed day care programs.

In addition to the five articles, the series included a very knowledgeable discussion of child development legislation pending before Congress and a review of the history of Headstart in Minnesota.

As one who has been working on child development legislation in the Senate, I found the articles to be extremely useful. I commend them to the attention of Senators and ask unanimous consent that they be printed in the RECORD.

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

HEADSTART DAY CARE HAS HEART—PART I

(By Ann Baker)

Some of the most ardent supporters of day care have begun to worry they may be creating a monster.

What good will thousands of centers do for millions of children, they are asking, if instead of helping kids grow and learn the children are simply kept in "cold storage" till their parents pick them up?

And what about the parents? Will they lose all influence over kids who spend the whole day in the care of strangers?

The number of day care centers in Minnesota alone has doubled in the past two years. Except for Head Start and a few smaller efforts, most of them are built, planned and operated without consulting parents of the children who are put into them.

"Parents today, far from not caring about their children, are more worried about them than they have ever been in the course of recent history," child psychologist Bruno Bettleheim recently told a Senate committee considering child development legislation.

"The crux of the problem is that many parents have become powerless as forces in the lives of their children. A child often spends more time with a passive babysitter than a participating parent."

The answer, Bettleheim went on, cannot be sought in trying to halt the spread of day care centers. "There can be no doubt that day care is coming to America. The question is what kind?"

To Bettleheim the only kind of care that will "retain and rededicate our commitment to the family" is something that will join parents with professionals in efforts to help young children learn at school and at home.

Growing numbers of educators and psychologists agree. As an example of how that can be done, they have begun to examine Project Head Start.

When Head Start began six years ago as summer enrichment classes for 5-year-olds, it was designed to provide an experimental "intervention" in the environment of poor children, an environment that was seen to be unstimulating, restrictive, and in some areas lacking even the bare necessities for growth and survival.

Poverty in some places, including the slums of Washington, D.C., and southern Mississippi, has been proven to have disastrous effects on children. Babies with superior intelligence capacities at 3 months dropped to retardation levels by the age of 3 years (from IQs of 120 to 85).

Their bodies were weak from a diet of one meal a day, usually without protein. They were discouraged from crawling about because they might hurt themselves on broken furniture or open stair wells. They were discouraged from talking or asking questions because their families were convinced that would get them "in trouble" with society. They had no books or toys.

Today many educators in Minnesota and across the world are doubtful that poverty, except in such severe instances, necessarily cripples a child's ability to learn.

Generally they agree that the biggest single influence on a child's learning ability is not the size of his family's income per se but rather the attitude of his parents—(although the income often affects the attitude).

"We can't separate children from the problems of the families," said Dr. Reginald S. Lourie, president of the Joint Commission on the Mental Health of Children, to the Senate committee.

"We are asking that the schools do superman types of jobs with almost impossible situations, very often, that are the result of the neglected early years . . . the apathetic, passive, dependent, hopeless, helpless child who grows up into the hopeless, helpless adult and can end up as the unavailable mother or father."

If parents are interested in a child's learning and expect him to succeed, he has a head start from the minute he is born, an advantage that will continue during his early growing years, when proportionately he learns more than in all the rest of his life.

Day care advocates, anxious for something better than the "custodial" care that is given most of the nation's five million preschoolers whose mothers work, have begun to take a hard look at the importance of parental influence.

More and more of them are expressing fears that nursery school classes, however well planned and taught, may in fact help children learn very little if parents have nothing to do with the programs.

Some day care promoters have ignored those fears in the rush to build centers that will at least seem to provide some kind of "educational component" for the millions of little children who have to be somewhere doing something while their parents are at work, and the millions more who will be needing some kind of care if and when the President's Family Assistance Plan is enacted, adding the country's welfare mothers to the work force.

But while developers build, pleas have been growing from the civic groups, psychologists and parents who have been spurring them along: "Don't leave the parents out of it."

Again and again, testimony before Senate committees in the past two years has echoed those pleas.

University of Chicago education professor Benjamin Bloom said. "The basic unit with which we must deal more and more in education, and especially in early childhood education, is not the child alone but an adult, preferably the mother, and the child. I would make this almost the central case—how to find ways of helping parents do a better job."

Black Civil Rights activist Marian Wright Edelman said, "We must assure that we do not separate the child from his family nor usurp the parents' responsibilities for his development. If parents cannot influence the operation of these programs, the programs become competitors with parents, not cooperators."

Dr. H. Jack Geiger, chairman of preventive medicine at Tufts University in Boston, said, "I think we have had just about enough of programs that meet the needs of professionals and may be grossly irrelevant to people who are supposed to be served."

In response to the chorus of warnings from more than a dozen child care specialists, parents and representatives of minority groups, Sen. Walter Mondale said he felt that without parent involvement, his legislation (described on this page) could become just "another paternalistic strategy."

Witness after witness asked the senators to look at the way Project Head Start encourages a "family centered" approach.

"It has taught even the professionals the value of this method," said University of Illinois pediatrician Dr. Robert Mendelsohn.

"After all, most of our American institutions tend to be anti-family in orientation. Hospitals usually discourage parents from staying with their children . . . Schools have traditionally tried to keep parents at arms' length . . . Day care legislation is sometimes designed to force mothers to leave their home and children and go to work. While this anti-family bias works against all our population, it is especially cruel to families living in poverty.

"Project Head Start is almost unique in American life—along with the church—in recognizing that, while the individual is important, the family is the primary unit."

From the beginning, Project Head Start has included parents as an "essential" part of its program at every level, from policy making to dish washing—at least in theory.

In reality, it has often been extremely difficult to coax parents to participate. And when they do, conflicts sometimes erupt with administrators impatient at having to gear down their efficiency to the pace of a democratically elected, untrained parents advisory council.

The difficulties have nearly killed some Head Start programs and reduced the degree of parent involvement in others to a token gesture.

But the problems of enlisting parents in some cities have been overshadowed by the successes in others, to the point where a year ago a firm directive went out from the Office of Child Development to every Head State office across the country, demanding greater efforts to involve parents and enable them to progress from simple contributions, like escorting children on walks and baking cookies for the school carnival, to the complex job of deciding how the whole program is run.

"Unless this happens," said the instruction notice, "Head Start . . . will remain a creative experience for the preschool child in a setting that is not reinforced by needed changes in social systems into which the child will move."

Up to now only a few Head Start parents in St. Paul or anywhere else actually have much say about how the program is run. Their opinions are asked, but in the majority of Head Start programs that's about it; parents may advise teachers and administrators but they don't set policy.

Examples where parents do control Head Start, though, are growing. In Minneapolis, for instance, parents were virtually excluded from participation for two years while Head Start was directed by the public schools.

In 1969 the parents asked to set up a governing council of their own, and the schools turned over the program to them.

Funds and direction continued to be channeled through the MOER Board, Minneapolis OEO agency, until that board was dissolved last year. Now the parents' council manages the funds, as well as the policy.

According to regional Head Start training coordinator Estelle Griffen, Minneapolis has the strongest parents' participation in the state.

Many mistakes have been made but they've taught their lessons, and parents have been eager to learn. Last month parents spent two days with the staff, studying the differences between policymaking and administration, so that both could agree on their proper responsibilities.

St. Paul's Head Start parents have not assumed that much authority, but there seems to be a growing commitment among most Head Start administrators in the Ramsey Action Program (OEO) offices to draw out more involvement from parents than ever before.

"I feel the whole education of this country depends on people having a say about it," says St. Paul Head Start director, Mrs. Sue Williams. "Parents still don't realize they're important. They still think paid staff know more than the mother in a home—when all the education comes out of the home."

Last year parents of the 340 Head Start children in St. Paul spent over 20,000 hours in classrooms and meetings. Several have got jobs as teachers aides, cooks and social service aides. Most of the active parents say Head Start has changed their lives in one way or another. Most parents, whether active or not, say they are very fond of the program and anxious for it to continue and grow.

What parents do for Head Start in St. Paul and what they feel it has done for them will be described in the next four parts of this series.

HEADSTART: ITS 7-YEAR HISTORY

Project Headstart was planned by the Office of Economic Opportunity in the fall of 1964 as an experimental preschool program for about 100,000 poverty children in some 300 communities.

Immediately it became the most popular part of the poverty program. Before the plans were off the drawing board President Lyndon Johnson declared Head Start should serve no fewer than half a million children.

In 1965 the first classes opened for 561,000 prekindergartners in 2,400 communities, urban and rural, at a cost of $97 million. Classes ran for eight weeks and included dental and physical examinations.

Parents were not involved in the planning stages, according to the first national Head Start director, Dr. Julius B. Richmond, because local administering agencies, assumed they were uninterested and unable to play a part.

St. Paul public schools ran Head Start classes for 680 children in eight schools that first summer, with funds administered by Ramsey County Citizens Committee (the local OEO agency now called Ramsey Action Program). The director was public school teacher Karen Johnson.

The summer before, a forerunner of Head Start had been operated at McKinley school by the Council of Jewish Women and the public schools. Women from the council worked in it as volunteers. McKinley Preschool continued for the next two summers, teaching 30 children in the mornings, another 30 in the afternoons, then was absorbed by the public schools Head Start.

In May, 1966, the North Central Voters League opened three year-round day care centers for 120 children, directed by Mrs. Sue Williams. The following spring the centers became funded by Head Start through the local OEO office.

Head Start in the St. Paul public schools continued half days for preschoolers from fall 1965 until fall 1966. They were then closed till summer 1967 because of a shortage of OEO funds. Then they opened again for 465 children in eight schools at a cost of $330,000 till January 1968 when fund shortages once more caused them to close.

In summer, 1963, operation of the three

Voters League centers, which had continued for two years was taken over by the local OEO and expanded to seven centers with 225 children. Cost was $340,000. The late Mrs. Evelyn House became director.

By that time parents from all the centers had joined to form a citywide Parents Advisory Council with rights to advise and consent over major decisions, including staff hiring.

The program has run continuously since then, except for a few days in June, 1970, when parents and administrators failed to agree on the appointment of a new director. Sue Williams, the parents' choice, withdrew her application and former Honeywell employe Seymour Levanthal was appointed. Six months later local OEO administrators asked him to resign and Mrs. Williams became director.

Today there are 11 year round, full day centers, in St. Paul with a 75 percent staff serving 340 children. The budget is $450,000 and Ramsey Action Program is the administrative agency. In St. Paul and nationally, Head Start officials estimate they enroll only one in 10 of all children below poverty level.

CHILD CARE VOTE DUE IN SENATE

A sweeping child development plan, to provide day care, health, education and social services for American children of all ages and income groups, is scheduled to be debated on the floor of the Senate Wednesday.

Sponsored by 32 senators of both parties and backed by a coalition of 90 national labor, mayors, church, civil rights and education groups, the League of Women Voters and the National Organization for Women, the Comprehensive Child Development Program is included in a bill amending the Economic Opportunity Act of 1964 (Senate File 2007).

Among the principal sponsors are Sen. Walter Mondale (D., Minn.) and Sen. Jacob Javits (R., N.Y.) Supporters expect the Senate to vote on the bill by the end of this week.

It provides free services for children from families whose income falls below $6,900 for a family of four (Bureau of Labor Statistics "lower living standard"). Higher income families would be charged fees based on ability to pay.

Two-thirds of the budget would be spent on the lower income children.

Enrollment policies would give priority to children of working mothers and single parent families. A mixture of incomes would be encouraged at each center.

A companion child development bill (House File 6748), sponsored by Rep. John Brademas (D., Ind.) and 119 other representatives, is pending before the House Committee on Education and Labor.

The Senate bill states that it is modelled on the "successful experience" of Project Head Start. It authorizes $2 billion appropriations in fiscal 1973 for services to children from infancy through age 14. New projects would merge with Head Start under the Department of Health, Education, and Welfare.

Locally, they would be sponsored by cities, counties or clusters of towns and villages. The locality must demonstrate that it will spend no more than five per cent of the funds on administrative overhead and that it will provide links with local health, education and social services.

Parent participation would be based on Head Start guidelines. Local program policy would be directed by child development councils consisting half of parents and half of appointments by the mayor. At least half the mayor's appointments would need to be approved by parents.

Where coordinated community child care councils exist, they have asked to be named the child development councils, if the bill is passed. In St. Paul that would be the newly formed Greater St. Paul Council on Coordinated Child Care.

Each center or project's policy would be made by a project policy committee with half its members parents, the other half community representatives.

Among the projects would be:

Day care combined with education, health, social and nutritional services,

Learning programs for preschool through grade 3,

Child development training for parents, including at-home services,

Staff training,

Child advocates to help families secure full access to local programs,

Research on child development and the effect of programs.

The bill requests greater attention to handicapped children, asking they be included in regular rather than separate programs wherever possible.

It also makes special provisions for Indian and migrant children, requiring that all programs with Spanish-speaking children stress both English and Spanish.

If the bill passes, a committee to draw up standards for all federal child care programs will be formed three months later. Half the committee will be parents. Final approval of standards will be made by the secretary of HEW.

The Brademas bill in the House is like the Senate version in most respects. But it provides for no policy committees at individual centers. Instead local policy councils, with a purely advisory role, would represent large neighborhoods or entire towns.

Programs could not be sponsored by a small city or county, only by states, cities of over 100,000 or regional clusters of communities. Child development councils, with half their members parents, would make policy for the program. Parents would not have veto power over the mayor's choice of other members.

Existing Head Start centers could continue, but the bill makes no provision for guaranteeing they would.

One issue expected to be debated in the Senate this week over the Mondale bill is the question of sponsorship—whether it can be by a small town or only a state, large city or region.

Another is the provision of free services to children from families with incomes up to $6,900 (OEO poverty level is placed at $3,800 for a family of four).

Sponsors also believe there may be an effort to separate the child development program from the other OEO amendments, which would send the bill back to committee for further study.

In the meantime, a day care bill sponsored by Sen. Russell Long (D., La.) will open committee hearings on Sept. 14.

It calls for establishing a partially public federal childcare corporation under the Department of Labor, paid for initially by a $500 million Treasury loan.

The corporation could contract with existing public and private day care agencies and build new centers of its own. Programs would eventually have to become self supporting from fees (including public assistance for poverty children).

Long's bill includes its own day care standards, calling for one adult to supervise every 10 children. That would supersede current standards for federally financed day care centers, which call for one adult to every five children aged 3 or 4, and one adult to every seven children aged 5 or 6.

Long's bill would not require that day care centers provide developmental services, but he lists a number of services that could be offered.

READING STORIES, BUILDING SHELVES, SQUEEZING TOOTHPASTE: HEADSTART RELIES HEAVILY ON HELP OF PARENTS—PART II

(By Ann Baker)

Head Start parents help the classes in a hundred ways.

They read stories, lead singing, mix paints, help prepare meals, supervise children on the playground or on trips to the library, the fire station, the gas station, the beauty parlor, the Capitol.

At one center, a father built a set of shelves, on wheels, for toys. At another, a mother who works during the day washes and irons all the sheets and blankets for the children's naps.

When parents volunteer in the classroom "it gives more time for individual attention to the children," says David Allen, head teacher at West Side Head Start Center.

"Besides, they're their kids. I feel they should have a lot to say about who is working with the kids and how. There can be a give and take.

"Parents can learn things from the staff. I've learned things about individual children by talking with parents."

"If a parent is involved, the child takes more interest," says Mrs. Ruthella West, a mother at St. James.

And to Mrs. John Vaughn, head teacher at St. Mark's: "If you don't feel close to the parents you don't have anything going for you."

Parents at St. Mark's are "always available when we need them," she says. "And we're wide open for suggestions from them."

It was the parents who decorated the center for the Christmas party and who planned the graduation. Each agreed to bring $1 a month for "extras" and they bring outgrown clothes for kids who might need them.

The "worst" project ever undertaken by Mt. Zion parents, says mother Mrs. Harold Haris, was a tour of the Tonka Toy factory.

"The tables were too high for the children to see what was going on. Then their eyes popped out when they saw the finished product—and we couldn't buy them any."

What's "great," she says, is Christmas—"the most wonderful parties; so many people contribute things, it touches you." And Easter—"We pack socks for all the kids."

Mrs. Victoria Rangel, who supervised children on the bus to Mt. Zion every day for six weeks last winter, then stayed till noon to read stories, play games, squeeze toothpaste on brushes, set tables and help wash up, said it was easy for her to be a volunteer.

"I ask what I can do. But some parents feel they don't want to be pushing, so they end up feeling in the way. They'd like to be told."

Ideas for projects come from parents at nearly every center. At St. Stephanus, they suggested a blueberry pancake day.

"We made 150 that morning," head teacher Mrs. Dee Dee Ray recalls. "The kids were flipping them up in the air."

Parents there also suggested a tasting day. The class walked to the store, bought pineapple, strawberries and bananas and went back to the center for a feast.

"Kids would say 'I don't like that.' When they tasted it, they changed their minds."

At two centers, parents' requests that naps be optional were followed. At Roosevelt, parents asked if children could dish up their lunch buffet style as an exercise in manners.

After the fifth plate of beans went on the floor, a meeting was called and a compromise reached. Kids now help themselves, but only to bread pickles and celery sticks.

Says Mrs. Ray: "I don't think I'd like it if parents ran the whole curriculum. Teachers would have a rough time.

Each of the 11 Head Start centers in St. Paul has 30 children (Unity has 45), a head teacher, a teacher, a teacher aide, a cook and

a social service aide who is usually shared between two centers.

Most are in church basements. Some have six or seven rooms, with lots of opportunity for individual instruction, especially when parents volunteer or when, during the summer NYC and REAP teenagers are available to help.

Other centers have only one or two rooms and a kitchen.

About one third of the mothers are volunteers. The occasional father who helps in the classroom is usually a man out of work ("and then they're more active than the mothers," says Mrs. Harris).

Mt. Zion was cited at a tea for volunteers last spring as the center with the most volunteers, St. Philip's and St. James, where nearly all mothers either work full time or are in school, have the fewest.

Parent coordinator is Mrs. Marie Wilson.

It's her job to create liaison between parents, centers and the community, to coordinate classroom activities, encourage participation in policy making, make sure needs are met, visit inactive parents and help teachers set up schedules for volunteers and plans for training them.

"The job gets bigger and bigger every day," she says.

To hear head teachers describe their teaching methods, you'd think they were all pretty similar. They try to give general preparation for school rather than "school."

They describe their classes as "unstructured" with an emphasis on helping kids learn to get along with each other and with adults.

A typical comment is Roosevelt head teacher Diane Danko's: "My philosophy is to let kids be kids. They learn their numbers and alphabet indirectly.

"They have lots of music, art, stories, and a chance to talk and sing. We try to build their self confidence so they won't think 'I'm a nobody.' "

Children arrive at the centers at staggered times, depending on when their parents must be at work.

They have breakfast, brush their teeth, sing or do exercises all together, then break up into small groups for art, games, work on letters or numbers, followed by "free play," with walks, puzzles or playground till lunch. Then naps and more free play.

Yet there's a great variation between centers. It shows up in teachers' attitudes toward discipline.

Former Mt. Zion head teacher Mrs. Gaynell Ponder used to hug and kiss each child as he arrived, and she hung up a punching bag for the children to attack when they got angry, instead of each other.

Naughty children were sent to a "thinking chair" for a few minutes.

"You don't spank," said Unity teacher Mrs. Winifred Smith when she was interviewed for the job by the parents personnel committee. "You can't get upset or grab and shake a child. When you punish him you've got to let him know why."

"I believe in spankings," says Elaine Benner, St. Philip's head teacher. "I've just read three books on child psychology, and I think Dr. Spock is too lenient."

Administrators downtown in the Ramsey Action Program offices are aware of the variation between centers.

"Some are too strict, some are too nebulous," says director Sue Williams of the curricula.

A few head teachers say they wish they had more direction from "downtown." At least three say their centers were not visited for as long as six months last year except by persons bringing food or paychecks.

Children take home report cards that read: "I am learning to take turns. I can count numbers. I can tell a story and share ideas with others . . .

Grades are A (always), S (sometimes) and N (not yet).

"I tell parents what we're doing—like learning the names of local streets—and they say they'll concentrate on the same thing at home," says DeeDee Ray.

Most parents and teachers speak enthusiastically of the children's progress.

"Kids become more verbal," says First Christian head teacher Nancy Grahan. "Some are real shy or at home they haven't played much or done many things. They come out of their shell. I like to think it's something we've done."

Parents tell of Spanish-speaking children who learn English, children with stutters or hearing problems who are referred for treatment and improve, abnormally quiet children who learn to socialize, hyperactive children who calm down.

Most parents seem proud that their kids have learned their colors and their numbers. But not all.

"I don't think my son Gregory's getting much out of it," says Evergreen (Mrs. Maurice) Evans, a St. Stephanus mother who is also a substitute teacher for the public schools.

"I feel the program has not been flexible enough to accommodate all the kids."

Another St. Stephanus mother, Mrs. Antoine Berryman, says her 5-year-old daughter Kim is going right into first grade, can count to 100, do simple addition "and she draws beautifully."

Teachers sometimes change as much through Head Start as do the children.

"At first I thought the parents who didn't come to meetings or to help just weren't interested in their kids," says Elaine Benner.

"Then one mother told me, 'Sometimes it's more important to work and feed the kids,' and I understood."

Mrs. Diane Danko, a former White Bear Lake school teacher, frankly admits the reason she accepted a job as head teacher at Roosevelt Head Start was because after her baby was born she couldn't get any other.

"I never worked with poor people before, parents burdened with problems or children from broken homes.

"I thought I was really good because I'd been to college. When I first came here I wouldn't even sweep the floor. And I was really prejudiced against poor people, blacks and Mexicans.

"Now, I've learned a lot. Mrs. Arnoldo Garcia, our teacher's aide, is so fantastic. I never knew anyone like her."

IN HEADSTART: PARENTS DISCOVER THAT THEY COUNT—PART III

(By Ann Baker)

"We have to work with these people. We have to be concerned with who is taking over my child."

That's how the late Jeanette (Mrs. Conway) Bolling summarized her feelings about Head Start parent-teacher contacts two days before she was killed in a boating accident last July.

Mrs. Bolling had two grandchildren in Head Start and was one of the program's most active "parents."

She was the outspoken chairman of the parents group at Mt. Zion Head Start center and vice president of the citywide Parents Advisory Council (PAC).

She proudly wore the nickname "Bigmouth" pinned on her dress at a leadership training course last spring.

"What we need is communication," was her constant plea.

"That's growing," says parent coordinator Mrs. Marie Wilson. "Parents have become more active, especially in the last two years. Bureaucrats and bigwigs have had to realize the parents' position."

Mrs. Wilson spends her days between the downtown office, the centers and homes, and about half her evenings at meetings.

"You can't force participation," she says. "You're trying to encourage parents to work and go to school, too."

"I think parents have found they do count," says McDonough parent Mrs. Mary Worley. "In public schools there's this stay-out-of-the-way bit. In Head Start parents are wanted."

Mrs. Worley, recording secretary for PAC and a delegate to the state parents organization, spends almost as much time volunteering for Head Start as anyone else would spend in a full-time job. Maybe a dozen other parents are as active.

Last winter, for the first time, parents and staff together wrote the annual work program, at the initiative of Crystal (Mrs. Antoine) Berryman, who was then PAC chairman.

"In the past there was a lot of confusion," Mrs. Berryman says. "There seemed to be a lot of issues lying around that were never settled, a feeling that decisions were handed down.

"Parents were hesistant to talk with downtown staff, and the staff seemed to feel parents weren't informed about what was happening."

The program was written in one weekend, just in time for the annual grant proposal deadline. ("This year we plan to start earlier," says Unity mother Mrs. Martha Tolefree.)

Among parents' suggestions that were incorporated was a summer day camp and full days at all centers—before, several had been open for half days only.

But often "nothing happened" to suggestions made at monthly PAC meetings, says Mrs. Berryman. Current St. Mark's PAC delegate, Mrs. Audrey Brown, says that is still a problem. "There's often a general feeling of not knowing what's going on."

PAC is made up of two parents elected from each of the 11 centers and seven at-large delegates appointed by Ramsey Action Program's board.

Discussion at the July and August PAC meetings concentrated largely on how to stretch the food budget, which had been cut to compensate for costs of keeping the centers open all day.

In August, program assistant Mrs. Ruth Benner asked the group to agree to buying food from a new, chapter supplier (which they did) and to decide whether or not they wanted to continue giving lunch to all parent volunteers (which was left somewhat up in the air).

"Housekeeping" decisions, as one staff member puts it, seem to dominate PAC meetings. One reason, she feels, is that the budget is tight and a lot of time has to be spent "scrounging" for equipment and repairs.

Many of the staff hope this year there will be greater attention to policy matters and curriculum. Parents' training, they feel, is an essential prerequisite.

A few parents already influence teaching methods indirectly as members of the PAC personnel committee who interview job applicants for every level of the program.

At an interview last month the committee quizzed prospective teachers on their approaches to discipline and their techniques in developing individual responsibility.

"You can have education up to the eyebrows," says committee chairman Mrs. Connie Pierce. "But for teaching young children, experience is more important."

She adds: "Parents do have a say in the program, but a lot don't fully understand that they do."

Four out of five Head Start parents feel the program is "very good" and "very helpful," according to a recent survey of low-income

families made by University of Minnesota political science student Richard Shingles for a doctoral thesis.

Just as many parents feel able to influence Head Start decisions.

"The more involved they get, the more they think it's a good program," says Shingles, who interviewed 100 parents over an 8-month period. "Most of the criticisms were 'We need more.'"

Of the 100 parents, Shingles found 24 "very active," meaning they attended three or more meetings in the eight months.

About the same number attended one or two meetings, and just over half the parents attended none.

As for volunteer work in the classroom, Shingles found that 28 put in eight hours or more a month, 40 less than eight hours and 32 none.

The people who were least apt to volunteer or attend meetings were parents with jobs and those who indicated a sense of complacency by their answers to dozens of questions.

Parents who are active, in contrast, are either people who already were involved in other groups or those whom Shingles describes as previously "alienated."

"They have a low sense of efficacy, competence and self esteem. They're confused about what society expects of them and tend to be ticked off with the 'system.'"

It is these people, says Shingles, who have most puzzled social scientists, because nothing ever seems to draw them out into the community, except a dictator or an opposition movement.

"Here in Head Start is a case where the alienated come out—only FOR something, instead of against it."

HEADSTART FOR CHILD WAS MOTIVATOR FOR MOM: THE PROGRAM IS DESIGNED PRIMARILY FOR THE CHILDREN, BUT HEADSTART HAS DONE SOME MINOR WONDERS FOR PARENTS AS WELL—PART IV

(By Ann Baker)

Audrey Wright, 42, had a seventh grade education, nine children and no work experience.

For 15 years she and her husband William received welfare income supplements.

"I didn't know there was another world. My parents were the same as myself. My father had laboring jobs; he worked when he could. We knew a lot of hungry days. I felt schooling was just for someone who thought he was smart."

But she insisted that her children get as much schooling as they could. When Head Start came along, she enrolled her youngest child, and four years ago Audrey began working for Head Start as a teacher aide.

Before long, she got her GED (high school equivalency certificate).

The past year she has been a teacher at First Christian Head Start and this month will receive a 45-credit certificate in early childhood studies from the University of Minnesota.

Her husband has a better job now than before. ("He was an orphan and a school dropout—if he'd had something like Head Start he could have learned to cope with a lot of things he never did.")

Recently the Wrights received notice they'll have to find a new home because they're "over income" and cannot continue living in Mt. Airy public housing.

Wouldn't they be better off without the better income?

"Financially, yes," Audrey admits. "But this is a lot better. We're more independent. You eat crow for so many years.

"Now I'm not staying home feeling sorry for myself. From where I am, I can take care of myself and go on."

Her oldest daughter Ruth (Mrs. Ronald Bozvay), with a daughter of her own in the First Christian Head Start class, was chairman of the center's parents group until last month when she became a teacher aide there.

She hopes to follow her mother's footsteps all the way to a teacher's degree.

For the past nine months, parents and other low-income people have filled all of St. Paul Head Start's entry-level jobs—teacher aides, cooks and social service aides—jobs that have no "paper" qualifications.

Their training is given on the job and through workshops, under the direction of career development coordinator Mrs. Mary Lou Gilstad, and at University Extension Division classes organized by William Hoffman, director of the university's program for continuing education in social work.

Thirty-five St. Paul Head Start employes attend the evening classes, which Hoffman describes as "adapted to Head Start needs, but not watered down."

The students, he says, "are doing amazingly well—better than they thought they could do."

"You see a former washroom attendant go to school with a textbook in one hand and a dictionary in the other—they care that much," says Mrs. Gilstad.

"They gain the confidence to go out looking for a job, to say 'I can do this and that. . . .'"

Sometimes as many as 25 to 50 persons apply for one Head Start job. Salaries are $4,400 for a teacher aide, $4,800 for a social service aide, $5,000 for an assistant teacher—all work eight-hour days.

Teachers earn $4,875 and head teachers $5,700 for six-hour days, and cooks earn $3,840 for six and a half-hour days.

"There's not a lot of money in this job," says one cook. "You've got to love kids or else you wouldn't be here."

While only a few parents can find jobs in Head Start, all of those who volunteer in the classroom have a chance to pick up new ways of working with children—"Little things, different techniques," as St. Stephanus headteacher DeeDee Ray puts it, adding, "There isn't a perfect way, but this gives an advantage."

Parents personnel committee member Maurice Evans feels many homes tend to be "dictatorial," so when he interviews job applicants he tries to determine whether they will provide chances for the children to explore and discover and learn to think for themselves.

Seeing that approach in the classroom has affected some parents.

"You learn to let a child do more for himself," says Mrs. Audrey Brown, a St. Mark's mother.

"If I'm building or painting something, I let my children help. Before, I'd hurry up and do it myself. Also, I notice a lot of mothers didn't used to let their kids use scissors. Now they've taught them how."

One Mt. Zion mother, whose son had frequent temper tantrums, used to respond either by ignoring him or throwing water on him, according to former headteacher Mrs. Gaynell Ponder.

Then she began working with another child who had similar tantrums. The teachers' response was to pick the child up, take him out in the hall and talk with him, and the mother tried the same thing.

And, says Mrs. Ponder, "she found that by not lifting her voice and not getting angry—by controlling her own feelings—it was easier to control her child's."

Some parents take home a sense of achievement themselves.

"I really get a satisfaction of knowing I've done something outside the house," says McDonough mother Mrs. Lucille McKinley. "I never had a chance to before."

"It's also a chance to get out and meet people," says West Side mother Mrs. Carol Ballard. "A lot of people when they're poor don't have any transportation. They've been stranded inside for years—I know I was.

"Now I get out a lot. There are parties, picnics, a going-away for a former teacher."

When a younger sister of one Head Start child died last spring, staff and parents rallied to the family's side.

They collected money for expenses not met by insurance, bought a headstone, clothes for the little girl to be buried in, new shoes for the older children and shoes for the father to wear to the funeral (he had only a pair of boots).

Another family, new to St. Paul, was called to the attention of First Christian and McDonough social service aide, Mrs. Donna Haley, because they spoke no English, had no furniture and slept on the floor.

Mrs. Haley informed the parents, who gathered up beds, clothes, and held a "welcome shower" for the family at First Christian. Church members and neighbors came too, and the 3-year-old son was enrolled.

When social service aides visit families, "You don't walk in and tell them what to do. You wait till they ask you," says Mrs. Haley.

"Parents are really looking for someone they can unload their problems on. Not someone from welfare. A friend," says Margaret James, social service aide at St. James and St. Philip's.

West Side's aide, Mrs. Richard Kittleson, was especially requested for the job by other parents at the center because of her knowledge of Spanish and English. Every morning she brings a few children to the center who live too far away to walk; teacher aide Beth Gaston brings another carload.

West Side mothers and fathers have met regularly since last winter organizing bake sales and dinners to raise money for a school bus.

All Head Start children are given medical and dental exams when they enter the classes, and their height and weight is checked monthly.

Mrs. Helen Stafsholt, the nurse, says about 100 children were referred for dental treatment in the last year and another 100 to Ramsey Action Program emergency and prescription foods.

All children are given red measles vaccine. Immunization for polio, German measles, mumps and diphtheria-tetanus has just been started at each center.

Mrs. Stafsholt says 17 per cent of the children are found to have visual defects and 10 per cent hearing defects. All are referred to doctors.

Maybe a dozen children a year are referred to Wilder of St. Paul Rehabilitation Center for psychological treatment.

One boy was losing his hearing because both his parents are deaf and the only language in the home was sign language.

"We wouldn't give him something if he said 'Ah-ah' for it," say teachers at the center he has attended for six months. Now when you ask him the colors of objects, he answers clearly.

"Both parents are active volunteers; the father often helps the children with carpentry; the mother accompanies them on walks. And they too have made many friends through Head Start."

HEADSTART HAS ITS SHARE OF CRITICS—PART V

(By Ann Baker)

In the six years Head Start has served St. Paul children and parents, there have been many critics who say it hasn't done enough.

Some say it starts too late—usually at age 4—and ends too soon—on entry to kindergarten.

Some point to the uneven quality of the teaching and accuse the program of being strong on providing jobs but weak on educating children.

Some, including the Head Start Parent Advisory Council (PAC) chairman, Mrs. Harold Harris, say it is not well enough known among the poor families it is designed to serve.

Biggest single problem in St. Paul's Head Start seems to be that parent involvement does not go far enough.

Talks with parents and with staff at every level of the program reveal that parents are not sufficiently informed or aware of the role they are asked to play.

One critic puts it: "A bunch of people are thrown into a room and told, 'Here's what you have to decide.' "

Some of the most active parents complain they're "kept in the dark." Some of the least active parents seem to have no idea of how much involvement they could have.

One active father says, "They need to be trained to demand the program be responsive to them."

The dangers of tokenism have been dramatized by a study of a Los Angeles poverty council whose members went through the motions of making decisions that had in fact been already made by administrators.

The experience of sitting on a policy council measurably increased the members' sense of self-worth. Some went on to pick up basic education they'd dropped in their youth. Some went out to get jobs they'd never dared apply for.

But as soon as they realized their "power" on the council was only a formality, they lost interest in the program itself; some even became hostile.

In St. Paul, Head Start administrators do not want parents' involvement to be a token thing.

Certain difficulties are inevitable: more than 500 parents are a huge group to organize by anyone's standard, especially when most families are in Head Start for only one year and about one in three mothers works all day.

Furthermore, poor persons whose budgets force them to plan from day to day have to make considerable adjustments when they sit down to tackle yearly budgets and program plans.

But in Head Start people tend to feel those problems can be licked. Last week all the centers were closed as staff—administrators, teachers, cooks—and a handful of parents met to criticize the program as they never have done before.

Teachers said they desperately want more training in childhood development and teaching methods and more chances to meet together.

Parents—one with tears in her eyes—begged for more training in procedures, group dynamics and organization.

Downtown administrators made soul-searching examinations of how they sometimes jealously guarded their own jurisdictions, at the expense of efficiency and effectiveness. They made a number of concrete plans to divide their duties better and to coordinate their efforts.

Two new staff members were hired this summer to beef up the teaching. Mrs. Kathleen McNellis, education director, is working out a curriculum outline which she will take to centers for teachers to adapt to their needs.

A language specialist, Mary McAloine, will put special stress on reading readiness.

Last week's meeting agreed that parents and teachers with talents in music, art or carpentry, should be given some time each week to visit each center.

During the summer, teachers and head teachers have met regularly: now teacher aides and cooks will too.

There was a lot of talk at the meeting about helping parents play a stronger part—especially helping them move into the driver's seat instead of concentrating on "housekeeping" the program.

In November, for the first time a two-day training session for parents will be held at the University of Minnesota. Eventually, Head Start people hope parents and teachers can be trained together.

Staff say there is no room in the budget, which has been the same for two years, for additional training. They would welcome contributions of training seminars from any agencies in the community that could provide them.

The fact that Head Start people have not gone out asking for that kind of help could be taken as one sign of an isolationist atmosphere that seems to characterize the program, and that has been another target of criticism, usually from people on the outside.

Another sign of isolationism has been Head Start's apprehension about the new Greater St. Paul Council on Coordinated Child Care. Head Start director Mrs. Sue Williams says she is afraid the council may try to control all day care in the city, and somehow jeopardize Head Start, especially its emphasis on parent involvement.

That fear seems unjustified for the council stresses voluntary coordination, prohibits interfering in program policy and requires parent membership on its policy board.

"Parent involvement is the most important thing in day care," says Mrs. Harvey Bream, interim chairman of the council.

Two months ago, David Berres, an executive of Wilder day care centers, became an at-large member of PAC on his own request. Other representatives of the community have been conspicuously absent from PAC meetings.

Head Start's weak contact with the rest of the community is particularly serious, considering that one of its primary goals is to create needed changes in other institutions.

The schools have been changed somewhat by Head Start, according to Karen Johnson, who directed Head Start when it was in the schools and since then was principal at Groveland Park elementary school.

She credits Head Start with introducing teacher aides to the schools. There are now 400 paid aides and 300 volunteers.

And, she says, "We learned from Head Start that we needed smaller classes—we realized that before, but Head Start brought it more into focus."

Some Head Start parents vow they will insist on the same kind of open contact with public school teachers that they have had with Head Start teachers. Many feel the schools are far more responsive than they were five years ago.

"Kindergarten teachers at first were skeptical," recalls parent coordinator Mrs. Marie Wilson. "They said Head Start was a waste of money, a waste of time. They said they couldn't see a difference in the children.

"Now all we get from them are good remarks. They want to know what we'll be doing, so they can adapt their curriculum."

MIGRATORY LABOR SUBCOMMITTEE HEARINGS ON FARMWORKERS IN RURAL POVERTY

Mr. WILLIAMS. Mr. President, the chairman of the Migratory Labor Subcommittee (Mr. STEVENSON) has announced a series of hearings and investigations on the problems of farmworkers in rural poverty. As the first chairman of that subcommittee, I shall never forget the great difficulty involved in securing the vital legislation which would assure justice and dignity to those who travel the face of this Nation to harvest our agricultural products.

For 10 years we attempted to focus on the migrants' problems, and proposed solutions for both the short and long run. Many new laws and programs were enacted—minimum wage, and child labor coverage, crew leader registration, and funds for health care, education, housing, and day care. Yet the painful fact is that these farmworkers are still excluded from the benefits of so much of our legislative programs.

In view of continuing economic and political powerlessness faced by farmworkers, I think the new chairman has established a most important and significant direction of the subcommittee. In his opening remarks before his first hearings on July 22, he said:

The problems of the most severely disadvantaged people in rural America—migrant and seasonal farmworkers—can't be described, much less solved, unless we examine them in the light of the larger difficulty in agricultural America: rural poverty.

I agree with my distinguished colleague. It is clear that urban areas are unable to absorb the flow of people from rural areas; and it is impossible to obliterate urban poverty without removing its rural causes. I have long been committed to the principle that by making rural areas more attractive, we could reduce or arrest the rural to city movement of poor people. And we can significantly improve the quality of their daily lives.

It is unfortunate, but imperative, that the work of the subcommittee must continue. But so it must, for only through continued legislative action and oversight will progress come. Furthermore, while Federal, State, and local efforts have shown some improvement, we have still failed to meet the needs of the broader rural community. To date, major efforts are still focused on urban poverty, and not nearly enough emphasis has been placed on poverty in rural America. Yet, the Nation does have the resources to meet the needs of every rural citizen through support of the public and private sectors of our economy, giving respect and dignity to the individual, with equal access to opportunities for economic and social advancement.

In view of the significance of the remarks of the new chairman of the Migratory Labor Subcommittee, and their importance to all Senators, I ask unanimous consent that they be printed in the RECORD.

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

STATEMENT OF SENATOR ADLAI E. STEVENSON III

Chairman, Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare (on the scope and purposes of Migratory Labor Subcommttee hearings during the 92nd Congress, at the first hearing on July 22, 1971).

FARMWORKERS IN RURAL POVERTY

In 1813, Thomas Jefferson, in a letter to his fellow statesman John Adams, expressed his conviction that America, the new nation, with its vast uncultivated lands and the opportunity they promised, would bring forth in the world not only a new form of government but a new kind of man: self-reliant, free and prosperous.

"Here," he wrote, "everyone may have land to labor for himself if he so chooses . . . Every one, by his property, or by his satisfactory situation, is interested in the support of law and order. And such men may safely and advantageously reserve to themselves a wholesome control over their public affairs, and a degree of freedom which, in Europe, would be instantly perverted . . ."

Jefferson, as politician and philosopher, was our most eloquent champion of the rural life. He envisioned an America peopled by prosperous and independent citizens, tilling the soil, wielding firm control over their own destinies and enjoying the fruits of their own labor.

What has become of Jefferson's agrarian vision after nearly two centures of history?

The dream—a dream of free men prospering in a rich land—persists. But too often, and in too many places, farmworkers and farmers, land holders and migrants, small farmers and seasonal laborers, do not control their own destiny; they are victims, together, of forces beyond their control.

For too many Americans, in too many places, the fruit of their labor is less than enough to sustain a decent life. They are victims of rural poverty—a condition which, unlikely as it might have seemed to the optimistic statesman of early America, is now epidemic in our country.

I. INTRODUCTION

Rural poverty is pervasive. It is chronic in some areas, acute in others—but it knows no geographic boundaries. It follows no racial lines. It is not even a condition of farms alone, for it affects rural villages, small towns, and ultimately the cities, which bear the impact of rural outmigration.

Its effects are harrowing: widespread hunger and malnutrition; disease, especially among the very old and the very young, aggravated by woeful shortages of doctors and dentists; unemployment and underemployment; schools plagued by poor facilities, scant budgets, low teacher pay and low educational standards; housing so dilapidated that the official label, "substandard" seems almost a euphemism.

The social costs of rural poverty are high and growing higher. Along with its talented young people, the traditional sense of community is disappearing from rural America. Public services in rural America are diminishing in number and in quality; tax bases are being eroded and political boundaries rendered obsolete. The quality of life in too many rural areas leaves much to be desired.

All this has been amply documented. Indeed, what is now so shocking about rural poverty in America is not that it exists, but that, having discovered it and documented it, we are so indifferent to it.

In 1967, for example, the President's National Advisory Commission on Rural Poverty issued its report, entitled "The People Left Behind." The report, an urgent and compelling document, was prepared by a distinguished panel and staff of experts, and led by an eminent chairman. Thousands of man-days of work were involved, and thousands of public dollars expended.

What has been the result? Can we conclude that poverty in rural America has been materially affected—not to say eliminated—since 1967?

The answer, sadly, is no.

Today, as in 1967, farmworkers and small farmers alike share poverty—in some places, abject poverty. Today, as in 1967, little relief is in sight and public concern for their plight is low.

Today as then, both small farmers and farmworkers are the victims of decisions and policies beyond their effective control.

Today as then, the migration from farm to city is accepted as a necessary fact of life—and our cities continue to suffer.

Today as in 1967, both small farmers and farmworkers are being displaced by technological and mechanical "progress," and efforts to upgrade the living and working conditions of farmworkers and farmers are met with the contentions that improvements might result in higher labor costs and more labor displacement.

The problems of the most severely disadvantaged people in rural America—migrant and seasonal farmworkers—cannot be described, much less solved, unless we examine them in the light of the larger difficulty in agricultural America: rural poverty.

This fact—and the melancholy facts about rural poverty which have changed so little since the President's Commission reported in 1967—make it not only appropriate but urgent that the Subcommittee on Migratory Labor ask some hard questions:

To what extent does rural poverty exist in 1971—and why does it persist?

What has the mechanization of farming done to—or for—the social and economic fabric of rural America?

Have small farmers and farmworkers, in the wake of rapid changes in American agriculture, been effectively shut off from the benefits and safeguards which other workers in other industries enjoy today?

Has the advent of "agribusiness"—the rise of corporations and conglomerates as agricultural powers—helped to alleviate rural poverty or to aggravate it?

Is "agrigovernment," characterized by massive support programs for agribusiness, meeting its responsibility to *all* the people and *all* the institutions in rural America?

What are the common interests of small farmers and farmworkers in the face of political and economic forces which control their lives, which sometimes make them victims of poverty, but which lie beyond their control?

The agrarian vision of Jefferson, clearly, is a fading dream for too many in rural America. For the small farmer and the farmworker, it may seem that there are forces at work which threaten his very right to live. Yet there is no real public policy debate on the future direction of rural America. Without a loyal opposition to present alternative programs and directions, there is clearly a danger that the forces of bigness—represented by agribusiness and agrigovernment—may dominate public and private decisions affecting rural America; that government may unwittingly perpetuate the domination of "agribusiness." If that should happen, more decisions will be made and more dollars spent with little or no thought of the impact on the people of our rural or urban communities.

Yet it is clear that we do not now have the necessary information to implement an effective program for rural America.

II. FARMWORKERS, FARMERS, AND AGRIBUSINESS AMIDST RURAL POVERTY

Poverty, certainly, is not universal in rural America.

Large, well-financed farms appear to be doing reasonably well; some are obviously prospering. Technological progress, sophisticated management, and highly efficient marketing and distribution have led to astonishing agriculture-industry successes.

These are facts about the rise of agribusiness:

Agriculture's assets total $307 billion, equal to about two-thirds of the value of all corporations in the U.S.; or about one-half of the market value of all corporation stocks on the New York Stock Exchange. Three out of every 10 jobs in private employment today are related to agriculture. The U.S. has a $91 billion grocery bill. If we add in the restaurant tab, it reaches $114 billion annually.

Production of labor intensive fruit and vegetable crops was by less than 80,000 farms that produced 80% of the $2.7 billion yield. While only 2% of all available crop land was used, it produced 24% of the value of all crops and used 24% of all farm labor engaged in crop production. Over 50% of all this labor is seasonal.

Seven thousand corporations have entered agriculture in the past ten years; the number of farms is down—from 3.9 million in 1960 to 2.9 at present, and the average farm size has increased 31 percent.

Less than one percent of all farmers purchased 29% of all feed, 39% of all livestock and poultry; 24% of all machinery; 41% of all hired labor; and, 12% of all farmers account for ⅔ of all farm sales—and less than one percent make nearly 25% of profits in agriculture.

Government farm programs pay the largest benefits to the largest farms. In 1969, the $3.8 billion paid to bolster farm income went to the one-third of farmers who had the largest gross sales.

These facts make it clear that new forces are at work on the rural scene. The Subcommittee will endeavor to learn more about the impact of these new forces—corporations and conglomerates; banks and insurance companies; family corporations; franchise businesses; processors, the chain stores; industries providing feed, seed, machinery, and chemicals; packagers and marketers, and "tax-loss" farmers.

Corporations and conglomerates engaged in the farming and processing of labor-intensive fruits and vegetables are directly involved in the day-to-day lives of farmworkers. Their decisions clearly affect the interests of small farmers and the "people left behind"—migrants, seasonal workers, tenant farmers, sharecroppers, and hired hands.

Have these new forces acted with concern—or callous disregard—for the welfare of small farmers and farmworkers?

Has "agribusiness" contributed to the welfare of farmworkers who have been displaced? Has it supported good roads, schools, recreational facilities, civic organizations and public services in rural areas? To what extent do these new business institutions participate in the political process? And with what effect?

III. IS THERE AN AGRIGOVERNMENT?

Changes in rural America that have substantially affected the farmer and farmworker have not come without the deep involvement of government at every level: local officials, state and federal legislators, decision-makers, and administrators.

Governing this sector of the economy, with a declared "moral and legal responsibility to farmers and farmworkers" is the United States Department of Agriculture. The Subcommittee will explore whether this massive bureaucracy benefits the many or the few in rural America. In its examination of this question, the Subcommittee will survey relevant U.S.D.A. and other government programs, in terms of the priorities that have been established for serving the needs of *all* in rural areas.

Direct and generous subsidies to private interests in the form of land retirement and conservation programs, income support programs, taxation policies, water and irrigation subsidies, research subsidies for technology and mechanization, pesticides, market services and surveys, and others whose impact on human problems in rural America, for good or ill, is immense.

Additionally, the Subcommittee will study the role of other public and private agencies, including the Labor Department, the Immigration and Naturalization Service, agribusiness, recruitment agencies, crew leaders, labor unions, interest groups and associations, and others, to determine what their impact is on the future of farmworkers, small farmers, and others in rural America.

Clearly the larger an enterprise, the more able it is to hire lawyers, lobbyists, and public relations men to voice its concerns. Has the decline in the number of farms and farmers reduced the political influence of farmers? Or has political power simply become more concentrated in fewer, wealthier hands that can afford political contributions to sway votes? If so, what has been the effect on policy-making?

We will also examine the role and activities of government-supported Land Grant Colleges—particularly as they relate to the

farmworker, the small farmer, and the rural community generally. Are their research programs, outreach efforts, and involvement in the area of economic, manpower, and social problems fulfilling the Congressional intent of meeting the needs of *all* citizens in rural areas? Particularly important, should land-grant colleges be attacking not only purely agriculture problems, but a whole range of social and economic problems of the rural sector?

IV. LEGISLATIVE PROPOSALS TO AID RURAL AMERICA

While the Subcommittee's hearings are not directly related to specific legislative proposals, certainly the problems of rural America and farmworkers cannot be considered without reference to the inadequacies, omissions, and deficiencies in our present laws.

For all practical purposes, farmworkers are either specifically excluded from, or, at best, only minimally included under every major federal or state social or worker benefit program, such as collective bargaining, the minimum wage, workmen's compensation, unemployment insurance, child labor laws, wage payment and collection laws, social security, welfare and housing programs. Even when farmworkers are covered, enforcement is inadequate or nonexistent. Thus the benefits which most U.S. workers take for granted have been systematically denied to farmworkers.

Where legislation makes social and worker benefits available to farmworkers, and this availability is known, farmworkers are still effectively excluded by their inability to meet unfairly demanding conditions such as income standards and residence requirements. Even special programs that have been designed to benefit farmworkers, like the Farm Labor Contractor Registration Act, the Migrant Health Act, food and nutrition programs, housing programs, manpower programs, certain programs under the Office of Economic Opportunity, and the Office of Education appear largely useless to farmworkers because of inadequate enforcement, lack of awareness, apathy, discrimination, poor program design, and lack of funds.

Even when migrants are eligible for such assistance, they often cannot afford to spend the tremendous time and energy demanded by the red tape associated with aid programs. Many programs, by holding out false hopes and promises, actually add to the hopelessness of rural people.

Finally, legal obstacles, residence requirements, and high illiteracy rates all conspire to limit farmworker registration and voting participation in the political process.

Throughout the course of the Subcommittee's hearings, we will consider various aspects of a Farmworker's Bill of Rights, a comprehensive legislative package to cure these exclusions and deficiencies. Similarly, we will be open to discussion of other legislative actions in the area of tax reform, government procurement policies, farm subsidy programs, rural economic development proposals, development of cooperative land use programs, redirection of the priorities of land grant colleges, and other possible legislative remedies.

V. RURAL AMERICA—AGRIBUSINESS OR AGRICULTURE?

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 choices—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.

There is no chance, after two centuries, that America can be the nation of contented yeoman farmers that Jefferson envisioned. We have come too far for that: we are a nation of factories and cities and superhighways; we are inevitably, for better or for worse, a complex, technocratic and mechanized society.

But for those Americans who still live on the land—small farmers and farmworkers—the deeper meaning of Jefferson's vision, if not its details, are still worth striving toward: First, a rural economy in which citizens "reserve to themselves a wholesome control over their public affairs." And second, a standard of living which ensures that the fruit of a citizen's labor will bring fulfillment, not penury and dispossession.

It must be our purpose to ensure that those great aims are not ground beneath the wheels of our fast-moving society. It will be the purpose of these hearings to determine whether these aims are being served by agribusiness and agrigovernment today. And if not—why not.

Not only rural Americans but all our citizens have a stake in the answers we find.

DEPARTMENT OF INTERIOR'S HEARINGS ON ADMINISTRATION OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT AT LEXINGTON, KY., SEPTEMBER 16, 1971

Mr. COOPER. Mr. President, on September 16, the Department of Interior held hearings at Lexington, Ky., on various aspects of the implementation and administration of the Federal Coal Mine Health and Safety Act of 1969, by the Bureau of Mines.

Attending and addressing this forum were the Honorable Louie B. Nunn, Governor of Kentucky, Mr. H. N. Kirkpatrick, commissioner of the Kentucky Department of Mines and Minerals, numerous officials of the Kentucky Department of Mines and Minerals and representatives of the small coal mine operators.

The testimony presented at this meeting outlined the many problems experienced by the small coal mine operators and State officials in their efforts to comply with the provisions of the Federal Coal Mine Health and Safety Act of 1969.

Mr. President, I ask unanimous consent that Governor Nunn's address and the testimony of Commissioner Kirkpatrick of the Kentucky Department of Mines and Minerals, and the statements of Messrs. J. H. Mosgrove, Cecil Sherman, Everett Bartlett, and James Thorp of the Kentucky Department of Mines and Minerals, together with the official notice of the meeting by the Department of Interior be included in the RECORD at this point:

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

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, D.C., September 2, 1971.

Notice of meetings: To all Parties Interested in the Administration of the Federal Coal Mine Health and Safety Act of 1969.

This is to advise that, in response to a directive from the Secretary of the Interior, the Office of Hearings and Appeals will conduct a series of public meetings for the purpose of assembling all facts, views, and relevant data regarding the Department of the Interior's implementation and enforcement of the Federal Coal Mine Health and Safety Act of 1969, as well as suggestions and recommendations to make the Department's administration of the Act more effective. Prior meetings were held in Washington on July 1 and 2, 1971 and Denver, Colorado on August 26 and 27, 1971.

The next public meeting will commence at 9:30 a.m. on September 16 and 17, 1971, and will be held in the Crystal Ballroom, Phoenix Hotel, 120 East Main Street, Lexington, Kentucky.

All interested individuals, including miners, representatives of miners, labor officials, coal mine operators, associations, equipment manufactures, mining engineers, mining educators, state mining officials, elected officials, and other public officials, who wish to speak at the meetings are requested to contact the Director, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203, telephone 703-557-1500, by 5:00 p.m., September 10, 1971. Written comments from those unable to attend the meetings and from those wishing to supplement their oral presentation at the meetings should be addressed to the Director, Office of Hearings and Appeals, at the above address. The Department will accept such written comments until November 22, 1971. All written statements and comments received pursuant to this Notice will be included in the survey submitted to the Secretary.

Verbal statements at the meetings must be limited to 10 minutes. The oral statements may be supplemented by a more complete written statement at the time of the presentation of the verbal statement or mailed to the Director, as provided above. To the extent that time is available after presentation of the verbal statements by those who have given advance notice, the Director will give others present an opportunity to be heard.

Subsequent public meetings will be held in areas of heavy coal-mining activity; locations and dates will be announced in the press and Federal Register.

Because of the important role good administration of the Act plays in the well-being of our Nation, we hope you and/or your organization will participate in this constructive effort.

GOVERNOR'S REMARKS: IMPLEMENTATION AND ENFORCEMENT OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

I am Louie B. Nunn, Governor of the Commonwealth of Kentucky. First allow me to thank you for this opportunity to testify in regard to the Federal Coal Mine Health and Safety Act of 1969.

I would not appear here today as an expert witness or attempt to offer any degree of personal expertise. But as Chief Executive I feel a responsibility to an industry which comprises a major portion of our economy and affects the safety and well-being of many of the citizens of this Commonwealth.

More importantly, however, there is a sense of personal responsibility and a sincere desire to aid and assist in the safety and security of our fellow men.

It is this concern for physical safety, economic well-being and environmental protection that compels me to say that the Federal Coal Mine Health and Safety Act of 1969 has failed to achieve the good intentions of those in Congress who supported its passage.

The Kentucky experience of the past 21 months since this law became effective has been that instead of helping to solve a seri-

ous problem, it has helped to compound the problem.

The law has become an administrative nightmare as well as an exercise in contradiction, confusion and futility.

There have been instances and no doubt testimony will be offered later today to prove that this legislation has seriously and unfairly jeopardizing lives instead of saving lives.

It has jeopardized the economic stability of a segment of the mining industry.

And it has jeopardized the ecological grandeur of our state.

What appears to be the most glaring mistake of the law is the removal of the distinction between gassy and non-gaseous mines.

This portion of the Act has hit hardest and most inequitably at the small mines, particularly in Eastern Kentucky.

The new and highly expensive permissible machinery required by the new law simply is out of the financial reach of many small operators. And this requirement is even further beyond the understanding of these operators.

No one, either at the federal, state or local level, has yet been able to explain to these operators why they should have to sink huge sums of capital into equipment to be used in gassy mines when their mines contain no gas.

Many of the small mines in Appalachia have been forced to close because of inability to comply with the Act.

Many others have closed before being inspected out of fear of the high penalties provided by the new law.

It is ironic and most unfortunate that while we have finally realized an industrial breakthrough in Eastern Kentucky and in a period when nearly fifty new industries were locating in that part of our state, many able-bodied men have been denied an opportunity to work because of a discriminatory law.

In 1970, 969 underground mines were in operation in Eastern Kentucky, employing 17,321 men.

Today the number of mines has dropped to 820 and nearly one thousand fewer men are employed.

It is tragic that many of those employed at these mines may have no other recourse than to leave payrolls and join the welfare rolls. Surely, this was not the intention of the authors of the law.

The burden is not limited to small mines only. Many large mines are suffering from a supervisory shortage brought about by the wholesale employing of federal mine inspectors. Those supervisory personnel who are left spend much of their time accompanying inspectors on the mine property and are otherwise deskbound by volumes and volumes of paperwork.

Unless there is a reversal of the present trend, we may reach a point when there will be almost as many federal inspectors as there are coal mines to inspect.

Almost two years have passed since the law became effective and the most knowledgeable people in the Bureau of Mines and the industry are still trying to determine its full meaning.

Interpretations are still being attempted, but seemingly with little success.

It must be evident that if those responsible for implementing the law cannot agree, the coal operators could hardly be expected to understand how they are to comply.

In looking at Kentucky's mine safety record it shows that the Commonwealth covered a period of almost twenty-five years without a major disaster. The year before the Act went into effect (1969) the Commonwealth enjoyed its best year from a coal mine fatality standpoint. Thirty-three miners lost their lives in 1969 as compared to 37 to this date in 1971. This in itself shows that the Act is not working.

Almost as distressing as the adverse affect the new law has had on the safety of the coal miner is the devastating setback it has dealt to Kentucky's environment.

As more and more small mine operators have been forced to close, more and more strip mine operations have been started.

In 1968, there were 189 surface mining operations in Kentucky. Today, that number has increased more than three times. Now there are 556 strip mine operations.

Production figures reflect the same disturbing trend. In 1969, underground mines produced 64 million tons of coal in Kentucky, while surface mining operations yielded 44 million tons.

Last year, however, underground mines produced only 63 million tons, while the figure for surface operations skyrocketed to 62 million.

These statistics in human, economic and environmental damage vividly underscore the need for immediate remedial action by the Congress.

It should be obvious to all that if the Kentucky coal industry is to remain sound and is to provide safer, more rewarding employment for our people and is to flourish in compatibility with our environment, the Congress must take another look at the 1969 Act.

To show further why such action is needed, I have asked a team of five experts from Kentucky's nationally respected Department of Mines and Minerals to appear with me here today.

Together, these men represent almost a century and a half of mining experience.

They have experienced first hand the frustrations inherent in the Coal Mine Health and Safety Act.

They are: Commissioner Kirkpatrick; Assistant to the Commissioner, J. H. Mosgrove; Cecil Sherman of the Martin District; Everett Bartlett of the Hazard District; and James Thorp of the Western Kentucky District.

Mr. Kirkpatrick is from a mining family whose entire working career has been associated with underground coal mines in Muhlenberg County of Western Kentucky. Mr. Kirkpatrick has always had an interest in mine safety having worked with several safety organizations during his career.

Mr. Mosgrove has been associated with the mining industry of Kentucky over forty years, having started as a miner at a very young age in Letcher County. His career has included working as a mine laborer, supervisor, and he has been directly engaged in safety work for over 25 years.

Mr. Sherman started his career in 1931 as a mine laborer. He has advanced from that position through to the job he now holds as District Supervisor with the Department. Many years of Mr. Sherman's background have directly connected with safety promotion.

Mr. Bartlett has been associated with mining in Kentucky for over forty years. His work experience ranges from mine laborer to mine superintendent. He has served with the Department of Mines and Minerals almost seventeen years.

Mr. Thorp, supervisor of the West Kentucky District has worked in the West Kentucky coal fields for a number of years. He was very active in safety team work and has served as a mine laborer and supervisor.

All these men are well qualified by their experience as laborers, supervisors and safety inspectors and administrators.

They are here to help, not to hinder.

They are here to offer constructive criticism, not to obscure the facts.

We do not ask that changes be made at the expense of lives because we fully realize that productivity must be judged in human terms. But neither shall be we silent as unjustifiable and illogical obstacles are placed before productivity.

We ask only that necessary revisions be made in order that we might have legislation that can be readily understood both by those charged with its implementation and those who are required to comply . . . legislation that will effectively assist us in attaining a new high in the safety, economic and environmental standards of the coal industry.

STATEMENT BY H. N. KIRKPATRICK, COMMISSIONER, KENTUCKY DEPARTMENT OF MINES AND MINERALS

My name is Harreld N. Kirkpatrick, Commissioner of the Kentucky Department of Mines and Minerals. As head of the mining department of the second largest coal producing state, I must be mindful of the dual effect of any coal mine health and safety legislation.

In the first and most important instance, I am impressed with the need to protect the physical well-being of the more than 20,000 Kentuckians now actively employed in the extraction of coal.

I wholeheartedly support the adoption of any legislative measures that will provide for effective and enforceable safety provisions and health measures based upon proven medical and technical standards.

In evaluating proposed corrective legislation, I must also keep in mind the fact that coal is a six hundred million dollar product in Kentucky's economy.

Emotions are high and no one can reasonably deny the need for reforms in this area, but I am deeply concerned that caution and careful consideration of all aspects has become unfashionable in our haste to correct present conditions.

The traditional distinction between "gassy" and "non-gassy" mines has been based upon the presence of methane gas in the working areas of a coal mine and the distinction bears a direct relationship of a likelihood of an explosion.

This distinction has two practical manifestations. First is frequency of inspections for gas and the second is a requirement for certain types of equipment and machinery.

Ninety-five (95%) percent of Kentucky's operating mines are now classified as "non-gassy" and presumably operate under standards now acecptable for mines so classified.

I urge the Congress to enact a law which will be observed and which can be enforced and fairly, without discrimination between states or individuals.

For our part, we intend a meaningful evaluation of state laws and introduction of corrective legislation for the next session of the Kentucky General Assembly.

STATEMENT BY J. H. MOSGROVE, ASSISTANT TO THE COMMISSIONER, KENTUCKY DEPARTMENT OF MINES AND MINERALS

Mr. Chairman: My name is J. H. Mosgrove, I am Assistant to the Commissioner, Kentucky Department of Mines and Minerals, a Department of state which mines 125 million or more tons of coal per year. The second largest producer of all states.

At the outset, I want to make it clear that our Department is not interested in making changes in any law that places production above the lives of workmen and at the same time we feel that a law that is workable, clear cut and meaningful will give the best results.

Let me go on record also, that we of the Department of Mines and Minerals have a high regard for the Bureau of Mines men we have worked with in past years. We feel a deep sympathy for them in their efforts to implement a law so involved and complex that even top Bureau men and their attorneys have difficulty in coming up with common interpretations. Even worse is the plight of many of Kentucky's mine operators (especially those with limited education) who must attempt to analyze and comply with a law they cannot even understand and when

explained by separate, well-intentioned Bureau inspectors is very likely to be different.

The purpose of this meeting if I understood the correspondence correctly, deals with possible critiques of the implementation of the Act. In all honesty I feel that the Bureau has been saddled with what should be a 5 to 10 year program to implement in one to two years. This pressure, I am sure, has had some effect resulting in confusion both in the Bureau and the industry. Not enough time is allowed for reasoning.

We of this Department see these things because we too are affected by the Act.

We have lost good mine inspectors from our Department to the Bureau because we cannot match salaries paid by the Federal Government. (I understand Washington gets most of the tax dollar.)

While we have had a couple of real good breaks lately in employing qualified inspectors, on the whole we cannot compete with the Federal Government in employing additional needed inspectors. Our qualification for employment requirements is much higher but our salaries are lower. That is not much of an inducement. Thank heavens we have on our staff a nucleus of experienced, solid people who are dedicated and feel a loyalty to the Commonwealth.

Getting back to the Mine Safety Act, it was no doubt passed by a well meaning Congress but maybe without the soundest available advice. It will serve no useful purpose to criticize the passing of the Act but better yet, close scrutiny should be made of the law with the idea of making it more understandable, better coordinated and more meaningful.

Would it be impossible to develop a law following the format of the old Federal Mine Safety Act? It was easily read and understood by the average mining man.

We recommend that when the time comes to take a fresh look at Federal Mine Legislation that more knowledgeable people be given an opportunity for input and that men of good will and rational behavior work together to bring about a good law for all parties.

I am seriously concerned about the weakening of the relationship of those who once worked closely together in safety problems and in promoting safety competition. Is it really developing into a condition where those who once worked closely are becoming adversaries when safety is involved?

I read articles and statements that mention this possibility. This simply cannot be tolerated if the industry is to survive and the interest of safety is served.

We are hopeful that in the very near future and before relations are strained too far that Congressional action will be taken to remove the inequities of the Federal Coal Mine Health and Safety Act of 1969.

I have devoted my entire working life to the Kentucky coal industry. I am extremely proud of our Commonwealth and the people working in the industry. It is my hope that problems and differences can be resolved leading to a more healthy and friendly climate.

In case our memories may be a little short let us think back a few years to 1941 when we were thrown into World War II. What would we have done without a strong coal industry geared for a speedy pick-up in production. Let us not necessarily shackle the industry to a point that it cannot again quickly respond if called upon.

STATEMENT BY CECIL SHERMAN, DISTRICT SUPERVISOR, MARTIN, KENTUCKY, KENTUCKY DEPARTMENT OF MINES AND MINERALS

Mr. Chairman: I am Cecil Sherman, District Supervisor of the Kentucky Department of Mines and Minerals, Martin, Kentucky. I have noted with much interest the results of the Federal Coal Mine Health and Safety Act of 1969.

The Federal Law's affect on small mine operations has been serious. Although, I feel that this was really not the intent of the Act.

The small mine operator was not prepared for such a drastic change in the Safety Inspection Program. The swift and abrupt altering of safety standards left him confused, disturbed, and afraid.

Confused as to the proper interpretation of the Law. Disturbed as to his ability to continue his mining operation. He was afraid of the enormous fines and penalties of the Law.

The Federal Law's effect on large mines has been almost equally as serious, and they were also confused, disturbed and afraid. Confused because of their inability to obtain the necessary manpower, especially qualified and trained men to accomplish the task of complying with the Law. Disturbed by their ability to meet the deadlines of all phases of the Federal recommended guidelines, afraid of the final outcome of what they considered an impossible task.

The surface mine operators are also affected by the Law and will be more so when inspections are finally completed of their operations. They are also confused, disturbed and afraid. Disturbed because no one has been able to advise them concerning strip mine laws and regulations prior to its effective date. Disturbed at the rapid decline in deep mining operations and the increase of strip and auger mining. Afraid of the final collapse of a growing industry.

The majority of small mine owners are saying to themselves; we will never be able to fully comply with the Federal Mining Law. All we can do is mine until the Federal Inspectors make an inspection and close us down. This tends to increase accident rates.

The large mine safety directors and inspectors are at this moment bogged down in an never-ending program, which will take at least five years to implement. They are also imprisoned by paper work and reports which adds considerable extra work while accident records are increasing.

The surface mine operator has developed a wait and see attitude, while his employees are increasing and his responsibilities growing with leaps and bounds. Accident rates are increasing.

CONCLUSION

I am convinced that America and particularly Kentucky needs the Coal Industry, and the Coal Industry needs the best possible safety protection available, and I believe that good solid, sound, and level-headed men can and will take another long, hard look at the 1969 Mine Health and Safety Act with a firm but fair position. Every law when not working properly needs revising and improving, and this can be done only by taking both sides into consideration. Let us again work together to achieve the goal desired by all people connected with coal mining to develop a sound business, a workable law and a better safety record. The best records the mining industry has enjoyed was when the operations were free from confusion, disturbances, and fear.

When both Federal and State inspection agencies were checking together the five basic mining principles related so closely to accident prevention. Ventilation, timbering, rock-dusting, safe storage and handling of explosives, and the continuous instructions of the transportation personnel of the dangers encountered daily in the operation of their haulage equipment.

Again, I would like to express my appreciation to the Governor, for his invitation to express my views on the 1969 Mine Health and Safety Act. Thank you for your attention.

STATEMENT BY EVERETT BARTLETT, DISTRICT SUPERVISOR, HAZARD, KENTUCKY, KENTUCKY DEPARTMENT OF MINES AND MINERALS

Mr. Chairman: My name is Everett Bartlett. I am District Supervisor of the Hazard District of the Kentucky Department of Mines and Minerals.

I would like to talk about some of the things I think are wrong with the Federal Coal Mine Health and Safety Act of 1969.

Let's go back a few years and lay a foundation for my remarks. In the early 50's I was superintendent of one of the mines of a large coal company operating in the Hazard District. In 1953 most of the rail mines were forced out of business due to the low price of coal. A large number of men were thrown out of employment and most of them with large families. The younger men that could, found jobs in the factories and steel mills and left the coal fields. Some of the men found employment in the truck mines which at this time produced a large per cent of the coal mined in Eastern Kentucky. The rest of the unemployed miners started small mines of their own. As the price of coal increased, the small mine owners reinvested what they made, above their cost of living, on better mine equipment and in improving their mines. It was during this time, prior to the Federal Mine Law enactment, that the State of Kentucky had its best safety record.

When the distinction was removed between non-gassy and gassy mines, hundreds of mine owners decided they were not able to buy expensive permissible equipment and that their present investment would be a total loss. Of the 550 coal mines licensed in the Hazard District so far in 1971 only 4 mines are classed gassy under the State law. Most of these men working at mines which are forced to close will be unable to obtain employment in other industries because of age, lack of experience, or education. The only thing left for them may be the Welfare roll.

Check curtains and line brattices in the face areas, particularly in thin coal seams, have proven to be one of the most dangerous conditions brought about by the new Law. Machinery operators of equipment traveling through the curtains collide with other equipment or run into workmen who do not hear the equipment moving because of the noise in the face area and lack of visibility due to the use of curtains.

It is my opinion that mine safety cannot be reached by inspections alone. The miners should be instructed on a personal level in language that they can understand. Mines in one area are different from mines in another area.

I hope that the Federal Mine Law will be amended, so that the coal industry can regain the ground that has been lost under the new law.

STATEMENT BY JAMES THORP, DISTRICT SUPERVISOR, MADISONVILLE, KENTUCKY, KENTUCKY DEPARTMENT OF MINES AND MINERALS

Mr. Chairman: My name is James Thorp. I am District Supervisor of the West Kentucky District, Kentucky Department of Mines and Minerals.

I would like to say a few words concerning some of the problems which have arisen in our district since the enactment of the 1969 Federal Coal Mine Health and Safety Act.

There has been an acute shortage of trained personnel in our district due to the hiring of many of our best mining men by the U.S. Bureau of Mines. Also, the placing of several men in the Safety Departments of coal companies to help them comply with the new law has drawn several more key men from the working force.

The lack of trained persons to fill these vacancies has caused a great deal of con-

cern by the coal companies, and I might add to our Department as well. Because the lack of properly trained men has an adverse effect on the safe operation of the mines, a certain amount of time is required to train men, but finding men with the necessary experience in order to train and certify is certainly a problem in itself.

The many added duties that a supervisor has under the new Law is very demanding. Additional examinations and record keeping has in some degree hindered the overseeing of the job, thus resulting in not doing the best job possible. The fear of personal penalties if someone is hurt, also has an adverse effect on the supervisor.

The need of trained men at the face is a must for the safe working of the mine, as 80% of all accidents occur at or near the face.

We are at this time having mining schools to replenish the depleted ranks of mine foremen, Assistant Mine Foremen and fire bosses in the West Kentucky District, but as of this date there is not enough men available for the fast growing coal industry.

Another problem is the method of detection of gas which has been changed according to the new Law. The use of the flame safety lamp which has been used for a long time as a most dependable way of detecting gas has now been relegated to supplementary use to the methanometer and spotter in the detection of methane gas. These detectors are often erratic and hard to keep calibrated for use. Granted, the flame safety lamp has caused some accidents over the years, we still maintain however that this lamp is the best instrument for the use in the detection of methane gas and deficiency of oxygen if properly used. Some day, gentlemen, we may have an explosion due to the malfunction of the methanometer. This is my opinion.

In the West Kentucky District, we have a force of about 50 Bureau inspectors which poses a problem in the inspection of the 27 underground operating mines. As the Department only has five inspectors, we must go in the mine to make our inspections causing the company to tie up two men for this day or days. This also causes a problem for the company. Before the new Law, we had a mutual agreement to stagger the inspections between the two agencies and the year 1969 can show the result of the close cooperation between the two agencies. In the year 1969 only 7 fatal accidents occurred giving a ratio of approximately 7 million tons per fatality.

Mr. COOPER. Mr. President, I ask unanimous consent that a new article appearing in the New York Times September 19 reporting on Governor Nunn's address be included in the RECORD at this point.

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

GOVERNOR NUNN SCORES MINE SAFETY ACT—JOINS FOES OF 1969 LAW, WHO ARE WORKING FOR CHANGES

(By George Vecsey)

LEXINGTON, Ky.—Pressure is increasing for changes in the 1969 Coal Mine Health and Safety Act, with operators of small mines working hard for change and Government officials indicating that they may be listening.

The vehement critics of the law gained a new ally on Thursday when Kentucky's Governor, Louie B. Nunn, said that the law "helped to compound" mining problems and called it an "administrative nightmare."

The Republican Governor made his statement at the most recent of six public hearings held by officials of the Department of the Interior. The hearings were attended by several dozen operators who say the 1969 law is putting small mines out of business with its "inflexible" requirements.

With small operators, who produce only 8 per cent of the nation's deep-mined coal, crying for relief from the law, and the larger Bituminous Coal Operators Association reportedly planning a lawsuit on other aspects of the law, the Bureau of Mines finds itself under heavy industry pressure.

PRESSURE OVER ACCIDENTS

There is also pressure to prevent accidents that kill miners. With the accident at Hyden, Ky., last Dec. 30 in which 38 miners died still very much on everybody's mind, the bureau has called a rare weekend meeting in Charleston, W. Va., spending an estimated $250,000 to bring in more than 1,000 supervisors, inspectors and trainees from this area.

The bureau officials will hear Dr. Elburt F. Osborn, director of the bureau, announce an "alert status," with postponement of vacations and increased vigilance, from October through March, when most mine explosions take place.

The small operators have often said that the 1969 Act has hurt them economically and killed more miners. In his speech, Governor Nunn revived the statistic that the operators pass around: Only 33 miners killed in Kentucky in all of 1969, before the act, but 37 dead already this year.

COAL DUST CITED

Although the Hyden blast was allegedly produced by illegal explosives, it was reportedly carried from chamber to chamber by an explosion of excessive coal dust. Some miners have charged that provisions of the 1969 act contribute to excessive coal dust by requiring that 3,000 feet of cubic air be forced to the working face in each mine. The cold outside air forced inside, the operators say, dries out the mine dangerously.

One high-ranking official in the bureau—Henry Wheeler, Deputy Director of Health and Safety—suggested on Thursday that the law might be amended to provide for "potentially gassy" mines as well as "gassy" mines, instead of the current uniform standard that requires elaborate and expensive safeguards against explosive methane gas.

Miners in this area insist that methane gas is nonexistent in the coal fields of eastern Kentucky because the coal seams are in the dry hills, far above the water table.

"Heck, I'd live in my mine for the rest of my life. There's no gas in it," said Paul Patton of Virgie, Ky., an articulate young engineer who owns the Kentucky Elkhorn Mines.

'NEW MINE RULE'

Mr. Wheeler recently suggested that Government lawyers were "looking into" the rule that has been interpreted to say that any new opening constituted a "new mine." The rule also said that old equipment, which must be phased out by May, 1974, could not be moved from an "old mine" to a "new mine."

While the small operators were encouraged by Mr. Wheeler, they have also heard rumors, denied by nobody, that he will soon be replaced within the politically charged bureau.

Regardless of what the hearings produce, no change can come in the 1969 law without Congress making it. And a leading architect of the 1969 law, Representative Kenneth D. Hechler, Democrat of West Virginia, said yesterday that no changes were necessary or likely in the near future.

Representative Hechler, who has often said that the Bureau of Mines should not be entrusted with administering the Health and Safety Act, said that the hearings in Lexington "were part of the whole Nixon policy of keeping the people happy."

The only support for the current law on Thursday came from several area officials of the United Mine Workers, who are generally employed by the larger coal companies. The small operators are mostly nonunion.

Mr. COOPER. Mr. President, I ask unanimous consent to include in the RECORD at this point an editorial appearing in the Courier-Journal, September 14, calling for a reexamination by the Bureau of Mines of its current procedures and regulations and noting the need for congressional overhaul of the present law if the law to be both workable and effective in the advancement of the health and safety of all those who work in our underground mines.

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

FEDERAL LAW ON MINE SAFETY ISN'T WORKING

Henry Wheeler, deputy director of the U.S. Buseau of Mines, has been making the mining-towns circuit defending the Bureau and the new mine-safety law against critics. It isn't an easy job. There is too much evidence that the Bureau is shot through with politics and inefficiency. And evidence is growing that the mine-safety law, far from making underground mines safer, is actually contributing to mine deaths.

It is not just that President Nixon and Interior Secretary Rogers Morton are loading the Bureau with poltical hacks. It is not just that mine fatalities are up this year over last year. It is not just that there are not enough trained inspectors or enough consistency in interpreting and applying the provisions of the law. There are just too many indications that the law is faulty.

Mr. Wheeler himself admitted to a Pikesville meeting of miners and operators last week that the law as now enforced created some hazards by forcing supervisors, who should be in the mines, to spend much of their time on paperwork. But there are reasons to suspect that this is but one of many shortcomings of the law.

When a man as cautious and responsible as Senator John Cooper criticizes application of the mine-safety law and implies that the law is unfair to small operators, it clearly is time for Congress to take another look. It's not entirely accurate to say that the 1969 law was hurriedly drawn; but in the emotional aftermath of the Farmington, W. Va., mine disaster of that year, public pressure created an atmosphere in which the complaints of operators hardly could have been given adequate consideration.

APPLICATION UNEVEN

Since then it has become apparent that many of the objections voiced against the law at the time had some validity. It has never been clear why small mines should be required to install all the equipment required of larger mines, or why operators of small mines should not have been permitted to convert existing equipment, rather than having to replace it with new, if the converted equipment would do the job. It has never been clear why non-gassy mines should be required to provide ventilating and electrical equipment necessary in gassy mines.

Perhaps the provisions of the law had to be made flexible to apply to varying conditions in mines of different types; but the flexibility has led to varying interpretations of the law, and application of penalties and fines has been uneven and at times seemingly unfair.

The results are doubly bad. More miners are dying than before, which in itself calls for reconsideration. And the cost of the law is forcing underground operators out of business by the dozens, and obliging them to turn to the ecologically disastrous strip mining. Mr. Wheeler can't be expected to explain away these facts.

Mr. COOPER. Mr. President, lastly I ask unanimous consent that a statement I made at the initial hearing of the Department of Interior, conducted in Washington on July 2, be printed in the RECORD.

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

STATEMENT BY SENATOR COOPER

JULY 2, 1971.

Secretary Morton is to be commended on his initiative in scheduling these conferences to review the first-year's operation and administration of the Federal Coal Mine Health and Safety Act of 1969, and to provide a forum for the exchange of views on the problems encountered by the Bureau of Mines in administering the Act, and to consider the changes required to make it more workable as well as effective in improving the safety of our miners. As outlined in Secretary Morton's statement, those individuals invited to participate in these conferences will include representatives of miners, labor officials, coal mine operators of large mines, coal mine operators of small mines, mining educators, state mining officials and others who by training and experience are in a position to contribute to these discussions.

Such meetings will provide an opportunity on a work-shop basis whereby Bureau of Mines' officials and representatives of all segments of the coal mine industry can meet and exchange views on practical as well as technical problems they have encountered as a result of their own experiences.

The Federal Coal Mine Health and Safety Act of 1969, which went into effect March 31, 1970, represents a complete overhaul of previous legislation in this field and, as a result, many problems have been encountered by the Bureau of Mines in the implementation, administration and enforcement of the Act's provisions. I welcome Secretary Morton's announcement as an excellent first step in providing a continuing forum where all these problems can receive a public airing. By taking such a lead the Secretary is emphasizing to all those participating in these conferences, to the Congress and to the public the concern and importance that the Department attaches to improving the administration and operations of the 1969 Act for the purpose of advancing the health and safety of all the people who work in our underground coal mines.

Mr. COOPER. Mr. President, returning to the Department of the Interior's conference of July 1 and 2, I should note from reading the schedule of witnesses that several constitutents from Kentucky gave their views based upon their experiences concerning various phases of coal mine health and safety. I have had an opportunity to read the statement of Mr. Cloyd McDowell of Harlan, Ky., president of the National Independent Coal Operator's Association and a member of Secretary Morton's Advisory Committee on Coal Mine Safety, in which he proposes that the Department hold future public conferences open to all segments of the mining industry concerning specific technical problems relating to the administration of the 1969 act. I believe these proposals have merit and I hope that the Department will give them its careful consideration.

Mr. President, I ask unanimous consent that Mr. McDowell's statement be printed in the RECORD.

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

STATEMENT BY CLOYD D. MCDOWELL,
JULY 2, 1971

Mr. Chairman, my name is Cloyd D. McDowell. I am President of the National Independent Coal Operators' Association, a voluntary trade organization of over four hundred small mine operators, located throughout the states of Virginia, Kentucky, West Virginia, Tennessee and Iowa. I am also President of the Harlan County Coal Operators' Association a local chapter of N.I.C.O.A. and I am a Member of the Secretary's Advisory Committee on Coal Mine Safety Research.

We have other members of our organization here today who will present testimony with respect to their particular problems in the areas covered by various local chapters of N.I.C.O.A.

We are here in response to a notice received by most members on June 28th, advising us of this meeting to be held in Washington, July 1 and 2, and giving us until June 29th, to make an appointment to be heard for ten minutes. While we are grateful for the opportunity to present testimony concerning the many problems we are facing in trying to comply with the Federal Coal Mine Health and Safety Act of 1969, we believe that a more productive meeting would have resulted had we been notified well in advance of the meeting and been provided with an agenda to follow in our discussions. Therefore, I urgently suggest that this meeting of July 1 and 2, be considered a planning session for a series of future meetings to be held in Washington. I further recommend that each participant be given an opportunity to contribute suggestions of topics and problems to be discussed in future meetings.

I presume that the basis for calling a meeting of this nature is provided in Section 101(c) of the Act. I regret that the Secretary has not allowed public hearings in connection with proposed regulations as they appear in the Federal Register from time to time. I believe that such hearings would have resulted in regulations that were workable and better understood by the operator, the mine worker and the Bureau inspector.

We feel that legislation contained in the Act is not achieving the goals of health and safety that we all are seeking. In fact, the record to date has shown no improvement over that achieved before the Act became effective. At the same time hundreds of small mine operators have closed their mines, either through fear of bankruptcy or fear of continued harassment by inspectors and the mounting penalties charged against them by officials of the Bureau.

More and more coal is being produced by surface mining as the small operator closes his mines. While surface mining has a legitimate place in the industry the loss of coal that would have been mined by the small underground mines is gone forever once the mine is abandoned. Surface mining will keep the production of coal going at a record rate but can we afford the luxury of losing millions of tons of underground coal because of the inflexibility of regulations that were meant to prevent accidents in the larger gassy mines?

There are hundreds of problems facing the small coal mine operators and I wish to include in my remarks an outline of an agenda that may be used in future meetings if we are given time and opportunity to offer suggestions in making the Federal Coal Mine Health and Safety Act a workable instrument for improving the health and safety of those employed in the coal industry of this nation. I recommend the following agenda which can be improved on:

2. Increased cost.

3. Bureau should advise manufacturers of requirements.

4. Designed to meet regulations.

5. Need list available and not available.

IV. Research

1. Research the effect of regulations on health and safety before adoption.

2. Advisory Committee's recommendations requested by the Secretary.

3. Priority of projects and grants for research adopted and followed.

V. Education and training

1. Guidelines for all training programs made available to industry.

2. Assistance from Bureau of Mines for instructors required.

3. Training manual and supplies needed.

4. Growth of local safety institutes encouraged.

5. Vocational schools encouraged to train mine workers.

VI. Financial assistance

1. Availability of Small Business Administration loans to small coal operators.

2. Grants and assistance made available to vocational schools for training.

VII. Lack of manpower

1. Recruiting of supervisors by Bureau should be stopped.

2. Training programs needed.

3. Bureau of Mines should be required to hire physically handicapped and over age inspectors.

HEALTH

I. Operations and regulations

1. Dust standard too low and impractical.

2. Accuracy of instruments questionable.

3. No allowances for use of respirators in dusty environment.

II. Enforcement and penalties

1. Chest X-ray proposed regulation (50% requirement).

2. Rules on job transfers impractical.

III. Equipment

1. Availability list.

2. Increased cost.

3. Manufacturers to build in dust and noise suppression devices on equipment.

IV. Medical

1. Research needed for determining "black lung."

2. Study should be made of effects of cigarette smoking on "black lung" condition.

3. Research required on harmful effect of too much ventilation and water.

[The Courier-Journal, July 1, 1971]

DEPARTMENT OF INTERIOR HEARING ON COAL MINE HEALTH AND SAFETY—AGENDA: SAFETY

I. Operations and regulations

1. Ventilation problems.

a. Too much air in low coal.

b. Haulage way or intake air.

2. Haulage problems.

a. Belt Haulage.

b. Track haulage.

c. Shuttle car—line curtain.

3. Reporting procedure too time consuming.

4. Roof control problems.

5. Use of methane monitor in non gassy mine.

II. Enforcement and penalties

1. Interpretation of regulations.

2. Unequal treatment of assessing small mines.

3. Lack of uniformity in assessing penalties.

4. Appeal procedure too costly.

5. Legality of assessment procedure questionable.

6. Not enough responsibility on individual miner for his safety.

III. Equipment

1. Availability.

NEED FOR PENSION REFORM

Mr. MONDALE. Mr. President, I am pleased that Congress is actively working on problems in the private pension plan field. There is, perhaps, no more pressing problem confronting the average workingman today.

The Scenic Range News, published in Bovey, Minn., has just written an excellent statement on the need for pension reform. Referring to a typical worker in the iron mines who may have worked for a series of employers over his career, the article points out that the time comes—for him to retire and he may not have enough years in to receive an adequate retirement.

The Scenic Range News continues that—

A slave has a chance of being treated better than this.

Mr. President, surely we have the capacity in this country to enact legislation to protect workers from that type of treatment. I ask unanimous consent that the article be printed in the RECORD so that all Senators may have the benefit of its wise counsel.

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

At long last someone finally woke up to reform pension plans. Senator Mondale, I believe, really has come to the rescue of the working man. For years I have felt a man's pension seniority should not be cut off because a company terminates his employment and he must seek employment elsewhere.

I know of a case where an employee of the Danube Mine worked for five years for that company and quit. Two weeks later he was again hired by that company. When the mine closed down he had but 25 years service on his record, when in reality he had over 30 years service for the same company.

I have always felt that, at least in the iron mines, a worker's employment retirement seniority should go on regardless of what company he works for, especially after what has happened to some men. They have worked for a company for, say 5 years, then, for economic reasons, the company lays the man off and he must find work in another mine. This mine could work him 10 years and lay him off and so on until it comes time for him to retire and he may not have enough years in to receive an adequate retirement. A slave has a chance of being treated better than this.

THE TRANS-ALASKA PIPELINE

Mr. GRAVEL. Mr. President, I recently read an editorial about the proposed Trans-Alaska pipeline which impressed me with its fairness.

The editorial presented arguments for and against the pipeline. It was written by Murray Moler, associate editor of the Ogden Standard-Examiner, in Ogden, Utah.

Mr. Moler has no ax to grind in the pipeline controversy. That makes his conclusions even more significant.

The cost he describes is well-known to Alaskans who are familiar with the long delay in moving ahead with the pipeline project and have directly suffered the consequences.

Mr. Moler believes that the wait has been worthwhile because of the environmental lessons we have all learned in the past 2 years.

Mr. Moler's editorial should be read by all those who are interested in the pipeline question.

I ask unanimous consent that his editorial be printed in the RECORD.

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

[From the Ogden (Utah) Standard-Examiner, Aug. 15, 1971]

EMPHASIS ON PROTECTION WILL MAKE BIG ALASKAN PIPELINE BETTER, SAFER

If and when it's built, the Alaskan pipeline will be the most expensive project ever undertaken by private enterprise.

Estimated cost: $1 billion.

Its mission will be to carry up to two million barrels of oil a day from Alaska's rich, untapped North Slope wells to Gulf of Alaska ports for tanker shipment to refineries in the "Lower 48."

Construction, if it is allowed to begin, will take at least three years.

Note those words "if."

They must be used because the Alaskan pipeline is still tied up by litigation on its possible threat to the delicate ecology of Alaska.

And there are conflicting claims upon public land, unsettled since Alaska became a state in 1959, that must be resolved before the pipelaying crews can get to work.

Meanwhile, mile upon mile of 48 inch in diameter pipe—made in Japan, to the sorrow of U.S. steel firms—is rusting in Anchorage storage yards. And hundreds of machines, ordered for the project, are at or near construction sites, waiting for the go ahead signal.

Alaska's a long way from Utah. But what happens in development of that North Slope oil will have a direct affect upon our state's future supplies and prices of all petroleum products.

That's why the editor of the Standard-Examiner's editorial page, while in Alaska with reserve forces of the Air Force's 945th Military Airlift Group, took a firsthand look at the pipeline's route and problems.

We flew in a light aircraft from Fairbanks, in the heart of Alaska's vast interior, northward across the Yukon River, over the Arctic Circle and up to the southern foothills of the Brooks Range that guards the North Slope.

Our goal was to observe what the line might do to the tundra, the peatmoss-like covering that characterizes the area, and the permafrost, the frozen soil—eight inches to 10 feet thick—that perpetually underlies the tundra.

From the air, we could see the tiny survey line across the flats, through the bogs and over the hills that marks the proposed route of the line.

For 82 miles northwestward from Fairbanks, the line generally parallels a modern graveled public road to the old mining camp at Livengood.

Livengood is the jumping off place for "Pipeline Road" that will carry the pipe into place and eventually permit ground access to the broad Yukon Valley and even the Brooks Range and North Slope. Until the pipeline is finished, however, the road will be closed to the public.

The construction highway from Livengood to the banks of the Yukon, about 70 miles, was built last year by an Alaskan contractor before litigation brought the project to a halt.

The Alyeska Pipeline Service Co., the consortium that will build and operate the pipeline for the seven petroleum firms that have North Slope interests, is well aware of the critical looks being given the project.

In ordered experiments on best ways of restoring the ground cover before the permafrost layer melted.

With that in mind, we were pleased to note that seed sown a year ago on bare earth left by work between Livengood and the Yukon had already sprouted. The sides of cuts through hills were greener, by far, than the cuts made years ago here in Ogden when Harrison Boulevard was extended from 9th to 20th Streets across Ogden Canyon.

Only time will tell if the new growth will keep the cut slopes from slipping. If the permafrost "seal" remains broken, the soil below—about the consistency of pancake batter, only green and slimy in appearance—will ooze down hillsides.

There were no such scars visible any place on the pipeline route that's been cut so far. Nearby, on ruts left by earlier, non-pipeline construction work, the scars through the permafrost were vivid and ugly.

An $18-million bridge will be required for the road to cross the Yukon. The pipe itself will be placed in a cement underwater tunnel.

North of the historic Yukon, two miles of Pipeline Highway were built before a lawsuit forced the construction pause. Millions of dollars worth of earth moving machines, prefab cabins, plastic fuel cells and other equipment have been hauled into base camps, ready to go. The material was brought in by truck and sled during last winter or airlifted from Fairbanks.

About 300 miles of road are yet to be built to Prudhoe Bay—up the south flank of the towering Brooks Range and down the Sagavanirktok River drainage system to the oil fields.

Engineers are still deciding whether to place all or part of the 800 miles of pipeline above ground or in a trench.

The oil averages 160 degrees in temperature when it comes from the Arctic wells. It gets hotter when it is pumped and, from friction, as it flows through the line.

Above ground, it might impede the traditional migration of the hundreds of thousands of caribou who range across the Yukon Valley. There's also a worry that supports for an overhead line might sink through the tundra.

Below ground, the dangers of melting the permafrost would increase.

There are also fears that an earthquake would spill huge quantities of petroleum that would ruin the tundra before shutoff valves could be turned.

Because of the permafrost, moisture—water or oil—doesn't sink into the ground. That's why the country appears wet, with many trees, lakes, rivers and sloughs, when it is, technically, "desert," with an average precipitation of only 9 to 11 inches. That's about the same as Central Utah.

Environmentalists also point out that the big tankers that are to carry the petroleum from the southern end of the line at Whittier into Prince William Sound and across the Gulf of Alaska to refineries might be a hazard if they rupture.

These are all valid concerns.

But government experts and spokesmen for the Alyeska Pipeline Service Co., contend that proper protective steps can—and will—be taken to protect the land, the animals and the sea.

Such standards must be written firmly into the company's permit before present lawsuits, filed by conservationists, will be settled.

We feel the oil companies know by now that they must guarantee environmental protection or they will lose their multi-million dollar investment, plus the billions in profits they hope to make from the Alaskan oil.

"We'll be good neighbors or out we go," one Fairbanks oilman told us.

The land claims involving the natives is complex. They must be settled by Congress,

where a House sub-committee has just agreed—for the first time—to a tentative compromise plan. If the measure is enacted this fall, this major hurdle will be removed.

Then with settlement of the lawsuits, pipeline construction could proceed, rushed to take advantage of long days during the warm summers but halted in the short days of winter when temperatures drop to —80.

Had the pipeline been laid beginning two years ago, it probably would have harmed the environment. We feel that the lessons of the threat have been learned, the hard way, and will be followed by the state, the federal government and the petroleum industry.

If the Alaskan Pipeline is NOT built and more military bases in the state are closed as now threatened, Alaska, already economically depressed, will be an economic disaster area. And it shouldn't.

U.S. DEPARTMENT OF AGRICULTURE CAMPAIGN TO IMPROVE ENVIRONMENT

Mr. PACKWOOD. Mr. President, the U.S. Department of Agriculture, with more than a century of experience in conservation and environmental causes, has just undertaken another campaign to improve our environment, a step with ramifications which certainly will extend well into the next century.

On September 13, Secretary of Agriculture Clifford M. Hardin announced his Department's Environmental Thrust campaign.

Environmental Thrust commits the employees of the Department of Agriculture to extend all possible assistance to citizens and their organizations in the battle against environmental deterioration.

Secretary Hardin told Department employees across the United States:

The threat to our environment as a healthful and pleasant place to live has captured the attention of all people throughout the breadth of the country—the old and the young, the rural and the urban, the rich and the poor. Truly there is a national consensus that something must be done—and now!

Therefore, it shall be the policy of the U.S. Department of Agriculture to lend all possible support to individuals, civic and service clubs, development committees, and local, county, and State governments in pursuing activities, projects, and programs whose goals are to reverse the trend of greater and greater degradation of our environment.

Environmental Thrust is not some new highly-funded Federal boondoggle. Rather it is the simple extension of a helping hand, a hand that extends into nearly every corner of our country. It is making available personnel, services and programs that already exist, that are already funded and which are operating.

For example, under a section dealing with trash and junk removal in the Environmental Thrust handbook, it is stated:

Extension Service can help organize a drive to find markets for shredded junk cars. Bulletins are available on sanitary landfills and disposal pits.

Trucks might be loaned by street and highway departments, military units, construction companies, farmers and USDA agencies.

The spirit of Environmental Thrust is not only a helping hand but also one of cooperation between people, their organizations and many Federal and State Government agencies. Department of Agriculture officials are already working with several nationwide organizations toward implementing the campaign.

I ask unanimous consent to have printed in the RECORD the message contained in a comprehensive leaflet which explains the Environmental Thrust program in more detail.

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

ENVIRONMENTAL THRUST—CITIZEN PROJECT FOR A BETTER AMERICA

ACTION FOR A BETTER ENVIRONMENT

The President has said that the environmental problems we face "can be solved only by a full national effort . . . that reaches into every community in the land. Improving our surroundings is necessarily the business of us all."

The task ahead is great—to restore America's abundant natural assets, to reverse the trends of deterioration, and to improve the physicial settings in which we live, work, and relax.

The Department of Agriculture believes the people of America can refit their thinking and actions to solve the problems or the environment. We believe that much that needs doing must start with people.

To help get action started, the Department has established a campaign called "Environmental Thrust." Its purpose is to show people how they can voluntarily do something positive about improving environmental conditions.

More than 20 project outlines, now ready for use, can be obtained from local, State, and Federal Rural Development Committees. The committees are made up of representatives from the Soil Conservation Service, Farmers Home Administration, Forest Service, Rural Electrification Administration, Economic Research Service and Extension Service. These agencies are easy to reach; along with county extension agents and farm advisers, they are listed in local telephone directories.

Any of the agricultural offices in your State and locality can help you obtain project outlines and guidance. The outlines and general information are also available from: Environmental Thrust, U.S. Department of Agriculture, Washington, D.C. 20250.

If you are concerned, regardless of where you live or work, let me urge you to join in the refitting effort for a better environment. Working together, millions of individuals and their organizations can put quality into our environment.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

ENVIRONMENTAL THRUST—HOW IT WORKS

Throughout the United States, the Department of Agriculture has hundreds of local, State, and Federal offices staffed with people whose daily duties relate to the environment.

The Environmental Thrust campaign aims to muster all available resources of the agricultural community so as to reach every rural county and town to help build and protect the quality of life. We want every source of pollution, ugliness, or blight to be challenged.

Alert citizens everywhere see pressing environmental problems on all sides. We hope to help these concerned citizens also see environmental *opportunities*—opportunities for voluntarily working together to solve problems.

Environmental Thrust seeks to get things started. It is designed to provide citizens with help in first initiating, and then carrying out, community-wide activities in environmental quality—concentrated efforts that can attain tangible, measurable goals.

The Environmental Thrust plan lists the many resources—available for the asking—through the national network of USDA offices.

Government personnel, many of whom are scientists and technicians, will make their expertise available to help with planning and development, as well as putting into effect whatever environment improvement program each town or county decides to undertake.

If you have suggestions to make, a good idea for a specific project, or questions to ask on how to get started, get in touch with your nearest Rural Development Committee via your county agricultural extension agent or local office of a USDA agency.

The regular on-going activities of the U.S. Department of Agriculture are concerned with every aspect of our environment. It is the business of agriculture to provide a safe, wholesome, and abundant supply of farm and forest products; to conserve and renew soil and water resources; to protect and improve wildlife habitats; to produce ornamental plants and trees; and to create outdoor recreation areas.

Agriculture's concern with the environment is as broad as the defintion will allow—the total of our surroundings, conditions, and influences. This is why Environmental Thrust draws on a wealth of knowledge and experience to help any community deal with a particular environmental problem.

Yet USDA's resources and concern are insignificant unless they have the cooperation of large numbers of people. The Environmental Thrust project outlines suggest where action can start.

TOGETHER WE CAN BUILD

The following project outlines are ready for you to use:

Safe Drinking Water . . . Sanitary Landfills . . . Trash and Junk Removal . . . Safeguarding Food Quality . . . Reducing Environmental Degradation By The Marketing System . . . Sewage Disposal For Farm Home and Rural Community . . . Animal Waste Disposal . . . Pesticide Safety . . . Disposal of Pesticide Wastes and Containers.

Controlling Ticks in Recreational Areas . . . Controlling Yellow Jackets in the Western United States . . . Controlling Ragweed . . . Controlling Poison Ivy, Poison Oak, and Poison Sumac . . . Controlling Poisonous Plants . . . Controlling Aquatic Weeds . . . Brush Control.

Improving Recreational Resources . . . Improving Rural Housing . . . Land Use Planning . . . Noise Reduction . . . Protecting the Landscape . . . Landscape Improvement.

This list of project outlines is being expanded. You can help make sure that the opportunities you know about are included. Share your ideas and your commitment with your community.

These environmental insults threaten us all:

Land Abuse and Misuse;
Chemical Abuse;
Population Distribution;
Resource Depletion;
Noise;
Waste Disposal;
Air Pollution;
Water Pollution;
Rural and Urban Blight; and
Technological Abuse.

Opportunities for a better environment challenge each of us.

Although the ultimate cause of some of our environmental problems lies beyond the control of a single community, nonetheless the solutions can begin in actions taken locally by interested and cooperative people—in every community in our land.

The U.S. Department of Agriculture wants very much to help establish and pursue those goals that will result in the kinds of environments Americans want and need.

Will you work with us in a citizen's program for a better America?

REVIEW OF EXISTING ECONOMIC DEVELOPMENT PROGRAMS

Mr. MONTOYA. Mr. President, early this year the Subcommittee on Economic Development began a searching review of existing economic development programs.

Over a period of several months we conducted hearings in Washington and at other points from Alaska to North Carolina, attempting to learn how these existing programs were functioning and what additional legislation might be needed. Foremost in the minds of the members of the subcommittee was the need to provide the mechanisms and financing that would enable communities and States to avoid the disruptions and hardships caused by economic fluctuations.

Some years ago the Congress became aware of the great variations in the levels of prosperity enjoyed by different sections of the country. The mountainous, relatively isolated Appalachian region was an extreme and obvious case. The situation in Appalachia, where underdevelopment and a sluggish economy were virtually permanent conditions, led to the adoption in 1965 of an innovative development effort unlike any ever seen in the United States.

At the same time, Congress passed the Public Works and Economic Development Act to assist communities afflicted with unemployment in improving their basic public facilities.

Our experience since 1965 has shown the approach taken in these two programs to be valid. We have also seen in the past 6 years that a broader, more comprehensive development program applicable to the entire country is needed. The subcommittee's hearings this year confirmed this analysis.

It has become necessary for the Congress to provide the means by which communities cannot only ease the impact of economic fluctuations but carry out well-planned development so as to avoid, or at least minimize, these variations in economic fortunes.

Responding to one of the most urgent needs, the subcommittee developed and the Senate on August 5 passed the Economic Disaster Area Act (S. 2393). This legislation, which is now pending in the House of Representatives, is intended to ease the adverse effects of great increases in unemployment.

Members of the Senate are familiar with the far too numerous instances of sudden spurts in joblessness that have occurred in the past 2 years in Seattle, Los Angeles, Wichita, Detroit, and other areas. The Economic Disaster Act would permit the Federal Government to move swiftly to ease the results of these disasters and to dissipate them with new jobs.

As a part of this comprehensive package, the Subcommittee on Economic Development is now preparing legislation to establish a national economic development program.

A bill to implement this program is now being drafted, and I plan shortly to circulate it among Senators for cosponsorship. The subcommittee intends to conduct hearings on this proposal soon after its introduction.

As now envisioned, the legislative proposal would consist of five titles covering the full range of activities necessary to a well-rounded, permanent development program.

These five titles would cover a national economic development policy, regional development programs, development planning, capital development, and economic dislocation.

It would articulate a national policy of balanced and planned development for all parts of the country, drawing together the available resources in a number of areas to provide at least basic public services everywhere and employment opportunities where there are concentrations of people.

The basic aim of the program would be creation of a continuous process of planning healthy development on a long-term basis, utilizing many Federal programs to meet the particular needs of individual States and local areas.

The total program would operate under a Federal coordinator in the Office of the President. There would also be a nationwide system of regional commissions similar to those now authorized under the Public Works and Economic Development Act.

The program now being drafted would have a multibillion-dollar annual authorization for block grants to be allocated through a formula based on land area, population, and income. These would be allocated to the States through the regional commissions, and all States would be required to be included in a region within a specified time period.

A key part of the proposed program would be an emphasis on continuous investment planning by States and local development areas. This requirement has proved valuable in the past and we believe it to be essential to the success of any development effort.

The subcommittee also will propose the creation of a capital development fund, a semi-autonomous institution sponsored but not operated by the Federal Government. It has been shown that communities most in need of development are usually those least able to provide the necessary capital resources. This fund would help overcome that deficiency.

The national economic development program, which each Senator will soon receive in bill form, is the most extensive effort of its kind ever proposed to the Congress.

I view it as a response to the pressing need of the American society for a rational program of public investments in the future. Our country today is so large, complex and diverse that a shotgun or casual approach to development is not feasible.

Nor can the needs of communities be met by the issuance of directives from Washington without intense participation by the people involved in the development of plans to meet local needs.

The national economic development program is designed to meet these contemporary needs. Its impact will be nationwide, and I urge every Senator to give it his closest attention.

I consider this legislation to be of equal importance with that which we will consider this fall relating to the immediate economic and monetary problems of the United States.

We must attack these problems on a variety of fronts in an attempt to prevent a situation, such as now faces us, from developing again.

For the past year unemployment has hovered around the 6-percent mark, resisting executive efforts to generate new jobs. This high rate of unemployment cannot be allowed to continue or to become a chronic condition causing hardship for millions of our citizens.

At the same time that people are desperately looking for jobs, the Nation's economic growth has stagnated and some one-fourth of our productive capacity sits idle, producing neither the work nor the products that are urgently needed.

The nature of our country in the 1970's makes long-term employment planning essential, and I believe the national economic development program will provide the kind of coordinated Federal-State-local planning and development that will help give us orderly, continuous growth in the future.

JOHN M. BAILEY

Mr. RIBICOFF. Today, John Moran Bailey will round out 25 years as chairman of the Democratic State Central Committee of Connecticut. It is fair to say that no political figure has a record to compare with his.

I have known John Bailey for many years—from the days when we were both young lawyers with offices on the same floor in Hartford, Conn. During these years we have traveled many political roads together, even though from time to time these roads have diverged in disagreement only to come together again further along. John Bailey has brought to the Democratic Party of Connecticut a sense of leadership and statesmanship of the highest order. I have seen him time and time again submerge his personal likes and dislikes and make choices for what he considered the best interest of the State of Connecticut and the Democratic Party.

During his time as State chairman, Chester Bowles, John Dempsey, and I served as Governor. One of the highlights of his great political career was the nomination and election of John F. Kennedy as President. Having been personally involved with the Kennedy campaign from beginning to end, I can state that John contributed more to the nomination and election of John Kennedy than any other person. He was indefatigable as he scoured the country for delegates to the convention in Los Angeles and in organizing the Democratic campaign. Besides being State chairman, he served as national chairman of the Democratic Party under both Presidents Kennedy and Johnson.

Over these many years, John has taken lots of criticism, most of it undeserved.

His wife, Barbara, is a great and gracious lady who has been at his side for all these years. His children and grandchildren are a great joy to both of them.

John, who will soon be 67, has many more years of political leadership ahead of him. I wish him well and greet him in a friendship that has survived political vicissitudes during more than 30 years.

Mr. President, I ask unanimous consent that an article written by Bob Conrad and published in the Hartford Times of September 20 be printed in the RECORD.

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

TWENTY-FIVE YEARS AT HELM FOR DEMOS' BOSS

(By Bob Conrad)

John Moran Bailey, the legend and the leader of the Democratic party in Connecticut, will round out a quarter century as chairman on Thursday.

It was Sept. 23, 1946, when Bailey was elected head of the Democratic State Central Committee in a post-convention ceremony at New Haven.

He is still the undisputed central figure in the party in this state—not as awesome or active as a few years ago—but without a challenger in sight who could take his job away.

As he approaches the anniversary of 25 years at the helm, Bailey is in the forefront of a movement for change in the party's traditional way of operating.

Bailey isn't exactly a convert to this change, but he is going along as a realist—and that is what Bailey has always been.

"You do what you've got to do."

If Bailey has said that once, he has said it thousands of times. It's one of his personal precepts in the game.

He has a whole set of guidelines like that. They have sustained him through his remarkable tenure as state chairman.

Another is never to close the door completely on any person or any idea.

Or, take the candidate who can win for the party, even if you aren't crazy about the guy personally.

So Bailey finds himself at this point in his leadership of the party on the side of the angels clamoring for changes in the rules that will open the doors to all Democrats who want to get into politics.

The rules changes will be the business of a state convention at the Bushnell Oct. 2. They will be the most profound thing to hit state politics in generations. Bailey will work for the change because the alternative is a day in court or an embarrassing crisis over seating the state's delegation to the national convention in 1972.

"You do what you've got to do."

John Bailey got the job of chairman originally because he had just engineered the gubernatorial nomination for Lt. Gov. Wilbert Snow at that state convention in 1946.

A lot of delegates had the feeling that Bailey was an emerging power in the party and it rubbed off on the committee.

Snow described him as a man with "political know-how, force and drive."

Now, Bailey has 25 more years of accumulated know-how in politics. Some of the force and drive have tapered off, but party leaders up and down the state say there is no question that Bailey is the recognized leader.

The maxim in politics is that you can't beat somebody with nobody. Bailey's term runs until next June. That "somebody" has until then to show up.

Bailey won't say whether he wants another term. The outlook at this distance from convention time is that he could win if he indicates he'd like to stay.

The feeling in the party is that Bailey wants one more go-around to try winning back control of the governor's office. The Republicans won last year for the first time in 20 years.

"I'll be there," is as close as Bailey would come to divulging his plans in an interview with this writer several months ago.

Bailey will be 67 Nov. 23. He was born in Hartford and this has been his political playground, workshop and power base.

His father was a doctor and John wanted to enter medicine too. He turned instead to law, and soon after earning his degree at Harvard Law School, Bailey plunged into ward politics in Hartford.

He always loved sports—as an undergraduate at Catholic University, skinny John Bailey played halfback on the football team—and politics brought out the same sort of competitive urge.

In 15 years, he climbed to a position of control over the Hartford Democratic organization and then the big time by being elected state chairman.

He was married to a college sweetheart, the former Barbara Leary of Framingham, Mass., and they had four children. And in the heyday of Bailey's power, his practice of slipping family members into political jobs was to provoke some of the sharpest criticism he would hear.

The real boom years for Bailey were from 1954 to 1970, when Democratic governors occupied the office on Capitol Hill. Abraham A. Ribicoff and John N. Dempsey were his meal tickets to power, and it spread through the agencies of state government and into the centers of business and finance around his Hartford base.

His friends say Bailey's one deep disappointment during his years as chairman came in 1949 when Democratic Gov. Chester Bowles named an old business partner to a vacancy in the U.S. Senate.

Bailey is said to have eyed the job with the confident expectation that Bowles would name him.

But Bailey attained national recognition when one of his idols John F Kennedy became President in 1960. Bailey was elected chairman of the Democratic National Committee, a post he held for seven years.

He holds the title of chairman emeritus of the national body.

Bailey is a familiar caricature on the political scene in Connecticut—a natural for the editorial cartoonists and ever an engaging photo study. With glasses perched on his forehead and a cigar in his mouth, Bailey gives the appearance of brooding over some political dilemma when he may only be trying to figure out how to correct his habit of hitting line drives off the golf tee.

He has law offices on Pearl Street, but Bailey prefers to operate at the State Capitol—the third floor near the Senate chamber—or at the "Bailey Room" at the Parma Restaurant.

With Republicans in command of the "candy store" of patronage—the governor's office—Bailey was a less effective political boss this year. All but kept at arm's length by House leaders, Bailey fell back to more receptive Democratic leaders in the Senate.

But at intervals throughout the session, and especially in the climactic moments of hard bargaining with the Republicans and their tough governor, Bailey was the cool, loose guy the organizational Democrats sought for counsel.

As always, Bailey served as the target for Republican criticism. When Ribicoff and Dempsey were going through governor, or waging their campaigns, Bailey was often the guy Republicans aimed at rather than risk public anger over attacking those two popular figures.

And in the months that Thomas J. Meskill has been governor, Bailey has gone back to a tactic he employed in his first years as state chairman.

Bailey had to contend with a Republican governor then, too. So he began issuing a weekly press release in which he heaped criticism on the Republican governor. He's doing it again with Meskill—25 years later.

That's the way it is when you're out. "You do what you've got to do."

ECONOMIC STATEMENT OF GEORGE MEANY, AFL–CIO PRESIDENT

Mr. HUMPHREY. Mr. President, in his recent appearance before the House Ways and Means Committee, the president of the American Federation of Labor-Congress of Industrial Organizations, George Meany, presented a detailed and thorough analysis of the Nixon administration's economic policy changes.

This testimony is significant because it places the game plan switches of the Nixon administration in proper perspective—that of a major institutional shift in the structure of the United States' taxing system and a reversal of this Nation's commitment to social progress for all its citizens.

Mr. Meany says it without mixing words:

The proposals are a giant raid on the Federal Treasury that would transfer billions of dollars in public funds into the private treasuries of big business. It is the "trickle down" theory of the 19th Century: heap more wealth upon the rich and some benefit will filter down to the masses below. This is an economic falsehood. The whole history of the United States has proved time and again that the exact opposite is what is good for America.

Mr. Meany asks:

What happens to America's needs?

What happens to needs for "schools and hospitals, parks, and recreation areas, medical facilities, and medical personnel, 25 million new housing units, efficient, low-cost transit systems, new waste disposal systems, new hardware to extract poisons from the air, the water, and the soil. . ."

What happens to the needs? Meany answers:

The President's program is not directed to these needs. Instead, he proposes to emphasize stimulation for industrial development.

Mr. Meany made specific criticisms of each of the President's proposals:

On the investment tax credit:

This proposal is not the remedy for the present economic ills that have pushed the number of unemployed up to 5.1 million persons . . . what the economy and corporation lack at the present is customers, not machinery and equipment.

On the DISC:

This proposal seeks to exempt one whole industry from federal taxation—the export industry . . . it would further distort the tax structure by creating a wholly new tax loophole.

On removing the auto excise tax:

The consumer should receive the full benefit.

On acceleration of the tax cuts of the Tax Reform Act of 1969:

This reduction can in no way, shape, or form balance the huge new giveaway to corporations . . . it is a small, one-short tax relief proposal.

But George Meany recognizes that to criticize is not enough. Sound, positive programs must be proposed. Alternatives that offer tax justice and sufficient fiscal

stimulation to the economy are necessary. Above all, our economic programs must be geared toward job creation.

The AFL–CIO has positive programs which Mr. Meany has outlined in his testimony. They deserve the prompt attention of the Congress.

Mr. President, I commend to the Senate the full statement of AFL–CIO president, George Meany. I ask unanimous consent that it be printed in the RECORD.

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

TESTIMONY OF GEORGE MEANY, PRESIDENT, AMERICAN FEDERATION OF LABOR-CONGRESS OF INDUSTRIAL ORGANIZATIONS, BEFORE THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, ON ADMINISTRATION TAX PROPOSALS, SEPTEMBER 13, 1971

We welcome the opportunity to put before this committee the AFL–CIO's position on the President's economic game plan number 2. In the weeks that have followed his address of August 15, considerable attention has been focused on the wage-price freeze. Far less has been given to the major shift in the allocation of the nation's tax resources which the President proposes and are now before this committee.

While it is my intention to restrict my testimony to a thorough discussion of those issues, I would like to make one initial comment on the wage-price freeze. If the freeze genuinely called for equality of sacrifice, we would give it full endorsement. The AFL–CIO has emphasized in Executive Council statements and by Convention Resolutions over the past six years that if economic controls are necessary and they are applied equitably and across-the-board to wages, prices, rents, profits, dividends and interest rates, we would wholeheartedly support such a program. But the current program of the President does not call for equality. The controls and the sacrifice fall on the millions of average American wage and salary earners and their families while corporate profits, dividends, interest rates and many prices are not restrained by the executive order.

That same doctrine of inequality is the issue before this committee.

If the President's economic proposals were genuinely geared to stabilize the economy and to create jobs and to make the tax burden more equitable, we would endorse them. We have—as with wage-price controls—consistently urged job creating programs and economy-expanding programs, all within an equitable and progressive tax structure.

So, we are compelled to come before this committee to declare that the economic proposals in the President's message will create few jobs, if any; they will give no healthy stimulus to the economy, and they will make the tax burden of all American families even more inequitable.

What is proposed here is a radical redistribution of the nation's income and wealth in favor of the rich and at the expense of the public interest.

The proposal before you is a giant raid on the Federal Treasury that would transfer billions of dollars in public funds into the private treasuries of big business. It is the "trickle down" economic theory of the 19th Century: heap more wealth upon the rich and some benefit will filter down to the masses below. This is an economic falsehood. The whole history of the United States has proven time and again that the exact opposite is what is good for America.

Specifically, the President has asked Congress to grant business a 10 percent tax credit for one year and a five percent tax credit per year thereafter on any sum businessmen care to invest in new machinery and equipment.

In addition, the President seeks a tax deferral on profits of export subsidiaries of U.S. corporations. Many of these corporations are the same ones that have been exporting American jobs, technology and industrial capacity.

Both of these legislative actions would come on top of a tax concession granted by this Administration earlier this year that gives billions to business through rapid depreciation allowances.

Altogether, the President's program would give big business $70 billion over the next ten years. This would be the biggest tax bonanza in corporate history and would severely lessen the tax responsibility of corporations, shifting it to wage and salary earners.

That money has to be made up in some way. So to raise it, the President has made four proposals. He would:

1. Take money from the poor, by delaying welfare reforms that are long overdue and which the President has repeatedly urged;

2. Withhold money from federal employees that they have already earned by delaying schedule wage increases until July 1, 1972;

3. Slash federal employment by 5 percent, eliminating 100,000 jobs;

4. Withhold the federal revenue sharing assistance he has repeatedly promised to the financially-strapped cities and states.

Thus, all American citizens are to be shortchanged by these actions. The Public services and public facilities their tax dollars should be paying for won't be provided.

Instead, there will be a grossly unfair and one-sided redistribution of the public wealth. For those who have much, the President proposes more. For those who have little, the President proposes less.

This action would reverse the progress made by every prior Administration that has placed the public good ahead of private gain. More important than greater corporate wealth are the needs of the nation and its people—and they should come first, not the corporations.

The $70 billion the President would give big business over the next ten years—$37 billion in already ordered depreciation allowances and the balance in his new proposals—should be used to meet the needs that actually exist.

What are these needs?

America needs schools and hospitals, parks and recreation areas.

America needs a vast expansion of medical facilities and medical personnel.

America needs 25 million new housing units.

America needs new, efficient, low-cost transit systems in every major city.

America needs new waste-disposal systems, new technology and new hardware to extract poisons from the air, the water and the soil.

Public investment, in short, is precisely what America needs in order to strengthen the economy and provide millions of much-needed jobs. With 6.1 percent of the labor force jobless—5.1 million workers without employment—the United States needs incomes and purchasing power to put these people back in the marketplace to buy the goods of plants now idle.

The President's program does not go to these needs. Instead, he proposes to hand over the people's money to industry in order, he says, to stimulate industrial investment. But at this very hour industry can find no use for 27 percent of the industrial capacity that already exists. Thousands of plants are closed down or on short shifts because their goods are not being bought.

The President labels this scheme a "job-development program" but he knows well that much of industry's investment in new machinery and equipment will eliminate jobs, for the new sophisticated machinery they would purchase is job-displacing machinery. Moreover, this type of tax reduction for business will result in little extra investment.

The Administration says, of course, that there is something in this tax-juggling scheme for everyone. Higher tax exemptions for dependents would go into effect earlier. But this tax cut wouldn't even take effect until 1972, while the President's new tax break to business would be retroactive to August 15.

And even then, for a family of four earning $10,000 a year, the higher exemption will amount to a $57 gain for one year only, while the corporation tax break would go on and on and on.

Let me remind the committee that the increase in personal exemptions were enacted into law as part of a 1969 Tax Reform package that ended the investment tax credit and trimmed many other abuses. That law was intended to bring $4.4 billion into the U.S. Treasury this year. To accelerate the personal exemption as the trade off for a $70 billion raid on the Treasury not only tests public credulity but nullifies most of the gains of that tax reform act.

One of the President's tax proposals—elimination of the auto excise tax—is sound, if there are adequate provisions to insure that the consumer receives the full benefit.

Stimulation of the auto industry is important but this action alone is not the key to improving employment. Only vastly expanded public investment can make a dent in unemployment. In fact, the added employment the President foresees in the auto industry is more than offset by the cut in federal employment he simultaneously ordered.

The 10 percent border tax on imports—the final item in the President's tax plan—is no more than a temporary stopgap. It is totally inadequate as a solution to America's trade problems. It is honeycombed with exemptions and does nothing at all to control the operations of the multinational corporations and international banks, mostly based in the U.S., that are exporting American jobs, capital and technology.

In short, the President's program is loaded overwhelmingly in favor of big business, and against workers, taxpayers and the public interest.

What America needs is tax justice, and this proposal is certainly not just. America needs to close tax loopholes—especially in the areas of capital gains, depreciation, depletion allowances, tax-exempt bonds, and the like. America still has far too many millionaires who pay no taxes at all.

Now let's turn to the specifics in the President's proposal:

THE BUSINESS-INVESTMENT TAX CREDIT

Under the blatantly deceptive label "job development tax credit," the Administration seeks to revive a loophole in the tax structure that was repealed by the Congress in the Tax Reform Act of 1969.

The credit would allow the nation's businessmen to reduce their federal taxes—dollar for dollar—by 10 percent of the cost of new machinery and equipment placed in service between August 16, 1971, and August 15, 1972, and 5 percent for all years thereafter.

For the first 12 months of its operation, reopening this loophole would cost the American taxpayer about $4 billion. Between now and 1980 the revenue loss would be over $27 billion.

This would come on top of the $3 to $5 billion a year depreciation giveaway which the Administration has already put into effect under cover of the Treasury's rule-making procedures. This speed-up, retroactive to January 1, 1971, is estimated by the Treasury Department to cost $37 billion between 1971 and 1980.

This raid on the Federal Treasury would effectively gut the tax law as it applies to

corporations, in effect, reducing tax rates by some 15 to 20 percent.

Beneficial as it is to corporations, this proposal is not the remedy for the present economic ills that have pushed the number of unemployed up to 5.1 million, or 6.1 percent of the labor force, and cut industry's operating rate down to 73 percent of productive capacity. And equally important in the longer run, it presents a serious danger of adding to the national economy's instability.

Every dollar of taxes given away to business and industry is a dollar more that must be paid by someone else, or a dollar's worth of public facilities and services that are foregone. In the main, that "someone else" is the American wage and salary earner—that broad spectrum of Americans that the President likes to call middle Americans. They now pay more than their share of taxes as a result of an unfairly rigged tax system. Increasingly, they find it difficult to convince themselves that they are getting a fair shake from their government.

Ten years ago the corporate share of the federal income-tax burden was one-third; individuals paid the balance. In 1968 and 1969, the corporate share was approximately 29.5 percent. Now the Treasury estimates that only about 28 percent of the federal income-tax burden will be borne by corporations in the year ending June 30, 1972.

Thus, reinstituting the investment credit would add further to the unfair tax burden that is now borne by middle- and low-income taxpayers. It would not only add to the loopholes in the federal tax structure, it would also add to the regressive flow of income and wealth by increasing the income shares of business and major stockholders while reducing the share that goes to the great majority of Americans.

What the economy and corporations lack at present is customers, not machinery and equipment.

An attempt to induce businesses to significantly boost outlays for machinery and equipment, when over one-fourth of productive capacity is currently idle, is fantasy. Businessmen don't invest money just for the sake of investing money; they're not going to buy machines merely for the sake of buying machines. Businessmen invest money in new machinery and equipment in the hope that they will be able to use the machinery and equipment to produce goods more economically.

Because of the lack of customers and purchasing power, business won't be investing in additional and expansionary new equipment, but will be receiving billions of dollars in tax credit for routine and previously-made machinery and equipment programs.

In the short run, therefore, the proposed investment credit will be almost entirely a windfall to business and to major stockholders, with the probability that part of the tax bonanza will be exported for foreign subsidiary operations, with the loss of American jobs and displacement of U.S. production.

In the long run, after capacity utilization improves, the investment credit presents the serious danger of another lopsided, inflationary capital-goods boom, as in 1963–69, followed by another recession.

America's recent problems are in no small measure related to the high rate of capacity accumulation that took place during most of the years between 1963 and 1969—spurred by misguided tax policies such as the investment credit, depreciation gimmickry and the failure to enact a corporate tax increase soon enough and high enough to stem the capital-goods boom.

The American economy needs greater stability and balanced expansion. It needs increased revenues for critically important public services and public investments. It does not need the instability and the eroded tax base that would result from reinstituting the investment-credit loophole.

Most important of all, there is nothing here that will create the tens of thousands of jobs that are needed to spur a genuine expansion of our economy and put to work the millions of Americans who are now unemployed or under-employed. There is nothing in this so-called "job-development tax credit" that will put the Viet Nam veteran to work. There is nothing here for those Americans who have been laid off in war-geared industries. There is nothing here to stimulate unused plant capacity, expand work forces and increase production to meet a newly-developed purchasing power.

The Madison Avenue gimmick of a catchy label—"job development tax credit"— is false advertising to those Americans who will have to foot the bill. But worse, it is deceptive and cruelly misleading to those millions of Americans who are looking to their government for genuine job-creating programs in which they can return to work, do a day's work and again be a part of the so-called work ethic of America.

THE DOMESTIC INTERNATIONAL SALES CORPORATION (DISC)

The DISC tax-giveaway proposal was originally a part of the 1970 trade legislation that failed of enactment. Age hasn't made it more palatable. In this proposal the Administration seeks to exempt one whole industry from federal taxation—the export industry.

Under this scheme, corporations would set up a new form of subsidiary through which all of a company's export operations would flow. The total profits of such a subsidiary—in other words all of a company's profits on its exports—would be totally free of federal taxes. The only responsibility for federal taxation would come if the DISC's profits are transferred back to the parent company as dividends, which may never occur.

In full operation, the tax windfall, according to the Treasury, would be some $600 million annually, and other sources have estimated the annual tax loss to be as high as $955 million.

Not only would DISC fail to lessen the serious trade problems that this country suffers, it would further distort the tax structure by creating a wholly new tax loophole. In addition, the DISC proposal provides no added incentive to increase U.S. exports. Companies would receive a tax windfall for doing what they are doing now, whether their exports increase, decrease or remain the same.

The AFL–CIO commented in detail on this matter in testimony in 1970 and a fuller exposition of our opposition to this blatant tax giveaway is attached to my testimony.

EXCISE TAX ON AUTOMOBILES

Under the President's recommendation the 7% excise tax on automobiles would be eliminated on sales that took place after August 15, 1971.

Under the Tax Reform Act of 1969 the auto excise tax would have dropped to 5% in 1971. It was scheduled to fall to 3% in 1972, 1% in 1973, and to be eliminated in 1974.

This scheduled phase-out was postponed by one year through legislation requested by the President in 1970, before he changed his economic game plan without explanation or apology. At the time, the AFL–CIO opposed the President's move because it was our view that excise taxes are sales taxes—direct levies upon consumers. They increase prices and, to the extent they curtail the consumption of those who cannot afford to pay the increased price, they contribute to unemployment and a drop in living standards. Thus they unfairly burden those who must buy and they have little effect on those fortunate enough to be able to buy without regard to price. In short, they are regressive taxes and represent the least desirable method to raise needed public revenues. They do not help to solve the problems of inflation and unemployment, and they could potentially add to them.

We therefore support the Administration's long overdue move to end the auto excise tax—provided the consumer receives the full benefit.

It is the AFL–CIO's position that the sooner the federal government gets out of the sales tax business the better.

ACCELERATION OF THE TAX CUTS OF THE TAX REFORM ACT OF 1969

The Administration is recommending a one-year speedup of the present law's scheduled increases in personal exemptions and the standard deduction. Under current law, personal exemptions will rise from the present $650 to $700 in 1972 and $750 in 1973. The standard deduction, under present law, would increase to 14% (maximum $2,000) in 1972 and 15% (maximum $2,000) in 1973. It is currently 13%, with a maximum $1,500.

The President's proposal would bring the 1973 provisions into effect in 1972. Thus, under the proposal, in 1972 individuals would be able to claim $750 for each dependent rather than the $700 already provided for in the Tax Reform Act of 1969. And those who do not itemize their deductions would also receive a small benefit by the increase in the standard deduction from 14% to 15%.

For a $10,000-income family of four, this proposed speedup would amount to a one-shot tax reduction of $57 for 1972.

According to the Treasury, the effect of this action would be a revenue loss of a billion dollars for the fiscal year ending June 30, 1972, and $1.3 billion for the following fiscal year.

Cuts in individual income taxes have been advocated by many over the past months as a means to add to consumer purchasing power and bolster the economy. The AFL–CIO has fought continuously for a just tax structure which would provide sufficient revenues to permit a reduction in the relative tax burdens of low- and middle-income individuals.

On August 9, 1971, the AFL–CIO Executive Council stated:

We believe that quick and effective achievement of tax justice is essential to strengthen the performance of the nation's economy and to increase the amount of federal revenue, needed to eliminate the public-investment shortages that are a source of many of America's critical social problems.

America needs the added tax revenues and improved public facilities that tax justice could provide—rather than continued and expanded windfalls for the rich. Effective loophole-closing would also raise sufficient additional revenue to enable a reduction in the relative tax burden of low- and moderate-income families.

Thus it has been our position that such tax reductions should not be financed out of the monies that could and should be used for rebuilding urban areas, expanding mass transit, education, health care, pollution controls and other needed public investments. Rather, they should be financed out of the billions of dollars that presently are beyond the reach of the federal Treasury because of the loophole of special privilege to wealthy individuals and corporations.

The AFL–CIO supports the concept of tax reductions for individuals—especially in the low- and middle-income groups—on an equitable basis. However, these reductions should come about as the result of tax reforms that close existing loopholes and abuses and bring additional necessary funds into the U.S. Treasury. This is the sort of personal redistribution of the tax burden that can help spur an economic recovery and boost purchasing power.

It should also be pointed out that the personal exemption increase is a small, one-

shot tax relief proposal, moving up by one year that which Congress has already scheduled to become effective in 1973. This reduction can in no way, shape or form balance the huge new giveaway to corporations. The small tax cut, moved forward by one year, must be viewed for what it is—a thinly veiled sop to moderate- and middle-income Americans, calculated to obscure the impact of huge corporate tax giveways. Put into specific terms, a $10,000-per-year family would receive about the same added tax break as a corporation which purchases a new electric typewriter.

The President's proposal also favors corporations over the average American taxpayer as to effective dates of the tax cut.

Individuals would not receive their approximately $1 per week tax cuts until next year. The $3 to $5 billion tax giveaway to business through depreciation speedups was put into effect retroactive to January 1, 1971. The investment credit, under the President's proposal, would be retroactive to August 16, 1971.

The President's proposal is sorely lacking in any equality between the individual and the giant corporation. The Treasury estimates that the individual tax cuts will have a total cost of $2.3 billion. However, in Fiscal 1972 alone, $6.3 billion would be given to corporations—$3.1 billion in investment tax credits and DISC plus $3.2 billion for the depreciation speedup. Between now and 1980 the tax score would be: American individual taxpayers $2.3 billion saved—corporations $70 billion saved.

THE AFL–CIO PROPOSALS

When all of the economic proposals are examined closely—who will be the recipients, who will be the losers, who will have to pay out more in taxes, and who will pay less in taxes—it is clear that the President's proposal is a form of socialism for big business.

The American people have been told repeatedly by this Administration that public treasury money cannot be spent in behalf of worthwhile projects that are badly needed and will create new jobs. Such expenditures would be inflationary, they are told. Yet public funds diverted or credited to private corporations, allegedly to spur investment and private spending, are considered by the Administration to be non-inflationary.

A clear illustration of this dual standard is the refusal by this Administration to spend $12 billion of funds appropriated by Congress for public purposes. At the end of 1970, there were about 3,000 applications for federal approval of waste treatment facilities. There were 800 applications for water and sewer projects, 1,500 applications for hospitals and public health centers and hundreds of other public facilities in all 50 states.

All of these public improvements will cost money to build—money that will pay wages, buy materials, create sound economic expansion. But this Administration refuses to spend public money for the public good.

America has seen the President veto measures passed by Congress for housing and urban development; for health, education, welfare and anti-poverty programs. The President has vetoed manpower programs and public works programs—job-creating programs of all kinds. All of these programs have been rejected by this Administration. Instead, the billions of dollars that would fund these programs will go into the corporate coffers as tax credits, tax deferrals on exports and depreciation allowances that have no relation whatsoever to the nation's actual needs and are of doubtful economic stimulation.

We believe that firm steps must be taken to preclude any further erosion in the federal government's ability to meet the nation's public investment needs. We believe firm steps must be taken to further the goals of tax justice and pave the way to a healthy balanced economic recovery. The AFL–CIO, therefore, urges the Congress to take the following action:

1. Overturn the Treasury's accelerated depreciation ruling. Creation of the so-called asset Depreciation Reserve System has speeded up business depreciation writeoffs by 20 percent and ended the requirement that business actually replace machines and equipment at about the same rate they are written off. By halting this giveaway, Congress could recoup $800 million for the six months period ended June 30, 1971, and $3.2 billion would be saved in fiscal 1972. Over the decade a $37 billion corporation bonanza would be avoided.

2. Completely reject the Administration's proposal to reinstitute the business investment tax credit. If rejected, Congress would save the U.S. Treasury $3 billion in the current fiscal year, $4 billion in the year ended June 30, 1973, and result in a permanent and growing saving to the Treasury estimated at some $27 billion between now and 1980.

3. Completely reject the Administration's proposed DISC. By refusing to allow corporations to spin off into export subsidiaries and defer taxes, Congress could save the U.S. Treasury from $600 million to $955 million per year.

4. Immediately enact, retroactive to July 1, 1971, an excess-profits tax modeled after that in effect during the Korean War period. Such a tax should remain in effect during any period of freeze, controls, or restraints. Tax rates must be high enough to ensure fair and even-handed application of stabilization policies. Effective machinery should be established to ensure enforcement.

5. We urge speedy congressional action toward completion of the unfinished business of tax reform. The major reforms we recommend are as follows:

(a) Close the capital-gains loophole.

The preferential half-tax rate which applies to gains on unearned income from stocks or other property sold at a profit and the zero tax that applies to such gains when passed on at death are the most disruptive and unfair elements in our tax structure. We believe that there cannot be tax justice so long as unearned income from capital gains is half-taxed while earned income is taxed in full. Elimination of the capital gains loophole for both individuals and corporations and taxing capital gains on property transferred at death would yield an annual revenue gain of approximately $10 to $12 billion.

(b) The tax abuses of the oil, gas and other mineral industries should be completely ended. The 22% oil depletion allowance and the intangible drilling allowance are out-and-out abuses that deserve immediate repeal. The approximate revenue gain would be $2.5 billion.

(c) The 10% minimum-tax rate included in the 1969 Tax Reform Act should be strengthened. This tax requires some tax payments on the part of individuals with large amounts of income from tax-sheltered sources, such as capital gains, real estate depreciation, oil depletion, and hobby farms. For example, doubling the rate would provide a revenue gain of $600 million.

(d) The maximum-tax provisions of the 1969 Act should be eliminated. This provides an uncalled-for tax bonanza to top corporate executives and others whose income comes from astronomically high fees and salaries. The approximate revenue gain would be $200 million.

(e) The tax exemption for interest income from state and local bonds should be disallowed. Such income should be taxed in full with the federal government guaranteeing the bonds and providing an interest subsidy to assure that the fiscal powers of the state and local governments are not hampered.

(f) In addition to the reforms in the federal individual and corporate income tax, a major overhaul of federal estate and gift taxes is a prerequisite to the achievement of tax justice. Present law provides a host of opportunities to minimize or entirely avoid these taxes or postpone payment for generations through devices such as family trusts.

It is the AFL–CIO's firm belief that America's needs are too critical and every dollar of the U.S. Treasury too badly needed for vital programs to allow any siphoning off of public funds for private gain. America cannot afford this $70 billion tax windfall to big business. America needs genuine tax reform. The U.S. Treasury must be used in the public interest to build a better America for all Americans, not as a trough for private greed and private gain.

APPENDIX 1

The President's proposals, fiscal year ended June 30, 1972

[Billions of dollars]

Tax benefits to business:	
Investment credit	$3.0
Domestic International Sales Corporation (DISC)	.1
Depreciation speedup	3.1
Total business tax benefits	6.3
Costs to individuals and State and local governments:	
Postponement of Federal pay increase	1.3
Reduction of Federal employment	.5
Postponement of welfare and State aids	2.9
Total costs to individuals and State and local governments	4.7
Acceleration of individual income tax cuts	1.0
Elimination of auto excise	2.3
Total	3.3
Net costs to individuals and State and local governments	1.4

NOTE.—The 10 percent import surcharge has not been included in the analysis since neither its budgetary effect nor its impact on individuals, domestic or foreign corporations, or Federal revenues can be reliably estimated.

SOURCE.—The White House, "Explanatory Material on the President's Economic Program."

APPENDIX 2.—ESTIMATED ANNUAL REVENUE LOSSES RESULTING FROM THE ADMINISTRATION'S INCOME TAX PROPOSALS, FISCAL YEARS 1971–80

[Billions of dollars]

	Depreciation speedup (ADR)	Investment credit	Domestic International Sales Corp. (DISC)	Total business tax reduction	Tax reduction for individual
1971	$0.8	----------	----------	$0.8	----------
1972	3.2	$3.0	$0.1	6.3	$1.0
1973	3.6	4.0	.4	8.0	1.3
1974	4.0	2.5	.6	7.1	----------
1975	4.3	2.6	.6	7.5	----------
1976	4.7	2.8	.6	8.1	----------
1977	4.6	2.9	.6	8.1	----------
1978	4.1	3.0	.6	7.7	----------
1979	3.9	3.2	.6	7.7	----------
1980	3.8	3.4	.6	7.8	----------
Total	37.0	27.4	4.7	69.1	2.3

Source: Department of the Treasury.

APPENDIX 3.—IMPACT OF THE 1-YEAR ACCELERATION OF PERSONAL EXEMPTIONS AND STANDARD DEDUCTION FAMILY OF 4 [1]

Wage or salary income	1972 income-tax liability under 1969 tax law	1972 income-tax liability Nixon proposal	1972 [2] tax reduction
$3,000	0	0	
$5,000	$170	$140	$30
$7,500	560	514	46
$10,000	962	905	57
$12,500	1,370	1,309	61
$15,000	1,864	1,820	44
$20,000	3,060	3,010	50
$50,000	14,660	14,560	100

[1] Assumes joint return and standard deduction or low-income allowance, whichever is higher.

[2] This tax reduction applies only to 1972 tax returns—these same reductions would apply for 1973 and future years under existing (Tax Reform Act of 1969) law.

APPENDIX 4

Effect of depreciation speedup and 10 percent investment credit on corporate income tax liability

Purchase of $100,000 worth of machinery and equipment, 10-year life.

Under 1970 law:	
Purchase of machinery equipment	$100,000
Depreciation write-off (10 years)	10,000
Reduction in tax liability due to purchase (48% of $10,000)	4,800
Under ADR plus 10% investment tax credit:	
Purchase of machinery and equipment	100,000
Depreciation write-off (changed to 8-year life by ADR)	12,500
Reduction in tax liability (48% of $12,500)	6,000
Plus 10% investment credit	10,000
Total reduction in tax liability	16,000

APPENDIX 5

THE NEED FOR AN EXCESS-PROFITS TAX

The AFL–CIO calls upon the Congress to enact immediately an excess-profits tax. Such a tax could be modeled after the Korean War excess-profits tax. It should be made retroactive to July 1, 1971, and should remain in effect so long as the wages and salaries are subject to any form of freeze, controls, or restraints.

The AFL–CIO has emphasized in Executive Council Statements and by Convention Resolutions over the past six years that if economic controls are necessary and are applied equitably and across-the-board to wages, prices, rents, profits, dividends and interest rates, we would support such a program.

1. *So long as profits are unchecked while wages and salaries are restrained, the test of equity is not met.*

Profits are the incomes of corporations; wages and salaries are the incomes of people. Wage controls or restraints, without accompanying controls on the incomes of corporations and stockholders, are grossly inequitable. They result in a one-sided shift in the nation's income and wealth into the hands of corporations and shareholders.

2. *The only effective way that profits can be restrained is through taxation.*

Wages and salaries can be immediately and effectively controlled because every employer acts as an enforcer. Corporate profits can only be effectively controlled through the tax structure.

3. *Effective restraints on profits, through the tax structure, must accompany any restraint on wages if there is to be balanced economic growth as well as equity.*

These points were made conclusively by Lawrence R. Klein and V. G. Duggal in a detailed study of economic stabilization alternatives (Wharton Quarterly, Summer 1971). These renowned economists stated that:

"Since prices respond sluggishly to a slower growth in wage rates, corporate profits, calculated residually, rise. Profits cut into the extra funds taken from wage earners. The additional profits, except for a small part that goes into dividends, are not spent and have no impact effect on the system."

They recommend a profit tax formula which would assure that after tax profits are no greater than they would have been in the absence of wage restraints.

The study concludes by stating that ". . . it is imperative that wage guidelines be accompanied by profit guidelines, not only because of implied fairness in burden sharing among different socio-economic groups, but because of the need to return the additional profit to the income stream where it will work most efficiently to increase economic activity."

4. *An excess-profits tax, fairly applied, adds balance to recovery and provides urgently needed revenues for public investment.*

During the Korean period for example, a 30% tax was applied to excess profits as part of the stabilization program. At the same time, to avoid hardship situations alternative methods of calculating excess profits were provided and a ceiling was placed on the total tax burden a corporation could be required to pay.

This tax, in effect between July 1, 1950 and December 31, 1953, raised $2.5 billion in its first full year of operation—equivalent to 11% of total corporate income tax revenue. The combined corporate income tax revenue was $22 billion. Over the 3½ years of its operation, $7 billion in needed public revenues were raised.

There is also the probability of a profit windfall in 1971 resulting from the 90 day freeze which has nullified duly negotiated wage increases of millions of Americans which are already reflected in the pricing structure of American corporations.

5. *During periods of recovery, sharp increases in productivity and plant and equipment utilization result in sharp and immediate increases in profits.*

Again, because of this, stabilization measures which fail to include profit restraints result in a one-sided shift in income between workers and owners—even if prices remain stable.

During all recent periods of recovery, profits rose quicker and faster than any other major sector. For example, from 1954 to 1955, profits rose 27%—employee compensation 8%, and from 1958 to 1959, corporation profits increased 26%—employee compensation only 8%. And during those periods there were no restraints on wages or salaries.

Data now appearing for the present period indicate the same phenomenon. Corporate profits have bounced back to about 1968 peak level while operating rates are still 27% below capacity and 5.1 million people are unemployed.

The First National City Bank of New York, for example, in its August 1971 "Economic Letter" notes that " . . . virtually all of the 22% decline in manufacturing earnings during the recession has been made up during the first two quarters of the recovery."

The Bank goes on to note that reports from 1300 nonfinancial corporations showed an 11% increase in after tax profits between the second quarter of 1970 and 1971 and that "only four quarters in the past two decades have shown a more widespread advance in profits."

Under such circumstances the failure to enact profit restraints while wages are controlled would inevitably result in a massive profits boom, would add inflationary pressures and pave the way for another and perhaps deeper recession.

CORPORATE TAX ACTIONS—KOREAN STABILIZATION PERIOD

The Korean excess-profits tax was effective between July 1, 1950 and December 31, 1953. The bill (Excess Profits Tax Act of 1950) was signed into law January 3, 1951, retroactive to July 1, 1950.

The tax was applied as follows:

(1) The excess-profits tax rate was 30%.

(2) There was a ceiling rate of 62%. That is, the total corporate tax liability could not exceed 62% of income.

(3) The base period could be calculated in either of two ways:

(a) 85% of the average profit levels from 1946 to 1949 with one year allowed to be dropped, or

(b) A rate of return on investment according to the following schedule:

Less than $5 million, 12%.

$5–$10 million, 10%.

Over $10 million, 8%.

Investment was equity capital, retained earnings plus borrowed capital.

OTHER CORPORATE TAX ACTIONS

From July 1, 1950, to March 31, 1951, the corporate tax rate was raised to 47% from the 45% level.

On April 1, 1951, the rate was raised to 52%. Also the tax on corporate capital-gains was raised on April 1, 1951, to 26%—it was 25%.

The revenue generated by the excess profits tax was as follows:

[In billions of dollars]

Year	Excess-profits tax revenue	Corporate income tax (excluding excess profit)
1950	1.39	15.9
1951	2.46	19.6
1952	1.55	17.6
1953	1.61	18.3

APPENDIX 6

CORPORATE PROFITS FIRST-HALF, 1971

(From the August 1971 issue, Monthly Economic Letter of the First National City Bank of New York)

"Earnings in the second quarter rebounded almost to pre-recession peaks. Both sales and margins improved.

"Reports from nearly 1,300 non-financial corporations tabulated by the First National City Bank's Economic Department showed an average year-to-year increase of 11% in after-tax earnings in the second quarter. In the first quarter, this same group of firms had a 7% rise in profits.

"Only four quarters in the past two decades have shown a more widespread advance in profits.

"For the most part, the rise in earnings paralleled the boost in sales volume that characterized the recovery. In addition, profit margins showed a moderate but encouraging advance, reflecting the benefits of extensive cost cutting. Profit margins rose to 5.3 cents per dollar of sales, compared with 5 cents in the first quarter and 5.1 cents a year ago. . .

"Altogether, after-tax profits of manufacturers rose 12% over the same quarter a year earlier. Compared with the previous quarter, earnings were also 12% higher.

"After adjustment for seasonal variation . . . virtually all of the 22% decline in manufacturing earnings during the recession has made up during the first two quarters of recovery."

The article in the bank's newsletter also explains why the bank examines company reports to stockholders, rather than depend on the Commerce Department's reports on profits. It explains that the Commerce Department's reports on profits are essentially based on corporate tax reports to IRS and, therefore, are less valid descriptions of corporate profitability. (There are also some questions about the accuracy of the reports

to stockholders, but the article states that these reports "are probably closest to the concept of earning power used explicitly or implicitly by management. . .")

The article states:

"The idea of a separate set of books for the tax collector is nothing new in human history. This country's complicated corporate tax structure has today made this almost a necessity. Corporate management would be derelict in its duty to stockholders if it did not utilize every legal means of minimizing reported income and therefore taxes. Yet just because this method of reporting taxable profits is hedged about by laws and regulations, that does not mean that it is the "true" picture of what is happening to business and its earning capacity."

These are some of the reasons why the AFL–CIO, as well as some investment counselors, emphasize the importance of changes in the corporate cash-flow (after-tax profits plus depreciation allowances) as a more accurate indicator of the financial ability of corporate enterprise.

APPENDIX 7

THE CORPORATE CASH-FLOW SINCE 1960

The inflation problem of recent years started with a profit inflation, which persisted through most of the past decade.

The cash-flow to corporations (after-tax profits plus depreciation allowances) shot up sharply in the 1960s, much faster than wages and salaries. By the first half of 1969, before the recession started, the corporate cash-flow had skyrocketed far out of line with improvements in workers' wages.

Between 1960 and the first half of 1969, before the onset of the recession:

The cash-flow to corporations shot up 87%.

But the after-tax personal income of all Americans was up only 77%—about one-eighth less than the corporate cash-flow. And that includes the effects of a large increase in employment and substantial increases in income from interest payments, rent and dividends, as well as the income gains of wage and salary earners.

The after-tax weekly earnings of the average non-supervisory worker in private, non-farm employment were up merely 34%—three-fifths less than the corporate cash-flow. In terms of buying power, the gain was only about 10%.

The cash-flow to corporations soared from 1960 to 1966 and continued up at a somewhat slower pace through the first half of 1969. From the latter half of 1969 through the end of 1970, the recession—combined with the sharp rise of interest rates and lagging productivity—brought a decline in the profits on non-financial corporations and their cash-flow leveled off.

However, in the late 1960s and particularly in 1969–1970, interest rates shot up—resulting in rising costs and prices and sharply increasing bank profits. So, while the cash-flow of non-financial corporations rose more slowly in the late 1960s and leveled off between the first half of 1969 and the end of 1970, bank profits soared.

As a result, the cash-flow to corporations generally (including banks) moved up a bit, even during the recession of 1969–1970.

In the first half of 1971, despite sluggish conditions in most parts of the economy, profits and the cash-flow rebounded—moving up much more rapidly than the gross national product. There has been a widening of profit margins and a rise in the volume of sales, as well as a continuing increase of depreciation allowances.

By the first half of 1971—with industry operating at only 73% of productive capacity—the cash-flow to corporations was 108% above 1960.

Corporate cash-flow, after-tax profits plus depreciation allowances

[In billions]

1960	$51.6
1961	53.5
1962	61.3
1963	64.8
1964	72.3
1965	82.9
1966	89.5
1967	89.6
1968	94.6
1969	95.8
First half 1969	96.4
1970	97.4
First half 1971	107.1

Source: U.S. Department of Commerce.

APPENDIX 8

THE INVESTMENT TAX CREDIT

The investment-credit tax privilege—at 7%—was added to the Internal Revenue Code in 1962, liberalized in 1964, suspended temporarily between October 1966 and March 1967, and eliminated in December 1969.

When offered in 1962, the rationale was the same as today. That is, such a scheme would improve our trade position, increase productivity, and promote jobs and economic growth.

At the time, it was the position of the AFL–CIO that the proposal was "ill conceived" and it was our view that such incentives set the stage for unsustainable one-sector capital-goods booms that serve to distort and disrupt the economy.

Our objections proved valid, for the causes of our current inflation, excess capacity and high unemployment are in no small measure due to the capital-goods boom of 1963–1969. In almost every year of that period, business outlays for fixed investment shot up much faster than the gross national product or any other sector of the private economy. In the six years 1963–1969 the real volume of such outlays soared almost 56%, close to 9% per year. Spending on machinery and equipment in real dollars leaped to 67%. Corporate profits increased 33% and cash-flows (profits and depreciation allowances) shot up 48%. In contrast, the average weekly take-home pay of non-supervisory workers (over half the labor force) rose less than 30% and, after adjustment for price changes, the increase was only 8%.

This unsustainable capital-goods boom generated inflationary pressures in the economy. It was inevitably building up for a leveling off or decline since it was adding to the economy's productive capacity at a much faster pace than the demand for goods and services.

The 7% investment credit was first instituted in 1962; yet it was not until the massive tax cut of 1964 and the increases in public investments that grew out of the Great Society programs began that any appreciable effect on unemployment was felt. For example, between 1962 and 1964 the unemployment rate continued to stick around the 5.5% level and it actually rose between 1962 and 1963. It was not until the end of 1963 that the rate began to ease.

Furthermore, in 1962 industry was operating at 82% of capacity—compared to today's situation where 28% of capacity lies idle. This same mistake must not be repeated.

The fact that the real volume of business investment outlays has declined somewhat since the end of 1969 stems clearly from the existing substantial excess capacity.

Though corporate profits are down somewhat from 1968 peak levels, cash-flows—a much better indicator of the availability of funds for business investment—have increased substantially despite the recession. In the second quarter of 1971 corporations were generating cash at an annual rate of $108.6 billion, 15% above even the third quarter 1968 rate—the peak period of the corporate-profit boom.

The clear relationship between industry's operating rate and the volume of demand for capital goods was recently indicated in a report in *The Wall Street Journal*. According to the April 26 issue of that newspaper, J. T. Bailey, President of Warner & Swasey Co., stated: "Historically, an operating rate of 80% is required to produce a good level of orders for machine tools." And a good level of orders for other types of capital goods may require an operating rate of 85% or more.

Obviously, what the economy and corporations lack at present is customers, not machinery and equipment.

APPENDIX 9

THE AFL–CIO POSITION IN OPPOSITION TO DISC

On May 19, 1970, the AFL–CIO appeared before the Committee on Ways and Means to testify on Pending Foreign Trade Proposals. In response to a question by Congressman Richard Fulton, the AFL–CIO presented its objections to the Treasury Department's proposed Domestic International Sales Corporation (DISC) in summary form.

The following are the specific objections of the AFL–CIO to DISC:

1. The DISC proposal would create a new tax loophole which in the main would benefit large corporations. An entire industry—the export industry—would be freed of Federal taxes.

Under present tax law profits from export sales are subject to U.S. income taxes in the year earned. U.S. income taxes on profits of foreign subsidiaries are deferred—they do not have to be paid until such time as dividends are brought back to the U.S.

Through the DISC proposal the Treasury seeks to achieve equity through extending and widening the existing tax deferral loophole to profits from export sales of domestic corporations. The Treasury would, therefore, widen an existing loophole, entrench it further into the law and postpone or preclude any opportunity to eliminate this preference.

2. The DISC provides no added incentive to *increase* U.S. exports. The benefits of tax deferral would flow to all firms exporting goods—regardless of whether their export sales increase, decline or remain stable.

3. The DISC proposal would be a windfall tax bonanza to many corporations.

A major beneficiary of the tax provision would be large U.S. based multi-national corporations. Those corporations export semi-finished goods and components to foreign plants which in turn compete with U.S. goods.

Similarly a major purpose of the DISC proposal, according to the Treasury, is to permit smaller firms to enter the export market or expand export sales. In our view, the rise of huge multi-corporations is a major factor in precluding smaller firms from developing markets abroad. These huge corporations produce for export as well as operate through foreign subsidiaries. Hence, the opportunity to establish DISC's would enhance the financial position of these huge, internationally-based operations. Their ability to control international markets would be reinforced and smaller firms could not improve their competitive position.

4. The DISC proposal would open opportunities for tax avoidance through bookkeeping gimmickry between the DISC and its parent corporation. The Treasury's proposal would permit tax-free reorganizations into DISCs, provide additional opportunity for corporations to accumulate tax-free

funds, and permit the DISC to lend these tax-free accumulations to the parent corporation.

5. When in full operation, the DISC proposal would cost the U.S. Treasury approximately $600 million annually, according to Treasury estimates. Other reliable sources place the loss as high as $955 million yearly. Losses that will have to be made up by individual taxpayers and businessmen that do not produce for international markets.

6. The DISC proposal would do nothing to eliminate the basic factors which have led to the deterioration of the U.S. trade position. These factors include the spread of managed national economies, with direct and indirect government barriers to imports and aid to exports; the internationalization of technology; the skyrocketing rise of investments by U.S. companies in foreign subsidiaries; and the spread of U.S.-based multinational corporations.

In sum, it is our judgment that if the Treasury DISC proposal were enacted, a gaping new corporate tax loophole would be created and there would be little if any improvement in our trade position. Moreover, there is a distinct possibility that this proposal would serve to encourage a further export of U.S. capital, technology, and jobs and forestall the adoption of the many measures necessary to rationalize our foreign economic policies.

APPENDIX 10

POSTPONEMENT OF INCREASES IN SOCIAL SECURITY PAYROLL TAX AND WAGE BASE

The AFL–CIO believes postponement of the increase in the wage base to $9000 as scheduled in present law would aggravate an already serious actuarial imbalance in the hospital insurance trust fund. Passage of H.R. 1 and postponement of its scheduled contribution and wage base increases would exhaust that fund in 1973. It is imperative to raise the payroll tax or the wage base or both or at the very least reallocate income between the cash and hospital insurance trust funds.

Under the present law, the total social security contribution rate of 5.2 percent each for employees and employers is scheduled to remain in effect for 1972. However, the wage base is scheduled to increase in 1972 from $7800 to $9000. H.R. 1 would increase the wage base from 5.2 percent to 5.4 percent in 1972 and the wage base to $10,200. The 5.2 percent rate under present law consists of 4.6 percent for cash benefits and 0.6 percent for hospital insurance. The 5.4 percent rate under H.R. 1 consists of 4.2 percent for cash benefits and 1.2 percent for hospital insurance. The payroll tax is cut for the cash benefit programs because of a surplus in the trust fund and in order to increase the hospital insurance rate without substantially increasing the combined rate of cash and hospital insurance.

Though there is some latitude in the timing and magnitude of increases in the contribution rate and wage base, the financing of the Social Security program should not be based upon counter-cyclical and related economic considerations. Once we deviate from this principle, it is inevitable that considerations other than the legitimate needs of social security beneficiaries will be major factors in determining if and when changes in the law will be made. The needs of beneficiaries and the actuarial soundness of the system should be the criteria and they should not be subject to the fluctuations of economic policy. The Congress has a myriad number of ways of influencing the economy in a desired direction and there is no overriding need to use the social security condition rate for that purpose.

The large bulk of the funds for financing H.R. 1 in 1972 comes from raising the wage base to $10,200. But postponing increases in the wage base scheduled in H.R. 1 or under present law will have no immediate impact in stimulating the economy. The social security tax is applied to the total salary at the beginning of the year and deductions for an individual cease when the wage base is reached. Thus, regardless of whether increases in the wage base are postponed, no significant economic impact can result until the fourth quarter of next year—much too late for achieving the immediate economic results required.

A more effective way to immediately stimulate the economy and put money into the hands of people who will spend it would be to begin paying increased benefits in January 1972 instead of for June 1972 as now scheduled in H.R. 1. This would put nearly an additional $200 million a month into immediate stimulation of the economy or more than one billion dollars in the first half of the year. Raising the benefit increase from the inadequate 5 percent to a higher amount would, of course, provide even greater stimulation. We believe this would be the preferable approach because it achieves both an important social goal and provides a more effective, immediate impact on the economy.

TREATMENT FOR HEROIN ADDICTION

Mr. PELL. Mr. President, it gives me great pleasure to announce that a single scientist, working mostly alone and financing his research largely from his own pocket, has promise of what he believes to be a treatment for heroin addiction.

Dr. Albert A. LaVerne has treated 50 hard-core heroin addicts during the past 5 years. His result indicate that 48 percent of these addicts were cured within 3 months and have not returned for treatment for heroin addiction since.

My staff has been investigating this modality for the past 3 months, as has the staff of Representative WILLIAM A. ANDERSON, of Tennessee, who informed the House of this on Tuesday.

The treatment is reported to be relatively more favorable than other treatments now being used.

The medical staff of Hahnemann Hospital of Philadelphia has passed a plan to scientifically evaluate this treatment. Under controlled conditions of this evaluation, Dr. LaVerne feels that he will have a higher cure rate than he has had with his private patients or with those who were on an outpatient basis.

The Hahnemann evaluation is now prepared to go ahead as soon as funding is received.

Mr. President, I believe that I need not emphasize the seriousness and the pervasiveness of the drug problem facing our country today.

I believe that we as legislators have the responsibility to leave no stone unturned in the search for a means of curbing this problem of drug addiction.

For some time now I have been trying to nudge the Federal bureaucracy to utilize their resources to assist Dr. LaVerne.

Some time ago I contacted the Veterans' Administration, which has the responsibility for rehabilitating those many unfortunate Vietnam veterans who have returned to this country addicted to heroin. I regret to say that the Veterans' Administration, which has no adequate program for dealing with heroin addiction, was most hesitant in even undertaking an investigation of Dr. LaVerne's treatment.

I then contacted the National Institutes of Health, which has the responsibility for the problems of domestic drug addiction. While the National Institute of Mental Health did respond to my inquiries, they have been slow in moving into an in-depth analysis of the potential of Dr. LaVerne's treatment.

Consequently, due to the serious nature and immediacy of the heroin addiction problem, Dr. LaVerne asked the Hahnemann Hospital in Philadelphia to undertake an evaluation of his approach.

Mr. President, while I am pleased that Hahnemann Hospital may be willing to undertake the studies that are necessary for the further promulgation of the LaVerne method of hard drug rehabilitation and congratulate it on its willingness to do so, I would hope that this fine private hospital would not be left to its own limited finances in undertaking this much needed work.

I would urge, once again, that the National Institute of Mental Health provide funds now for this project.

There have been some that have suggested to me that I be highly skeptical of Dr. LaVerne's treatment. There have been some that have even sugggested to me that I may appear to be foolish in pushing for a further expansion of the use of Dr. LaVerne's method of treatment. My only answer to them is that the heroin addiction problem is so serious that we cannot afford to let any possible remedy go unexamined.

If Dr. LaVerne's method turns out to have a tremendous potential for success on a nationwide basis, we have gained everything.

If Dr. LaVerne's method does not live up to our expectations, we are none the worse off.

Mr. President, it is my hope that the National Institute of Mental Health in conjunction with the Veterans' Administration would reconsider their reluctance in assisting Dr. LaVerne and would move now to undertake the funding for the carbon dioxide treatment project.

I ask unanimous consent that my recent letters to the National Institute of Mental Health and the Veterans' Administration be printed in the RECORD.

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

JULY 6, 1971.

BERTRAM S. BROWN, M.D.,
Director, National Institute of Mental Health, Chevy Chase, Md.

DEAR DOCTOR BROWN: Thank you for your very informative letter regarding the background of the use of carbon dioxide therapy in the mental health field.

While I can appreciate that the record of carbon dioxide therapy is mixed. I am also concerned that any apparent successful effort to curb heroin addiction be properly evaluated.

I would be appreciative if your staff would arrange as soon as possible for a controlled experiment, such as an objective double blind clinical study, and evaluation under your auspices of Doctor LaVerne's method.

I know I need not describe to you the seriousness of the heroin addiction problem, and it seems to me that we cannot disregard any method that appears to be helpful

in reducing the hardships caused by heroin addiction.

Warm regards.

Sincerely,

CLAIBORNE PELL.

JULY 16, 1971.

Hon. DONALD E. JOHNSON,
Administrator, Veterans' Administration, Washington, D.C.

DEAR MR. JOHNSON: Thank you for your kind response to my recent letter regarding the possibility of the Veterans' Administration utilizing the carbon dioxide therapy methodology of Dr. Albert A. LaVerne in its treatment of returning veterans who are addicted to heroin.

I am delighted to know of the interest of the Veterans' Administration in the experimental use of this modality of treatment.

Dr. LaVerne has suggested the possibility of his treating on an experimental basis a number of the acutely addicted veterans who are patients at the Veterans' Administration Hospital at 24th and 1st Avenue in New York.

At this Veterans' Administration facility, acutely addicted veterans are now receiving a methadone treatment.

Dr. LaVerne has also suggested that a group of twenty veterans be selected, ten of whom would be treated as usual with the methadone treatment in your facility and ten of whom would be treated with the carbon dioxide therapy. He believes that if this type of test is used on a weekly basis for a period of thirty-sixty days, the effectiveness of his treatment could be adequately demonstrated to the health officials of your staff.

I would be appreciative if you would make arrangements for your personnel at the New York facility to undertake arrangements with Dr. LaVerne for the initiation of this experimental treatment program.

I am enclosing for your information some further background material on Dr. LaVerne's project which may be of interest to your staff.

Dr. LaVerne is anxious to begin this project as soon as possible, and it would be my hope that your officials could expedite its initiation.

I believe if Dr. LaVerne's treatment is as effective as his initial experience indicates that it would be a significant addition to the heroin addiction treatment program of the Veterans' Administration.

Warm regards.

Sincerely,

CLAIBORNE PELL.

DR. PETER GOLDMARK TO LEAVE CBS TO ASSIST RURAL AMERICA

Mr. HUMPHREY. Mr. President, Dr. Peter Goldmark, president of Columbia Broadcasting System Laboratories, recently announced his expected retirement in December of this year from CBS, following many years of dedicated and innovative leadership within the broadcasting and communication industry. Aside from the apparent shock that his announced retirement plans have had within the broadcasting industry, his postretirement plans may well be an even bigger surprise to the industry he has served so ably. Dr. Goldmark, whose contributions to the broadcasting and communications industry have been many, including such things as the long-playing record and color camera equipment for the Apollo 15, has announced that he intends to devote himself following his retirement from CBS to the application of modern communication technologies to the problem of improving many of the services of our Nation's smaller communities. Dr. Goldmark apparently has decided to turn down some very lucrative offers—including from CBS—to remain within the business world, in order to devote all his time to these goals.

Mr. President, as chairman of the Rural Development Subcommittee of the Committee on Agriculture and Forestry, I not only applaud Dr. Goldmark's decision, but have invited him to meet and work with me and our subcommittee in addressing ourselves to this innovative task of designing ways and means of applying many of our Nation's new technologies to the problems of rural and smalltown America.

I hope it will be possible for Dr. Goldmark to join us in these endeavors to create a more balanced national growth pattern in this country. The application of our new technologies in this regard is essential to the achievement of these goals. Dr. Goldmark is clearly one of our Nation's leading figures in this field. We need his excellent counsel and advice on these matters and I sincerely hope that his postretirement plans permit him to work closely with our Rural Development Subcommittee.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of an interview with Dr. Goldmark which was published in Forbes magazine of September 15, 1971, and reveals his concerns and plans following his departure from the broadcasting business world.

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

AS I SEE IT

It's not often a man walks away from $750,000. Why did you?

GOLDMARK. Because there are things I feel I have to do that I can do more easily on the outside than at CBS. I believe that communications technology can solve many of the problems facing the nation. I don't mean new communications technology. I mean the existing technology. We don't need new inventions. We've been putting an awful lot into inventing but not enough into applying what we've invented. Our need is now to take our existing technology and put it to work, to create new systems with our existing technology that will help shape the future of the nation.

The profit world can't do this because the profit world can't set forth national goals. This is a job for the nonprofit world. On the other hand, the profit world can help to achieve the national goals. Now that I'm leaving CBS, I hope to create an institute where the profit world and the nonprofit world can meet and work together.

What kind of problems do you believe communications technology can help to solve if put to work?

GOLDMARK. At the present time, 90% of the people in this country live on 10% of the land. People have been moving into a few great metropolitan areas. You know the problems this has created: crime, narcotics addiction, pollution, traffic, educational problems, social problems. Small towns have the same problems, of course, but they have them on a manageable scale. In the cities, the problems have become too big to manage.

By 2000, the U.S. will have 100 million people more. If present trends continue and they all crowd into urban areas, we're going to have a crisis. The problems we already can't manage will destroy us.

We must create conditions that will make it possible for this growth to take place in the rural areas, in small towns. It's not a question of moving people from the cities into small towns. You can't do that. It's a question of giving people a choice, which they do not now have, of living in a small town or a big city. I believe communications technology can give people such a choice.

In the words of the World War I song, "How Ya Gonna Keep 'Em Down on the Farm?"

GOLDMARK: Why do people move from rural areas into the cities? First of all, for jobs. Then, and this is very important, educational facilities: universities. And for excitment: theaters, cultural centers, sports arenas.

With our present communication facilities, we can provide all these things in the small towns. We can keep them physically small; if we keep them physically small, we can keep their problems small. At the same time, we can give them all the things a big city has.

The big cities became big for observable reasons: coal, iron and other natural resources; harbors, rivers, the Great Lakes....

GOLDMARK: That is true, but present growth in employment in this country is not in manufacturing but in the service industries. By the year 2000, when we have a population of 300 million, two-thirds of the people employed in this country will be employed in the service industries. The service industries have been expanding even faster than the population.

Now there's no reason, given modern means of communication, why they have to expand where they are now. Let's say you have an insurance company based in Hartford which projects that it will eventually have to hire an extra thousand workers. With two-way television, broad-band cable or microwave and with facsimile, there's no longer any reason why it has to build office space for them in Hartford. It could set up offices in five different small towns in a radius of several hundred miles, each one housing 200 workers. Two-way television and facsimile would enable instant communications, more rapid communications even than you now have in a skyscraper office building.

There's no longer any reason why a service company like an insurance company has to concentrate all its employees in a single skyscraper.

For that matter, there's no longer any reason why all state government offices should be concentrated in the state capitals. With modern communications, state governments could easily be dispersed.

What about the other factors that make youngsters leave the small towns for the cities?

GOLDMARK: Education? We could establish minicolleges, small colleges with small staffs. Such a minicollege could be linked by two-way television with a great university hundreds of miles away. Students at the minicollege would be able to participate in all the important things taking place at the great university: lectures, seminars. They wouldn't just sit and look and listen. With two-way television, they could participate, ask questions, enter into discussions.

Entertainment? Through the use af satellites and cables, we can bring anything exciting happening anywhere in the country to every corner of the country: sports events, concerts, anything.

We can do something about the medical problems of the country, too. In many depleted areas, it's impossible to keep doctors. In such areas, we could establish telemedicine. With two-way TV, we can have remote-distance diagnosis.

How do you go about establishing the new systems you are talking about?

GOLDMARK: I was a member of a committee

on telecommunications of the National Academy of Engineering which studied this question. We published a report discussing how it could be done. The big problem now is to convince business that it's economically feasible to expand into rural areas. Unless you can prove to the service industries that it's not necessary to concentrate company headquarters in 50-story buildings, you can't get anywhere.

We now have a pilot project in Windham in the northeast part of Connecticut to demonstrate the feasibility of the idea. We're linking Windham to Hartford by two-way microwave television.

What would be the technological problems of such a project?

GOLDMARK. As I said, they do not involve the necessity for new technological developments but of devising the systems and getting them set up. CATV companies are now laying cables with 20 or more channels. We can just as easily lay cables with 40 channels. We could lay them along the state and federal highway systems, dig a moderate trench beside the highways and lay them there.

I've discussed this with the Connecticut State Highway Commission. They're enthusiastic. Why not? It will put them in the communications business.

We know that setting up these communications systems is technologically feasible. We believe that in Windham we can prove it's economically feasible.

I'm not saying that communications technology can solve all our urban problems; I'm just saying that it can arrest the present concentration of the nation's population into a few areas, creating problems of such magnitude they cannot be dealt with. Communications technology can give people a choice of where to live.

How would these two-way cable and microwave systems you hope to establish affect commercial television? By establishing cable systems with 40 channels, wouldn't you completely disrupt commercial television, creating unlimited competition for the three TV networks?

GOLDMARK. I don't believe the new systems will supplant the networks. The networks will continue pretty much as they are because they provide a service people want and business is willing to pay money for. They are economically viable and they will continue to be.

The new systems will provide new services for business, education, government. They won't supplant existing television, but merely fit into the present structure.

I don't know of any development in communications that replaced the existing system. Movies didn't replace books. Radio didn't replace the phonograph. Television didn't replace radio. People have a growing appetite for ideas. Communications may evolve into new forms, but what we already have won't stop.

TEAMWORK NEEDED IN OUR RETURN TO MARITIME LEADERSHIP

Mr. STEVENS. Mr. President, despite general recognition of the critical economic and political importance of seapower—including both naval and maritime shipping capability—and despite virtually universal recognition of our Nation's steadily declining strength in seapower over the past 10 years, we are still not reversing the trend quickly enough.

In his address before the executive committee of the Navy League of the United States at Denver, Colo., on August 6, Assistant Secretary of Commerce for Maritime Affairs, A. E. Gibson, traced and analyzed the decline of U.S. maritime strength from first rate to fifth rate—and sharply compared this with the phenomenal growth of the Soviet merchant marine and combat fleet in tonnage, efficiency, and, most interestingly, in global prestige.

We all know that a reversal in the trend was enabled last year when the Congress endorsed the President's program for redevelopment of the U.S. merchant fleet. From Mr. Gibson's frontline position in the administration of the program, he sees a need for closer teamwork in our naval and merchant shipping programs. His suggestions are practical and they illustrate the necessity for perfection in every step of our come-from-behind effort to regain worldwide seapower leadership. Mr. President, I ask unanimous consent that Mr. Gibson's comments be printed in the RECORD.

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

REMARKS BY A. E. GIBSON

It is a great pleasure to be with you today. I was particularly pleased to join the Navy League and to have been appointed to its Executive Committee, for I have long been impressed by the dedication and effectiveness of this organization in alerting the general public to the important contributions our Navy has made and is making to preserve and defend our Nation's well being.

While I would normally expect a Navy League meeting to be in a coastal location, in sight of the oceans, perhaps our present inland position and elevated altitude provide an appropriate place to present a slightly different perspective on our Nation's seapower.

This is what I hope to do today: to give you the view of our maritime assets as seen from the perspective of total seapower, rather than the Navy's alone, with which you are quite familiar.

A strong Navy and merchant marine are both indispensable to our national seapower posture. Weakness in one mitigates—can even completely negate—strength in the other. Our naval and merchant fleets represent two sides of the same coin. President Nixon aptly noted their relationship when, during the Presidential campaign of 1968, he defined seapower as "the ability of a nation to project into the oceans in times of peace, its economic strength; in times of emergency its defensive mobility." He further stated: "Sea power is composed of all those elements enabling a nation to use the world's oceans advantageously for either trade or defense . . . its navy, its merchant shipping, its shipbuilding, its fishing, its oceanographic research, and its port facilities."

Back in 1890, that foremost exponent of maritime strategy, Captain Alfred T. Mahan, made a similar observation: "Seapower in the broad sense," he wrote, "includes not only the military strength afloat that rules the sea or any part of it by force of arms, but also the peaceful commerce and shipping from which alone a military fleet naturally and healthfully springs, and on which it securely rests."

It is upon the recognition of the close, intertwining relationship between merchant and naval shipping that consideration of our seapower must begin. With President Nixon's pledge to restore this Nation to the rank of a first-rate maritime power, and the implementing actions that have been taken, a review of this relationship is particularly appropriate at this time.

I need not tell this audience how seapower has influenced the course of history. Surely seapower has been instrumental in shaping our Nation's destiny, transforming it from a vulnerable fledgling into the most affluent and powerful country in the world. Shipping and an aggressive pursuit of world trade have been the major catalyst to our economic development since the founding of this Republic and remain so today. Many times when our Nation was imperiled by hostile forces it was our Navy and Merchant marine that tipped the margin of victory in our favor.

Yet, despite the ample evidence of the need for and value of seapower, our Nation after successfully emerging from periodic crises invariably let its maritime strength decline, setting the stage for another frantic rush to correct the deficiencies when the next emergency arose.

While we have permitted our seapower priorities to oscillate like a sine wave, the Soviet Union—a maritime nonentity 15 years ago—has demonstrated that it recognizes that seapower is essential to its global aspirations and military preparedness.

During the past 10 years, it has been engaged in an all-out effort to build-up its naval and merchant fleets. This ambitious program received much of its impetus and priority after the Cuban missile crisis of 1962 exposed a fundamental weakness in that nation's inability to project its strength into the oceans.

Between 1960 and 1970, the Soviet Union's merchant fleet grew from 841 ships to 1,766, elevating her from the rank of 13th to 7th in world standing. Significantly, the Soviet fleet today is one of the most modern in the world.

Compare this enormous growth with the alarming decline of the American Merchant Marine during the same period. In 1960, the United States was ranked first in world maritime standings with the combined Government and privately owned fleets aggregating almost 3,000 ships totaling 32.6 million deadweight tons. Of that number, more than 1,000 were privately owned, the remainder comprising more than 1,900 Government-owned ships in the reserve fleet.

Ten years later, the total U.S. fleet had contracted to fewer than 1,000 serviceable vessels. Of this number less than 800 were in active service.

The United States had sunk to a fifth-rate maritime power.

A similar situation confronts us if we turn to the statistics for naval combatant vessels. While the 600-odd ships in the U.S. fleet declined only slightly, the average age of the combatant vessels increased nearly three-fold from just over 5 years to more than 15 years. The Soviet fleet, with some 1,600 ships today, has an average age of about half of ours. In terms of combatant vessels, then, the U.S. faces a situation in which we are outnumbered by almost three-to-one with ships that average only about half the age of ours, and in the immediate future there is little that can be done except to watch the gap widen.

The Nixon Administration is dedicated to reversing this decline in both our naval and merchant marine strength. Under the President's program for revitalizing the merchant fleet, which was resoundingly enacted last year by Congress, we will build the equivalent of 300 new ships in this decade to replace the aging privately owned fleet. As many of you are aware, this program is moving forward. During the fiscal year just ended, the Maritime Administration entered into contracts totalling almost $400 million for the construction of new ships and the conversion of comparatively new conventional freighters into highly productive containerships. Among the new ships ordered were barge-carrying LASH ships, and versatile combination tankers and dry bulk carriers. These ships, along with the new containerships and conversions contracted for, will greatly increase the cargo-carrying ability and flexibility of our maritime fleet.

We must recognize however, that while we are struggling to catch up, the Soviet Union is continuing to progress. The U.S.S.R.'s con-

centration on building comparatively small merchant vessels stems from its dedicated use of ships to establish political and economic beachheads in underdeveloped nations, as well as to service many of their own smaller ports. Soviet merchant vessels have been entering about 800 ports in nearly 100 nations each year, many of which rarely, if ever, see an American flag vessel.

Concerning their emergence as a merchant shipping power to be reckoned with, the Soviets have shown little reticence in discussing their motives. One of their publications has stated that "The Russian maritime fleet is to be considered as a weapon in the competition with the capitalist countries, and it must contribute towards breaking the expansion of certain capitalist countries in the framework of world merchant shipping in order to support the developing countries."

It should be unmistakably clear that the U.S.S.R.'s ambitious maritime program has been designed to enhance the worldwide influence and prestige of the Soviet Union. The Soviet merchant fleet draws its justification as much from political considerations, as it does from economic ones.

The Russian premier, discussing that nation's new five-year plan, noted that they hoped to build a number of containerships and giant tankers. He also pointed out that the fleet is growing in vessel size, as well, with more ships in the 13,000 to 50,000-ton range being added. This is merely a further affirmation of their total commitment to an ever-increasing maritime development.

We in the Government clearly recognize this. We also recognize that our naval and merchant shipping efforts must be much more closely coordinated if we are to survive. Admiral Zumwalt, his predecessor Admiral Moorer, Under Secretary John Warner, and I have had many discussions of the coordinated roles of our Navy and merchant marine in projecting our maritime strategy, and we have a number of joint studies underway.

In attempting to achieve this goal of coordinated merchant and naval capabilities, we labor under a restraint that does not affect the Soviets. In the Soviet Union, merchant shipping, like the Navy, is state-controlled, run as much for political ends as for economic ones. Even though their shipping lines operate on a so-called "profit" basis, this is subject to the over-riding dictates of Soviet national policy. Thus, their merchant fleet is clearly and directly an instrument of national policy.

In the United States, the merchant shipping industry consists of private corporations, run essentially the same as any other business in this country. Thus, for these companies, implementation of national policy must be tempered by economic considerations.

We obviously do not need to be apologetic about this. Our history clearly demonstrates the strength which has resulted from our free enterprise system. I believe that the ability of American business firms to operate in a free and unhindered market is absolutely vital to the national interest and is one of the important ingredients in the American success story.

This dual "personality" of American shipping lines—private firms run in accordance with the stockholders' desires, but endowed with a vital mission in protecting our national security—places a heavy burden on those Government agencies directly concerned with the shipping industry.

At the present time, the U.S. merchant marine's largest single customer is the Department of Defense. Military cargoes account for 30 to 40 percent of the total dry cargo carried in U.S.-flag liner vessels. This predominance will lessen in future years as the amount of military cargoes shipped overseas declines and as the results of the marketing efforts aimed at securing more commercial cargoes now being undertaken by the industry with Maritime's cooperation begin to have their effect. Nonetheless, the commercial fleet will continue to rely heavily on DOD cargoes for at least the next few years.

In a nutshell, then, the Department of Defense has much power to determine the size and economic viability of the fleet which will be available to the Nation in time of crisis through its allocation of peacetime cargoes. This is a power that must be more wisely exercised in the future.

A recent study of sealift procurement demonstrated that under the present competitive bidding system, the rates on military container cargo are noncompensatory. The revenues generated by these cargoes are not sufficient to cover the costs allocated to them.

In two years, 1969 and 1970, containerized outbound military cargo grew by 50 percent and costs increased sharply. Yet the revenue per ton generated by this cargo dropped by 15 percent. This resulted in losses of about $8 per ton sustained by the operators, and there is no way to maintain a healthy merchant marine with such abuses.

We may fairly ask how this situation came about. The requirement that military cargoes be shipped in U.S.-flag vessels dates back to 1904. Between World Wars I and II, there was little problem concerning the movement of military cargoes on commercial vessels because of the small volume of such commodities moving outside of domestic trade. During World War II, of course, the entire merchant marine was commandeered for duty under Navy direction.

Just before the Korean War broke out, a procurement system based on cargo allocation was developed. Operators received Government cargoes in proportion to the advertised and maintained number of sailings by trade routes. Thus, each operator on a trade route knew exactly what percentage of DOD cargoes he would be eligible to carry. The rates at which they would be moved were determined by conference-type negotiations.

In 1965, DOD replaced the negotiated-rate system with a competitive-rate method. This decision reflected the then-Secretary of Defense's desire to shift to competitive procurement as a cost-cutting device.

Under present DOD contracting procedure operators submit bids on an annual basis. The operator can alter his bid after six months. In addition, there is a period of negotiation during which bids can also be altered. In the past this ability to alter has resulted in undercutting of rates to the point where they no longer covered costs. Such a situation may provide a short-term cost reduction to the DOD, but in the long run weakens the U.S. merchant marine, and seriously diminishes its capability to serve as a national security auxiliary.

It seems to me that the basic problem in this predicament is that present contracting procedures are primarily aimed at saving dollars today, rather than with establishing a firm base on which the U.S. merchant fleet can survive and be available for use in tomorrow's emergencies.

On the other hand, the law clearly provides for the armed services to use cost-based procurement, rather than competitive bidding, in situations where this is necessary to assure the availability of essential suppliers in emergencies. Surely, sealift falls in this category, and the present destructive practices can and must be brought to an end.

In addition, DOD, since World War II, has operated a fleet of merchant ships under its own control. Because of this, DOD and the U.S. merchant marine are all too often at odds. The DOD-owned cargo fleet is considered by many to be a competitor. This undermines the natural relationship between the two vital elements of American seapower, the Navy and the Merchant Marine, at a time when it needs to be strengthened.

This situation does not have to be. It need not continue, and I believe the national welfare demands it be brought to an end. The owners of the merchant fleet stand ready to go forward with the Navy as full partners.

The commercial operators are willing to commit their fleets to DOD contractually to provide emergency shipping services in less-than-full-war situations under equitable terms. A procurement system can be quickly developed so that the military can purchase ocean shipping at reasonable rates that compensate the operators for the services rendered and allow them to build up reserves for future fleet replacement. But all this will require a massive change in attitude.

I am confident that this change is coming. The need to develop an effective team composed of all those elements of our maritime might was never greater and is a clearly stated maritime objective. In closing, I might again refer to the speech of President Nixon which I quoted earlier. He said:

"All our goals will not be accomplished overnight. Restoring the United States to the role of a first-rate maritime power requires the cooperation of [all elements] . . . ; but the leadership can and will come from a new Administration. . . . The time has come for new departures, new solutions, and new vitality for American ships and American crews on the high seas of the world."

I submit the time has indeed come. We should now go forward in partnership to develop the world-wide maritime and naval strength that the President has promised to the Nation. Initial steps toward this partnership are being taken.

Thank you.

DETONATION DAY DRAWING NEAR FOR PROJECT CANNIKIN

Mr. GRAVEL. Mr. President, detonation day is drawing near for Project Cannikin.

That fateful day will be some time in October unless the AEC's scheduled 5-megaton underground nuclear test is canceled.

My office has been deluged with requests from citizens asking me to do all that I can to see that the blast is called off.

Alaskans are frightened by the risks of the planned test. And they should be. Eminently qualified scientists have warned us all about the grave threat to our environment posed by Cannikin.

Many of us have implored the President to take these serious risks into consideration and to act quickly to call off the test. As of right now our anxious cries have gone unheeded and, indeed, unacknowledged.

Dr. Carolyn V. Brown, an Anchorage physician, recently wrote to me about the important health questions we must ask before the blast goes off.

I share her concern and believe there are many unanswered questions which must be explained before the blast is detonated. But the AEC has ignored our queries and our pleas of the past few months.

Mrs. Brown included in her letter a copy of a document prepared by the "Alaska Mothers' Campaign Against Cannikin." It is one of the most concise and complete summaries of the arguments against Cannikin that I have seen.

The Alaska mothers' plea to the President is clear: Stop Cannikin for the sake of all Americans. I agree completely with Mrs. Lillie McGarvey, chairman of the

AMCAC that President Nixon must listen to their plea and heed their concerns.

I ask unanimous consent that the summary prepared by the mothers' groups be printed in the RECORD, so that we can all hear their plea.

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

ALASKA MOTHERS' CAMPAIGN AGAINST CANNIKIN

(Mrs. Lillie McGarvey, chairman)

Many Alaskans are frightened by the risks of the planned nuclear test, Cannikin, scheduled to be exploded at Amchitka in October 1971. Added to this fright is the dismay because of the apparent unresponsiveness of the Atomic Energy Commission to outspoken international, scientific, congressional, Pacific rim states, and general public testimony strongly opposing Cannikin. Alaskans have more at stake than any of the Cannikin opponents. Those Alaskans who live on the Aleutian chain have the most risk for loss of all.

Mrs. Lillie McGarvey, an Aleutian native who is an active leader in the Aleut League, has led in the formation of a letter writing campaign to inform President Nixon of responsible citizens' opposition to Cannikin. Since it is apparent that massive governmental and scientific opposition expressed against Cannikin has been ineffective, it is hoped that expression of a large groundswell of responsible parents opposition in Alaska will succeed. This campaign is called Alaska Mothers' Campaign Against Cannikin. Alaskan mothers are organizing to prevent exposure of Alaska and the rest of the world to the dangerous risks of Cannikin. We are asking all concerned parents to write, and encourage others to write, a personal letter to President Nixon requesting cancellation, or at least delay, of Cannikin.

This material has been prepared to provide background information about Cannikin by Dr. Stephen Haycox of Anchorage Community College, Department of History.

ALASKA MOTHERS' CAMPAIGN AGAINST CANNIKIN

In late October, 1971, the Atomic Energy Commission, in cooperation with the Department of Defense, plans to detonate an atomic device of about 5 megatons on Amchitka Island in the Alaskan Aleutians. This test has been severely criticized repeatedly by other agencies within the government and by private individuals and organizations who have argued that the explosion is dangerous, ill-advised, and unnecessary. Objections to the test fall into five main categories: 1) the danger of an earthquake and/or tsunami (tidal wave) being triggered by the explosion; 2) the danger of inadvertent release of radioactive materials into the water (and subsequently, marine life) or air; 3) the obsolescence of the warhead which the test was originally designed to test; 4) the arrogant and secretive manner in which the test was planned and information on it withheld from the U.S. Congress; and finally, 5) the danger that the test might jeopardize the Strategic Arms Limitation Talks (SALT) now in progress between the United States and the Soviet Union.

BACKGROUND

The 5-megaton shot planned for Amchitka in 1971 is the largest yield underground explosion ever undertaken by the AEC. All previous underground tests have been 1 megaton or less. The Long Shot test on the island in October, 1965, was 80,000 kilotons (less than 1 megaton); the Milrow detonation in October, 1969, was 1 megaton. Amchitka was chosen for testing because of its remoteness from human population, 800 miles from the Soviet Union, 1400 miles from Anchorage, and because the 5 megaton blast was considered too large for the testing sites in Nevada. The cost of the shot is $127 million, of which $100 million had been spent by the end of July, 1971.

In 1969 the U.S. Congress established the National Environmental Policy Act which gives the Environmental Protection Agency jurisdiction over the actions of all agencies of the federal government which might pose a danger to the environment. Among other things, agencies must furnish complete statements regarding the impact of such actions on the environment, and a discussion of alternatives to the planned action. The AEC released its first environmental impact statement in June of 1970, and a revised statement in April, 1971. In discussing alternatives the AEC stated that the Cannikin test (code name for the October, 1971, test) is considered of prime significance to national security requirements, and that its cancellation would severely hamper the development of nuclear weapons technology. The AEC also stated its belief that the possibility of radioactive materials leaking from the test site is remote, that the possibility of the blast triggering major earthquake activity is very unlikely, and that the possibility of the generation of a tsunami is even more unlikely. All of these judgments by the AEC have been called into question by competent experts in and out of government.

EARTHQUAKE AND TSUNAMI ACTIVITY

The planned blast at Amchitka in October is expected to generate a shock of approximately 7.0 on the Richter scale. The 1964 earthquake in Alaska measured 8.5 on that scale. The blast is not expected to be felt more than 200 miles from the test site, and there, not as anything more than a slight motion. The danger, however, is that the shock may trigger a major quake (defined as equal to or more intense than the shot itself) which is imminent, just about to occur. The AEC discounts this possibility, but frankly admits that ". . . because the understanding of earthquake mechanisms is still developing and is not yet sufficient for exact calculations, the possibility of such an occurrence cannot be ruled out" (AEC Environmental Impact Statement, Revised, April 30, 1971). The fact is that Amchitka Island is very near the Aleutian Thrust Fault, a major fault in the Circum-Pacific Seismic Belt, and in an area of extreme seismic activity.

Moreover, the entire fault system of the Northern Pacific and Pacific areas has been very active this year (a manifestation of which was the Los Angeles quake in February which killed 39 persons). Because of the enormous magnitude of this blast, 5 times that of any previous explosion underground, the test is fully an experiment, with totally unpredictable results. The AEC bases its arguments on the fact that the 1969 Milrow shot did not cause significant quake activity. But the Milrow shot was only 1 megaton and cannot be used as evidence against quake activity. It is known that quakes have thresholds; that is, they occur when the geologic stresses reach a certain point. No one knows what that point is for the Aleutian Thrust Fault this year. If the triggering blast on Amchitka is below the threshold, it would not result in quake activity; if it were above, and there were a major quake waiting to go off, it would.

There are hundreds of quakes along the fault near Amchitka each year, several above the 6.0 range. It is simply not known what the earthquake effects of this blast will be. Further, in 1964 the AEC claimed that underground tests would not trigger natural earthquakes except under unusual circumstances. By 1970, however, on the basis on the Amchitka blasts and the series of underground tests at the Nevada sites, the AEC admitted that it had learned that *large explosions invariably trigger earthquakes* (see *Congressional Record*, July 29, 1971, p. 28083).

In addition, it is now suspected that great earthquakes (magnitude 8.5 or more) consist of a superposition of quakes of the 6.0 or 7.0 variety triggered in succession by one another, building from low to high magnitude as each triggers another. The great Alaska earthquake of 1964 was triggered by a shock of about 6.5 and peaked at 8.51! Moreover, a tsunami is generated by a quake of 7.5 or greater.

Finally, a study done in 1968 at the request of the AEC headed by the then president of Stanford University, Dr. Kenneth S. Pitzer, concluded that ". . . the need for these tests as planned should be *compelling* if they are to be conducted in the face of the possible risks that have been identified" (quotation included in the testimony of Dr. Jeremy Stone of the Federation of American Scientists in his statement before the AEC hearings conducted in Anchorage on May 28, 1971). It is clear that the effects of this blast in terms of earthquake and tsunami activity are not known, in fact, are totally unpredictable, and further, that the risks, therefore, are very great indeed.

RADIOACTIVE LEAKAGE

The radioactive consequences of the planned Amchitka blast are at least as grave as the seismic consequences, and the AEC has as little reliability in terms of prediction as with earthquakes. The AEC has been most concerned in its testing program with the problem of leakage of radioactive materials because of the tremendous destructive qualities of such materials. It has stated that there will be no leaking from the Cannikin test. Yet, when asked by Representative Begich of Alaska in April of this year, Chairman Seaborg of the AEC admitted that of over 200 tests at the Nevada sites between August of 1963 and June of 1971, 17 released radioactivity which was detected beyond the limits of the test site. Following one test, Baneberry in December, 1970, fallout from the explosion was detected in environmental samples from most of the Western United States. Perhaps more significant for the Cannikin test is the problem of seepage of underground water from the test cavity to be created by the blast.

One result of the test will be a large highly radioactive lake as the cavity fills with water. The AEC predicts that this lake will remain in the cavity for 1000 years. But it admits the possibility that a series of interconnected rock faults could bring some of this water to the surface within 2 or 3 years. In addition, Cannikin may create an escape passage for the irradiated water now underground contaminated by the Milroy test in 1969. The Milrow test site is just over 2 miles from the Cannikin test chamber. Moreover, the Cannikin site is only 4500 feet from the Bering Sea. If even a rumor of a radioactive leak, detected through discovery of dead fish due to radioactive exposure, were to circulate, the Alaskan fishing industry could be destroyed or severely curtailed for many years, perhaps more than a decade. Again, the risks are great and the effect of the blast not entirely predictable, as the AEC's unreliable predictions in the past make quite clear.

MILITARY NECESSITY

It is now fairly clear that the Cannikin test blast is not actually necessary for our military preparedness program, for our national security. Originally, Cannikin was planned to test a warhead for the Spartan missile, the basic missile in the Anti-Ballistic Missile Defense system (ABM). The original plans for the test were drawn in 1966. In 1969, however, partly because of opposition of the U.S. Congress, our defensive missile strategy was changed. The original, basic Spartan missiles are to be replaced with an Improved Spartan missile, one which will carry a much smaller magnitude warhead. It will travel at much higher velocity than the original, and therefore intercept an incoming ICBM or SLBM (submarine-launched ballistic mis-

sile) at a higher altitude (see statement of Dr. Jeremy Stone, Federation of American Scientists, in testimony before the AEC hearings in Anchorage, May 28, 1971). Cannikin was designed to test the larger yield basic Spartan warhead. This was revealed by Dr. Harold M. Agnew, Director of the Los Alamos (New Mexico) Scientific Laboratory in testimony before the Senate Armed Services Committee on April 20, 1971 in his statements about Cannikin.

Alaska Attorney-General John Havelock asked the AEC after the May 28 hearings on Cannikin in Anchorage if the national security necessity for the test had been reviewed at the Presidential level in view of this apparent change in strategy. He has not yet received an answer to his question, though an answer was promised. Additionally, Secretary of Defense Melvin Laird has not responded to the same question directed to him by letter by Alaska Governor William Egan, a point made by the *Anchorage Daily News* in an editorial against the test on Friday, August 13, 1971. The implication clearly is left that the AEC is using the "national security" argument as a blanket authorization for a test which presents grave risks to human life, but which is not in fact necessary militarily. Numerous Senators and Representatives in the Congress have called for cancellation or postponement of the test until the AEC and the Department of Defense consent to answer publicly the exact purpose of the Cannikin test at Amchitka in October. (See, for example, Attorney-General Havelock's statement in the *Congressional Record* for July 29, 1971, and Governor William Egan's letter to Secretary Laird).

THE SALT TALKS

The purpose of the Strategic Arms Limitation Talks now being conducted in Helsinki, Finland, is to limit the production of nuclear weapons as a step in slowing down the arms race, and thereby reducing the possibility of atomic warfare between the United States and Russia. By going ahead with Cannikin the United States may in fact jeopardize the progress of those talks, progress which has only been achieved in this past year. In an editorial in the *Washington Evening Star* for July 26, 1971, it was revealed that five different federal agencies have recommended *against* the planned blast on Amchitka (the Department of State, the U.S. Information Agency, the Office of Science and Technology, the Environmental Protection Agency, and the Council of Environmental Quality). Primary among these is the State Department, which suggested that at a minimum this test should be delayed until the completion of the SALT talks. It could well be that as a result of the talks we would not need to test atomic weapons any further.

Moreover, the test is of international concern from a different standpoint. Already the Canadian government has requested cancellation of the test, on the grounds of proximity to the site as well as progress in the SALT talks. By insisting on carrying out the test the United States seems to suggest defiance of the very purpose of the talks and of the legitimate protests of other governments. Only if the test were clearly and unequivocally necessary to the national security could such defiance be justified.

SUMMARY

The planned Cannikin atomic test at Amchitka Island in the Aleutians in October, 1971, is clearly unjustified in terms of the risks involved to human life and to the environment, and to the progress of the SALT talks between the United States and the Soviet Union. Neither the Atomic Energy Commission nor the Department of Defense, the only two federal agencies in favor of the test, have justified the blast in terms of national security. Apparently, the warhead for which the test was originally designed is now considered outmoded, and the test is therefore militarily unnecessary. Moreover, the State Department has asked that the test be cancelled until the SALT talks have been concluded so as not to jeopardize whatever progress might be made in those talks.

Perhaps more important is the fact that the AEC has not presented convincing evidence that the test is safe. The largest underground tests to date have been 1 megaton; the Cannikin test is to be 5 megatons. The shock wave from the blast may trigger a major earthquake along the Circum-Pacific Seismic Belt, perhaps as far away as the San Andreas Fault in California. Moreover, if the blast does trigger a quake of 7.5 magnitude or greater, a tsunami (tidal wave) is a certainty. The AEC has erred in its predictions of earthquake activity in the past.

While in 1964 the AEC stated that underground blasts did not cause quake activity except in unusual circumstances, by 1970 the AEC was forced to admit that underground blasts *inevitably* cause quake activity. Because of the tremendous magnitude of the planned Cannikin event, the seismic consequences simply cannot be predicted. Earthquakes have prior thresholds; that is, it takes a shock of sufficient magnitude to trigger the activity. 1 megaton may not be high enough, 5 megatons may be. It is just not known. Moreover, quakes apparently build from a low magnitude to a higher, so that a 6.5 quake may build on itself and peak as an 8.5 quake, as was the case with the 1964 Good Friday Earthquake in Alaska. The Cannikin blast is expected to generate a shock of 7.0 on the Richter scale.

The AEC has also erred in its predictions of radioactive leakage associated with underground tests. Between 1963 and 1971 17 tests at the Nevada test sites leaked radioactivity which was detectable outside the limits of the test site. In at least one instance, fallout in the air was detectable over most of the Western United States. Moreover, the AEC has admitted in its environmental impact statement that while unlikely, radioactive water from the test could leak into the ocean from around Amchitka Island within two or three years. Merely the rumor of contaminated fish in Alaskan waters could destroy the fishing industry of the state for more than a decade. Were the rumor demonstrated to be fact, the industry could be destroyed into the foreseeable future.

The risks of the Cannikin shot are not justified by the declared purpose of the test. It is difficult to judge what circumstances might justify the taking of such risks to the people of Alaska and their environment. But clearly the AEC and the Department of Defense have not demonstrated the necessity of the test, and therefore, have not complied with the spirit of the National Environmental Policy Act which establishes that destruction of the environment by the government must rest on evidence of compelling necessity. The warhead for which the test was originally designed is now considered obsolete; a low-yield weapon is contemplated instead. Again, the AEC's own high level evaluation commission, headed by Dr. Kenneth Pitzer (then president of Stanford University) concluded that the need for the Amchitka tests ". . . should be *compelling* if they are to be conducted in the face of the possible risks that have been identified."

In conclusion, the Cannikin test blast scheduled for October, 1971, on Amchitka Island in Alaska may trigger a major devastating earthquake, may set in motion a severe destructive tsunami, may leak fatal radioactive material into the air or into the water, thereby damaging the human environment or destroying the Alaskan fishing industry, may impede or erase progress in the strategic arms talks, and is not apparently necessary to national military security. Such an inordinate and unnecessary risk cannot be taken; to do so would be to defy reason and intelligent judgment. In the name of the people of Alaska and America, in the interest of human life, for the sake of the mothers of Alaska and their children, it is not worth it.

SOCIAL PROBLEMS RESEARCH

Mr. MONDALE. Mr. President, I have long been concerned with the woefully inadequate information which is available to us as we make decisions affecting millions of our citizens and billions of dollars of our tax payments. For this reason, I have proposed the creation of a Council of Social Advisers to spearhead efforts to develop sophisticated systems of social indicators and social accounting.

The St. Paul Pioneer Press has just commented favorably on this proposal in an editorial headed "Social Advisers Needed." The Pioneer Press is one of the leading newspapers in my State. I am proud to have its support for enactment of the Full Opportunity and National Goals and Priorities Act, S. 5.

As the editorial states so well:

The President currently has advisers available in such important areas as the economy and the ecology. It makes good sense that he have advisers in sociology as well. America's social problems need immediate attention, but they will never be solved as long as the nation's leaders rely on unsupported information as a basis for legislation.

Mr. President, 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:

[From the St. Paul Pioneer Press, Sept. 21, 1971]

SOCIAL ADVISERS NEEDED

Sen. Walter Mondale has resumed his long struggle for the establishment of a Council of Social Advisers in the executive office of the President. Mondale first introduced legislation to create such a council nearly five years ago. It was needed then and the need has not diminished.

The Minnesota Democrat is proposing a council that would be composed of three of the nation's leading social analysts (appointed by the President and confirmed by the Senate) and staffed by a number of the country's brightest social scientists. This council would be responsible for monitoring on an on-going basis, specific and actual conditions in the country which affect the "social opportunity" of the American people.

The idea is to put some continuous research and evaluation into the social problems of the nation, so that future social legislation can be based on a more comprehensive knowledge of the country's real needs. All too often, social problem solving has been carried out on the basis of hunch, intuition and good intention.

For example, it is possible that the nation's welfare system would be vastly different today if a Council of Social Advisers had been available several years ago when great masses of social legislation were passed. In the cold light of expert evaluation, many programs which seemed so grand might have been discarded and many others which died might have survived.

The President currently has advisers available in such important areas as the economy and the ecology. It makes good sense that he have advisers in sociology as well. America's social problems need immediate attention, but they will never be solved as long as the nation's leaders rely on unsupported information as a basis for legislation.

After almost five years of subcommittee

and committee hearings, Congress should have all the information it needs about Mondale's bill. Surely it is time for congressional approval.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. BENTSEN). Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 7072) to amend the Airport and Airway Development Act of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 7072) to amend the Airport and Airway Development Act of 1970 to further clarify the intent of Congress as to priorities for airway modernization and airport development, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. BENTSEN). The Chair, on behalf of the Vice President, appoints the following Senators as advisers to the annual meetings, Boards of Governors of the World Bank and International Monetary Fund, in Washington, D.C.: the Senator from Missouri (Mr. SYMINGTON) and the Senator from Vermont (Mr. AIKEN). The following Senators are appointed as observers to the same meeting: the Senator from Louisiana (Mr. LONG); the Senator from Virginia (Mr. BYRD); the Senator from Kentucky (Mr. COOPER); the Senator from Utah (Mr. BENNETT); and the Senator from New York (Mr. JAVITS) to be held September 27–October 1, 1971.

MILITARY PROCUREMENT AUTHORIZATIONS, 1972

The PRESIDING OFFICER. Pursuant to the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The assistant 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.

The Senate resumed the consideration of the bill.

AMENDMENT NO. 423

The PRESIDING OFFICER. The Chair lays before the Senate amendment No. 423, on which there is a limitation of 2 hours. The amendment will be stated.

The amendment was read, as follows:

On page 16 strike out lines 9 through 23; on page 16, line 24, strike out "SEC. 504" and insert "SEC. 503".

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BENTSEN. 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. McGEE. Mr. President, I understand the pending business at this moment is my amendment to H.R. 8687, the defense procurement bill.

The PRESIDING OFFICER. The Senator is correct.

Mr. McGEE. Mr. President, this amendment would propose to delete from the bill section 503. Section 503, which is sponsored by the senior Senator from Virginia (Mr. BYRD), would amend the United Nations Participation Act of 1945 to the effect that the President may not prohibit the importation into the United States of a strategic commodity unless import of such a commodity from Communist-dominated countries is also prohibited by the same provision of law.

I am sure that most of the Members of this body are aware that the language of section 503 is specifically designed to have the United States unilaterally break the United Nations embargo against Rhodesia and to import chrome ore from that area. That is really the substance and thrust contained in the proposal.

Before going into my main objections to section 503 and why I seek its deletion from the bill, let me say that this is the same proposal that was introduced earlier in this session in this body as S. 1404. That bill was referred to the Foreign Relations Committee, which was a proper reference, I would suggest, and at the urgent suggestion of the senior Senator from Virginia, the sponsor of the proposal, we expedited hearings on the bill.

The point I make is that we have held hearings on this bill in the committee with the appropriate responsibility for the thrust of the suggestion. The hearings were held on the 7th and 8th of July. We heard out all sides on the question, and then the Foreign Relations Committee met in executive session to exercise its judgment in the light of the very detailed hearings.

Since I was chairman of the African Subcommittee and bore the responsibility for the action, I recommended to the Foreign Relations Committee that was exceedingly poor timing at best for a proposal of this nature, and had much too simple a point in it in order to address it to the many ramifications with which the Rhodesian chrome ore embargo proposal are laden. The Foreign Relations Committee, without a dissenting vote, recommended against reporting the measure out of the committee at this time.

I stress that. Here is a measure that has had a hearing. It was the judgment of a committee of this body, the committee responsible for this kind of jurisdiction, that the measure should not be forwarded to the floor of the Senate I stress this point for the reason that, now that we find the measure included in the military procurement bill, it is dressed in the clothing of "strategic necessity."

So the point I would make is that the strategic necessity has to be "gussied up" a good bit in relation to the facts of the time, and that it needs to be carried into question very seriously by all who are seeking a wise policy decision that transcends many lines of policy concern.

The administration, for example, is supporting a bill currently pending before the Armed Services Committee, S. 1773, which would recommend the release from our strategic stockpile of chrome of approximately 1.3 million tons of chrome ore over the next 3 years. What this says is that in the assessment of those who have responsibility to measure strategic necessity, the necessity is of such a low point that they feel compelled to release 1,300,000 tons from our stockpiled reserves.

The Office of Emergency Preparedness, which is responsible for making judgments in this category, testified before a House Foreign Affairs Committee that they had reassessed the whole question again as late as June of this year, scarcely 3 months ago, and it was their judgment, likewise, that those releases from the stockpile were in order.

I quote from the language of the Director of the Office of Emergency Preparedness when he says that—

In establishing the requirements and the supply for chrome in this country, the allowances that we are now recommending would cover all contingencies that might arise in an emergency, and our objective has been concurred in by the appropriate departments and agencies, including—

And I stress this—

the Department of Defense.

I am simply trying to say, Mr. President, that it is very difficult to establish a strategic requirement for the proposal that is now being made in section 503 of the pending legislation.

I am aware of the complexities of the sources of chrome ore, and the needs for it in some of our domestic industries, and as well as its defense requirements in a very limited way. Let me say that even before the embargo of Rhodesia, fully a third of all of the chrome ore we were importing into the United States was coming from the Soviet Union.

I mention that as a reminder that we keep this matter in perspective. Nobody has just invented the question of importing ore from "a Communist-dom-

inated country." This has always been a prime source of high-grade chrome ore. All that has happened in that context since the embargo against Rhodesia has been the increase of those imports from the Soviet Union.

One might address himself to that increase, but the point is that this is nothing new. It has always been present. We have always been, in relative terms, partially dependent upon the Soviet Union for our sources of chrome.

I likewise would plead this point to my colleague, with the thought that the record is replete with substantive evidence: That there is no great urgency, in the sense of strategic crisis or strategic necessity, for section 503.

My second major reason, Mr. President, for urging the Senate to delete section 503, is that this action now pending comes at the very moment when the long and sometimes protracted talks between the British Government and the Rhodesian Government are seriously under way. The origin of this whole question of the embargo involves the United States, for at that moment when the decision was made in the United Nations to impose an embargo, our Government had a hand in persuading the British to take the issue to the U.N. The reason being not only that the U.N. ought to have a hand in this kind of decision as an international body, but that this would move the question one notch away from a blood bath, a show of force between Great Britain and that portion of her empire known as Rhodesia.

Having done that as we did, I would think that it would be extremely reckless and irresponsible for us to take any kind of step that would rock the boat at the very moment the time won by the embargo has now permitted the emergence of new talks between the British and the Rhodesian Governments.

The situation today may yet not produce a solution; we do not know. All we do know is that the British and the Rhodesian delegations have been closely locked in talks, and the tentative agendas they have drawn up, with a common interest, were hopeful enough that a British mission has gone all the way to Rhodesia again in an attempt to try to consummate these lengthy deliberations.

This is simply another way of saying that that kind of moment is not the responsible moment for a government such as ours, which claims to believe in the U.N., which takes pride in its initiative toward avoiding shooting scrapes where possible, to suddenly plunge in with both feet, at the moment when possibly successful talks are underway.

That is a very critical reason, and the very least that it would argue for would be to defer action on section 503, in order to test the genuineness of the existing talks. But I cannot let the argument against section 503 rest on these two issues alone, Mr. President; I want to add a bit to the implications of all of this for the United Nations itself.

We have been making as fine a case as we can, from time to time, for enhancing the role of the U.N. in international disputes. Here is a case where the U.N. exercised a role, with the initiatives of the British and the Americans supporting them, to impose the sanctions on Rhodesia. The result is that it is a program that is still ongoing, under the sponsorship of that international body. If we were to take this action here today, we would become the first nation in the history of the U.N. to have deliberately initiated a formal action to thwart an agreed-upon procedure by the United Nations.

I think we ought to ponder carefully the implications of all of that. Whatever chances the U.N. has to inch forward in its efforts to try to keep peace among men or among nations, this is certainly one of those very small steps that we ought not to discourage or deliberately thwart, as this action would do. Consequently, I think the implications for the U.N. of collective action in the cause of international understanding rise on this same matter.

The last point that I would make, Mr. President, has to do with the consequences of an action such as this on the relations of our country with the many black nations of Africa right now. You notice I put this at the end of the list of reasons. That does not detract from its implications or its significance. But it ought to remind us that our image in many parts of Africa has been seriously called into question because of the sudden emergence of many independencies in black Africa. In any circumstances where there is no established strategic significance in a move that jeopardizes the diplomatic efforts now quietly underway to resolve it by talks, in a set of circumstances that would call into question the procedures of the U.N. itself, there rests this fourth, which I suppose would be a psychological, factor of immeasureable proportions; and while we are rightfully concerned with the business interests involved in importing chrome from Rhodesia, the consequences of the other nations of Africa taking retaliatory measures against other businesses of the United States in that part of the world need to be weighed at this time. Oil, with much American interest in many parts of Africa, bauxite, and iron ore—all of these have an American business stake, as well as the chrome stake in Rhodesia.

So what we are doing is placing in jeopardy even a wider business base, if you want to talk business for a moment, than simply the hardship that this may have represented for the commercial users of chrome in our own country. The consequences imagewise and in many other ways suggest to me, Mr. President, the wisdom of deleting section 503 of the pending legislation.

I am glad to yield the floor at this time, rather than make this presentation more protracted. I am sure my colleague from Virginia will have something to say on the subject.

Mr. STENNIS. Mr. President, I certainly strongly support the provision in the bill which is now section 503, included by the committee at the prompting of the Senator from Virginia. I shall make further remarks about this and remarks on the merits later, but now I think the Senator from Virginia should have a chance to make his argument, and I therefore yield to him.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. STENNIS. I yield the Senator 15 minutes and such further time as he may desire.

Mr. BYRD of Virginia. Mr. President, section 503 of the pending legislation (H.R. 8687) was added to the bill by action of the Senate Armed Services Committee.

Its purpose is simple—to end the dependence of the United States upon the Soviet Union for chrome ore—a material vital to the defense of this Nation.

In the Armed Services Committee, the vote was 13 in favor, none opposed; three Senators were absent.

The committee amendment was identical to S. 1404 which I introduced in the Senate on March 29.

The cosponsors of this legislation were the Senator from North Carolina (Mr. ERVIN), the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mr. GURNEY), and the senior Senator from Arizona (Mr. FANNIN).

Now, a review of section 503—and the need for it.

Chrome is essential in the manufacture of such critical defense items as jet aircraft, missiles, and nuclear submarines.

Moreover, since chrome is an essential ingredient in the manufacture of stainless steel, it is vital to the maintenance of the entire communications and transportation network of this country, without which there can be no true national defense.

Mr. President, in this connection, I received yesterday a telegram from Mr. William J. Hart, director, District 19, United Steelworkers of America. Later, I will ask that the entire text of the telegram be printed in the RECORD, but for the moment I want to select several sentences. Mr. Hart states:

> I am concerned with the black and white steelworkers in Pennsylvania maintaining their jobs in the specialty steel industry. If favorable disposition of the Byrd proposal is not obtained, there will be no specialty steel industry in Pennsylvania or the United States.

That is part of the telegram from William J. Hart, director, District 19, United Steelworkers of America. I ask unanimous consent that the text of the telegram be printed at this point in the RECORD.

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

TARENTUM, PA., Sept 22, 1971.

HON. HARRY F. BYRD, JR.
Old Senate Office Building,
Washington, D.C.

I was in attendance on July 8, 1971, when Allegheny Ludlum Industries Inc. vice president E. F. (Andy) Andrews appeared before the African Affairs Subcommittee of the Foreign Relations Committee of the United States Senate in Washington, D.C. I fully endorse the position taken by Mr. Andrews. I am concerned with the black and white steelworkers in Pennsylvania maintaining their jobs in the specialty steel industry. As you know Western Pennsylvania is the specialty steel capital of the world and if the Pennsylvania specialty steel companies do not receive favorable disposition to the Byrd

bill section 503 of H.R. 8687 or S. 1404, there will be no specialty steel industry in Pennsylvania or the United States. As a member of the executive board of the United Steelworkers of America, I wish to be recorded as in favor of the Byrd bill Section 503 of H.R. 8687 or S. 1404 and I would appreciate any assistance you can render on this important subject.

Sincerely,

WILLIAM J. HART,
Director, District 19,
United Steelworkers of America.

Mr. BYRD of Virginia. Mr. President, what we want to do—at least, I thought it was what this country wanted to do—is to create more jobs, not try to put persons out of work.

Section 503 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.

Section 503 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 Congress. Congress has never had an opportunity to express itself on this matter, until today.

Prior to 1966, 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.

The Senator who is undoubtedly the best informed Member of the Senate on the subject of strategic materials, Senator CANNON, of Nevada, stated on the floor of the Senate on April 29 that the chrome ore problem is one which "we cannot continue to ignore."

Senator CANNON is chairman of the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Commitee on Armed Services. His subcommittee has held hearings on the chrome stockpile situation, and his opinion is based on a thorough familiarity with the problem.

Senator CANNON pointed out in his statement that the United States now relies upon Russia for 60 percent of its chrome ore.

In the same statement, Senator CANNON pointed out that since becoming the prime source of chrome ore for the United States, the Soviet Union has increased the price per ton of this ore from $25 to $72. This is an increase of about 188 percent.

Mr. President, Congress will be called upon shortly to do something about inflation. The President has frozen wages; he has frozen prices in this country. Yet, the United States is pursuing a policy which gives Soviet Russia virtually a monopoly on the sale to us of a vital defense material, and the cost of that material has increased from $25 a ton to $72 per ton.

Here is an opportunity for the Senate, for Congress, to help fight inflation and to help protect jobs of American workers, by adhering to the amendment voted unanimously by 13 members of the Committee on Armed Services who were present, three were absent.

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

Mr. BYRD of Virginia. I yield.

Mr. GOLDWATER. The Senator may bring this out later in his speech, but I ask him if I would be wrong in thinking that the Soviet Union buys chrome from Rhodesia and then sells it to us. Is that correct?

Mr. BYRD of Virginia. I say to the Senator from Arizona that the Senator from Virginia cannot guarantee the accuracy of that statement. But from all I have been able to find out from discussing it with persons who are involved in the purchase of chrome, I think that the statement the Senator has made is accurate and that Russia gets chrome from Rhodesia and then sells it to the United States at a greatly inflated price.

Mr. GOLDWATER. I thank the Senator.

Mr. BYRD of Virginia. I thank the Senator for raising that point.

The increase in price is a disadvantage to the United States, but what concerns the Committee on Armed Services most is that the United States has placed itself in a position of dependence upon Russia for a strategic commodity. The committee regards this as illogical and dangerous.

Section 503 of the committee bill would not require that the United States abandon all sanctions against Rhodesia, although I am frank to say that I would like to see that occur, but it would not occur under the amendment adopted by the committee.

The only commodity affected by section 503 would be chrome ore.

In my view, Mr. President, and in the view of all members of the Armed Services Committee who were present when this matter was voted on, numbering 13—three were absent—the national security of this country clearly dictates that the United States should not be dependent on Communist Russia for a material vital to our national defense.

We are spending billions of dollars for weaponry as a protection against possible Russian aggression. Russia is the No. 1 reason—indeed, almost the sole reason—for our huge defense expenditures. The very measure we are considering today, H.R. 8687, proposes authorization of $21 billion for military procurement, a large proportion of which would be unnecessary but for the threat to the security of the United States posed by the Soviet Union. It simply is not logical for the United States to depend on Russia's goodwill for a strategic material.

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

At the present time, there is pending in the Senate Armed Services Committee legislation supported by the administration which would authorize withdrawal from the national stockpile approximately 1.3 million tons of chrome ore. This would provide a short-range solution for the problems faced by American industry because of the present chrome shortage.

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

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

It has been argued that continued withdrawals from the stockpile will not be necessary, because a settlement will be reached between Britain and Rhodesia that will lead to elimination of the United Nations embargo.

But what is evidence for this assertion? Who professes to be able to foretell when the deep-rooted and long-standing dispute between Britain and Rhodesia will be settled?

Indeed, can we even predict with certainty just what kind of agreement would be acceptable to the United Nations?

We must bear in mind that the Soviet Union has a veto power on the U.N. Security Council. It can therefore block any proposal to revoke sanctions against Rhodesia—and in view of its lucrative trade in chrome, and its stranglehold on U.S. supply. Russia is likely to do just that.

We are told that Lord Goodman, a skilled British negotiator, is in Salisbury, the capital of Rhodesia, and that conversations are being held at the highest level. But we cannot accurately foretell the outcome of negotiations over issues which have been outstanding for nearly 6 years.

There have been earlier discussions at the highest level. There have been earlier expressions of strong hope for an amicable settlement. But there have been no results.

And be it noted that discussions and hopes add nothing to the supply of chrome in the United States.

Let us suppose, however, that the current conversations have some chance of success. Would it really undermine these discussions if the United States were to assert the right to act in its own interest?

I think not.

On the contrary, if the present discussions are to succeed, then it would seem desirable to have some incentive to flexibility on both side sides of the bargaining table at Salisbury.

If Senator MCGEE is correct in his assertion that the United Nations embargo creates pressure for flexibility on the part of Rhodesia, then it would seem only logical that a modification of the sanctions—and I propose only a small modification, restricted to chrome, made in the urgent interest of the United

States—might exert similar pressure for flexibility upon the British.

If the talks are to succeed, there must be some flexibility on both sides.

Let us turn for a moment to the argument that removal of the ban on chrome imports from Rhodesia would be an affront to black Africa.

The Senate may be interested to know that Zambia, which yields to no country in its public expressions of animosity towards Rhodesia, continues to trade with her.

Within the past 3 months Zambia negotiated the purchase of one and a half million bags of corn from Rhodesia because, according to a Zambian government spokesman, she could not do otherwise. Rhodesia was not the only available source, but it was the cheapest and most expeditious. The Zambian government saw nothing amiss in going to the Rhodesian market to serve its convenience and national interest.

In my view, national security in this country clearly dictates that the United States should not be dependent on Communist Russia for a material vital to our national defense.

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

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

The very legislation we are considering today, H.R. 8687, proposes authorization of $21 billions for military procurement, a large proportion of which would be unnecessary but for the threat to the security of the United States posed by the Soviet Union.

It is simply not logical for the United States to depend on Russian goodwill for a strategic commodity.

I state again: Section 503 addresses itself to only one material, namely chrome ore.

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

I think that simple logic requires section 503 to be retained in the military procurement bill.

Mr. President, how much time do I have remaining of my 15 minutes?

The PRESIDING OFFICER (Mr. ALLEN). Two minutes remain to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I want to point out that the proposed legislation which the Armed Services Committee approved does not change in any way the Charter of the United Nations. The Senator from Wyoming (Mr. MCGEE) made the point in his opening remarks that the United States would be unilaterally violating the embargo if the Armed Services Committee amendment were to be approved.

I point out that the United States itself unilaterally put on the embargo. The United Nations did not put on the embargo. There is nothing in the United Nations Charter which gives the United Nations the authority to put on an embargo. The embargo must be put on by the individual countries. Many countries, I might say, have not put on an embargo despite a request from the United Nations.

So, Mr. President, I think it is important to point out that section 503 does not change the Charter of the United Nations.

I think it is also well to emphasize that this embargo on trade with Rhodesia was put on unilaterally by former President of the United States, Lyndon B. Johnson. It was not submitted to Congress. Congress never had an opportunity to express itself on the issue until today.

Mr. STENNIS. Mr. President, I am glad to yield 7 minutes, or more if he so desires, to the distinguished Senator from Florida (Mr. GURNEY).

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GURNEY. Mr. President, I want to commend the distinguished Senator from Virginia (Mr. BYRD) for taking the lead in this most important matter and putting section 503 in the bill.

I hope that the Senate will overwhelmingly reject the amendment to cut section 503 out of the bill, because if the motion is successful, what it would accomplish would be to put the Senate on record as continuing the policy of buying the largest percentage of chrome ore, a vital strategic material, from Soviet Russia, the one nation in the world we have been continually confronting in a fierce world struggle, ever since the end of World War II.

It was Russia who furnished the war supplies to Communist North Korea against the United States in the Korea conflict.

It was Russia who tried to introduce nuclear missiles into Cuba, an incident which put the world upon the brink of a nuclear holocaust.

It is Russia who now furnishes the bulk of the war material to North Vietnam. If she had ceased this policy, which we have asked her to do again and again, peace would have been concluded on that troubled land in Southeast Asia years ago.

It is Russia who daily foments trouble in the Middle East and keeps that region on the brink of conflict.

Why did we stop buying chrome ore from Rhodesia and buy from Russia? It came about at the time of Rhodesia's declaration of independence from Great Britain. The United Nations imposed sanctions on Rhodesia in 1966. President Johnson followed this by executive action, imposing an embargo against Rhodesia. In my view, that action was ill-conceived, ill-advised, and certainly not in the interest of this Nation.

Congress was never consulted. I feel certain that Congress never would have approved of such action if it had been put to a vote.

Chrome ore is a highly strategic material, used in many vital defense weapons such as jet aircraft, submarines, and missiles, as well as great numbers of commercial products using stainless steel.

The United States produces none of this ore. Our sanction action against Rhodesia now makes us dependent on Russia, our mightiest and most dangerous enemy, for 60 percent of our requirements. It is incredible, unreal, unwise to put ourselves in such a position, of being literally at the mercy of the Soviet Union.

The reasoning behind the sanctions against Rhodesia were and are threefold:

First, because Rhodesia declared her independence from Great Britain.

It is ironic that the United States frowns on that action, because at the end of World War II the United States practically forced her Western European allies to give freedom and independence to all their colonies. Moreover, this very Nation, the United States, began its existence by a declaration of independence from Great Britain.

But whether Rhodesia's action was right or wrong in the judgment of any of us in this Chamber, that is a matter between Great Britain and Rhodesia and none of our affair.

Two, the second reason for sanctions was that the Rhodesian Government is one of a minority rule over a majority. Let us assume that to be 100 percent true. That fact is also the case in dozens of other member countries of the United Nations. In fact, the largest nation, Russia, is a country of 240 million people, under the iron, despotic rule of a Communist dictatorship.

As for many of the African nations, as a practical matter, representative government as we know it is nonexistent. Many are governed by minority rulers far fewer in number than the government leaders in Rhodesia.

Mr. President, it is high time that the United States stopped messing around in the internal affairs of other nations, in this case by sanctions. We cannot remake the world in our image.

Three, the third reason for sanctions was that Rhodesia was threatening world peace. That can be dismissed out of hand as preposterous. Rhodesia threatens no nation. All she desires of the United States and other nations is a policy of "live and let live."

The evidence is that sanctions against Rhodesia are not working at all. Many nations are cheating and paying lipservice only to the sanctions. Rhodesia's foreign trade and gross national product, as well as its general prosperity, are all on the rise.

It is high time that we stopped this farce which is hurting the United States much more than it is Rhodesia.

Finally, there is the matter of cost. Everyone in the Senate wants to do something about inflation and soaring costs. Well, Mr. President, here is a concrete opportunity to do so.

Since we have been buying from Communist Russia, as the distinguished Senator from Virginia (Mr. BYRD) previously pointed out, the price per ton has gone up from $25 to $72, a boost of 188 percent.

Buying from Rhodesia would lower our costs, help our balance of payments, and help keep down the price of chrome steel products.

On that score, Mr. President, it is an interesting fact to point out that, in recent years, we have been losing steadily, more and more of a percentage of our domestic market, right here in the United

States, not in our foreign market, of steel products that use high grade chromium steel.

Some of the statistics on some of the related special items are most interesting.

For example, we have lost to foreign nations 35 percent of stainless steel cold rolled products; 68 percent of the market for stainless steel iron ore; and 57 percent of the market for steel wire. This year, in the first 4 months of 1971, imports of overall high grade chrome steel have reached 22 percent.

All this is putting American steel workers out of work as evidenced by the telegram sent to the distinguished Senator from Virginia (Mr. BYRD) from the United Steelworkers.

So, Mr. President, what does this mean so far as the United States is concerned, for its future, if we continue to buy from Soviet Russia and do not buy from Rhodesia?

Businessmen have a habit of doing business with those people who are their friends and with those people who are long-time customers.

Rhodesian chrome steel ore is now going to countries such as Sweden and other nations in competition with us as far as high-grade chrome steel products are concerned. As the world's demand for chrome steel increases, as it does all the time and will continue to do, the demand for chrome ore from Rhodesia—the highest single source in the world—is going to be ever increasing. If we run into a world shortage or if Russia were to cut off our supply, then it seems to me that Rhodesia will not do business with the United States which has not done business with her and which has placed an embargo on her chrome ore, but will do business with her friends that she has been doing business with over the years.

This could put us in a very dangerous situation. The United States could find itself in a position where she could not obtain the chrome steel ore sufficient to satisfy our requirements. There are not many sources in the world of chrome ore, and Rhodesia is the largest source of supply.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield 3 additional minutes to the Senator from Florida.

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

Mr. GURNEY. There is not a single sound argument for cutting our economic and security throats and putting ourselves at the mercy of our bitter enemy, Communist Russia, by buying the majority requirement of critical chrome ore from Russia.

Let us stop this charade and be practical people. Let us vote for the interest of the United States and not against it. Let us vote down the pending amendment by an overwhelming margin.

Mr. President, I yield back the remainder of my time.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 3 minutes.

Mr. GOLDWATER. Mr. President, it is a rather unusual situation we find ourselves in. The proponents of the pending amendment are the most vociferous Members of the Senate when it comes to our country interfering in the internal affairs of other nations.

For years we have invoked sanctions against not only South Africa, but also Rhodesia. The reasons are well known—it involves interference in the governmental affairs of other nations. I am rather surprised that members of the Foreign Relations Committee, who are very vociferous in their feelings with respect to the United States meddling in the affairs of other countries, would offer such an amendment.

This amendment received thorough attention before the Armed Services Committee. I am very happy that it was included in the bill.

If it is proper for us to meddle in the internal affairs of Rhodesia and South Africa, I would suggest for the same reasons it would be proper for us to meddle in the internal affairs of Russia, because they permit discrimination on a far greater scale than Rhodesia.

Rhodesia fought on our side in World War II. In fact, Mr. Smith was a pilot and worked with our Air Force in the Mediterranean. I would feel that they would gladly do so again if they were asked.

I hope that the Senate will finally take this matter in its own hands and take it away from the State Department who, for reasons I cannot understand, want to continue to invoke hardships upon friendly nations.

I would hope that the pending amendment is overwhelmingly rejected, and that the findings of the Armed Services Committee is supported in this instance.

Not only are we paying tremendous amounts of money for tons of chrome, but we are also at the mercy of the one nation in this world that we can consider our enemy. And I say that unqualifiedly. If we ever became involved in any trouble with the Soviet Union, chrome ore would be the first thing that we would be unable to buy from them. We cannot build weapons without chrome steel.

I am in great opposition to the pending amendment. I hope that the original amendment adopted by the Armed Services Committee will remain in the bill and will prevail.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, I yield 10 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 10 minutes.

Mr. BROOKE. Mr. President, the measure which we are debating today involves a number of issues which are central to America's standing in the world. There are questions of national security and of world trade; of our relations with the nations of Africa and our capacity to keep international commitments. But in my judgment the two paramount issues involved are democracy and human rights.

Are we truly dedicated to the principle of world democracy, and will we support that principle as expressed in the collective action of the United Nations? Are we committed to the concept of human equality, and will we support the efforts of the world body, and of our ally Great Britain, to bring about compliance with that concept in Southern Rhodesia?

Section 503 of the military procurement authorization bill seems simple enough on its face. It adds a single sentence:

> The President may not prohibit or regulate the importation into the United States . . . of any material determined to be strategic and critical . . . which is the product of any foreign country or area not listed as a Communist-dominated country or area . . . 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.

In other words, if we import a strategic material from a Communist country, we cannot refuse to import it from a non-Communist country.

The measure is presented by its proponents as a simple question of national security. In their view, and in mine, the United States should not be dependent on its enemies for strategic goods.

But this is not the real question. First of all, we are not dependent upon the Soviet Union for chrome. Even prior to the imposition of sanctions on Southern Rhodesia, we imported 30 percent of our chrome ore from the Soviet Union, and we did so because in basic commercial terms the quality of the ore was good and the price was right. The percentage of our chrome which we import from the Soviet Union has now doubled, as has the price. But chrome is still available to us, and is purchased from allied nations such as Turkey and the Philippines; and the price for their output has also risen considerably.

But most importantly, we do not need to import chrome at all to maintain our defense. According to testimony offered before the House Foreign Affairs Committee earlier this year by William N. Lawrence, chief of the Stockpile Policy Division of the Office of Emergency Preparedness, our stockpile objective for metallurgical grade chromite was reduced in March of 1970 from 3.6-million short tons to 3.1-million short tons. As of June 1, 1971, our uncommitted stockpile inventory was 5.3-million short tons, or nearly twice our total national need. For this reason, the OEP has authorized the release of nearly 1-million short tons of chrome ore, or one-half of our excess supply, over the next 3 years. Therefore, we could maintain a stockpile sufficient to meet "any contingency that might arise in an emergency," and still release chrome ore at the rate of more than 300,000 tons per year, for the next 6 years, without having to import more chrome from any source.

This situation can hardly be defined as a state of national emergency, requiring the immediate passage of an amendment authorizing yet another source of supply.

Particularly when the proposed source

of supply is a country like Southern Rhodesia. I believe that the larger policy considerations involved should govern our actions.

Back in 1945, when we were first emerging from the throes of a dreadful world war, the United States and its principal allies called an international conference to create a world body with the prestige and the power which the old League of Nations had lacked. The first objective of the United Nations is the one most frequently cited:

To save succeeding generations from the scourge of war.

But the second, third, and fourth objectives are essential to the attainment of the first, and should be of primary concern to us today:

To reaffirm faith in fundamental human rights;

To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained;

To promote social progress and better standards of life in larger freedom.

These basis concepts are the ones on which our nation was founded, and which we have sought to share with the rest of mankind. It would be tragic, and shortsighted in the extreme, if we—who were the first to conceive of a United Nations, who nurtured it and provided it with a home, who have been the bulwark of its support for more than a generation—were to undermine all of our efforts in one single act, by repudiating an international commitment and unilaterally rejecting a decision adopted democratically by the nations of the world. If we can do this, so can everyone else, and the bonds of mutual consent which form the fragile underweaving of our efforts to achieve world order will have been dealt a serious blow.

The United Nations is the first and only experience of democracy for many members of the world community. If we do not respect its principles and its application, then who will?

A second issue of major concern, particularly to the peoples of Africa, is the disregard for human values practiced by the Rhodesian Government. We all know the story of how a rebel white Rhodesian Government unilaterally proclaimed its independence 6 years ago. We know that Britain had been trying to hold this colony in its control until an agreement could be reached guaranteeing political participation to the 95 percent of the population which was black. And we know that the conditions of blacks in Rhodesia have grown worse, not better, in the intervening years. The Rhodesian Government, by which is meant the representatives of its 250,000 whites, has promulgated one ordinance after another restricting the liberties and the opportunities of its black citizens. Practically speaking, apartheid is now in effect there, with blacks being forced to move from areas now designated "white," with separate standards of living, health care, and education for the two separate peoples. And strong elements within the white Rhodesian population even now are pressing for complete separation of the races in all things.

The only force mitigating against the full implementation of these abhorrent policies, and for the incorporation of all Rhodesians into a single social and political body, is the fact of U.N. sanctions. Rhodesia cannot freely trade with any nation in the world. Some countries, of course, violate U.N. sanctions in varying degrees, either out of conviction or economic interest. But no nation in the world, not even Rhodesia's allies, Portugal and South Africa, have extended diplomatic recognition to the rebel regime. No nation in the world—again, not even Portugal and South Africa—approves of Rhodesia's internal policies.

The trade limitations which are strictly observed by most of the nations of the world have had a serious impact. Rhodesia's rate of economic growth has slowed. Her foreign exchange reserves have dwindled to almost nothing. She has been unable to replace obsolete capital equipment, like planes and rolling stock. And it is this situation alone which had led Premier Ian Smith to undertake serious discussions with Britain regarding a normalization of relations between the colonies and the former mother country.

The price for normalization is eventual majority rule in Rhodesia, and only continued economic pressure will persuade the Rhodesian Government to pay it.

Negotiations between Britain and Rhodesia have now been in progress for several months. Informed elements, both in Britain and among Rhodesia's southern neighbors, believe that a settlement is possible in the near future.

At this crucial juncture in world history, are we to step in and undermine the best chance for peaceful political change in this one part of southern Africa? By this act we may postpone indefinitely a settlement which will lift economic sanctions and permit the free exchange of goods, to our benefit and the benefit of the Rhodesians themselves. Especially at this time, we should not risk alienating the black African nations, on whose support may hinge our hopes of keeping Taiwan in the U.N.

Mr. President, let us consider the larger implications of the decision before us today. Let us consider the far-reaching effects which adoption of this amendment may have on the attainment of our overall foreign policy objectives. And let us overwhelmingly delete this unwise and ill-timed provision from the pending bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BROOKE. Mr. President, will the Senator yield to me for 3 additional minutes?

Mr. McGEE. I yield 3 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, in response to a question by the distinguished junior Senator from Arizona as to whether we are buying chrome ore from the Soviet Union which in turn is buying that chrome ore from Rhodesia, the distinguished Senator from Virginia said that he did know the facts but he believed it to be the fact that we were buying chrome ore from the Soviet Union which the Soviet Union was buying from Rhodesia.

I wish to read testimony given by Mr. Bliss before the Committee on Foreign Relations in response to a question from Mr. AIKEN on this subject. The answer appears on page 65 of the hearings.

Mr. BLISS. Well, the State Department opines that there is an easy method to detect and identify Rhodesian chrome ore as long as it is in ore form. Thus we religiously in this country try to assay incoming ores and in the event it identifies as Rhodesian it would be impounded, of course.

As far as I know, no Rhodesian chrome ore comes into the United States.

I think this is pretty good evidence that we are not buying chrome ore from the Soviet Union which the Soviet Union is buying from Rhodesia.

Then there was an argument that the United States unilaterally enacted sanctions against Rhodesia. Sanctions were adopted by the U.N. Security Council in 1966. It was then up to the individual member states to decide whether to participate in these sanctions. The Senate has not once but twice given the President authority to commit the United States to such sanctions: First, in the ratification of the United Nations Charter and, second, in passage of the U.N. Participation Act.

Mr. McGEE. Mr. President, I would like to ask the Senator from Massachusetts to identify Mr. Bliss. The Senator quoted testimony by Mr. Bliss in connection with purchases of chrome. Will the Senator identify Mr. Bliss?

Mr. BROOKE. Yes. He is Mr. L. G. Bliss, chairman of the board, Foote Mineral Co., Exton, Pa.

Mr. McGEE. That is the important point.

Mr. BROOKE. It is.

Mr. McGEE. As the Senator is aware, this was a witness before the Committee on Foreign Relations, a witness who had every reason to want to hope the Soviets were buying ore from Rhodesia and reselling it to the United States. He had to confess before our committe he had no such evidence.

Mr. BROOKE. Precisely. I thank the distinguished Senator for pointing that out.

Mr. President, I ask unanimous consent to have printed in the RECORD section 5 of the United Nations Participation Act.

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

SECTION 5, UNITED NATIONS PARTICIPATION ACT

SEC. 5. (a) Notwithstanding the provisions of any other law, whenever the United States is called upon by the Security Council to apply measures which said Council has decided, pursuant to article 41 of said Chapter, are to be employed to give effect to its decisions under said Charter, the President may, to the extent necessary to apply such measures, through any agency which he may designate, and under such orders, rules, and regulations as may be prescribed by him, investigate, regulate, or prohibit, in whole or in part, economic relations or rail, sea, air, postal, telegraphic, radio, and other means of communication between any foreign country or any national thereof or any person therein and the United States or any person subject to the jurisdiction thereof, or involving any

property subject to the jurisdiction of the United States.

(b) Any person who willfully violates or evades or attempts to violate or evade any order, rule, or regulation issued by the President pursuant to paragraph (a) of this section shall, upon conviction, be fined not more than $10,000 or, if a natural person, be imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation or evasion shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, or vehicle, or aircraft, concerned in such violation shall be forfeited to the United States.

Mr. McGEE. Mr. President, I yield 5 minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. FONG. Mr. President, I wish to lend my support to amendment No. 423 to the defense procurement bill. This amendment, which is sponsored by the chairman of the Africa Affairs Subcommittee of the Foreign Relations Committee, Senator GALE MCGEE, and the junior Senator from Massachusetts, Senator EDWARD BROOKE, is designed to delete section 503 of the military procurement bill.

I strongly believe that section 503 should be deleted from the bill. Enactment of it would amend the President's powers under the United Nations Participation Act in a way that he could not prohibit imports of critical and strategic materials from any non-Communist nation as long as the importation of the same materials from Communist-dominated nations is not prohibited by law. This means that, under present circumstances, section 503 would have the effect of allowing imports of chrome ore from Rhodesia since imports from Russia amounted to over 50 percent in 1970. Enactment of section 503 would result in the United States unilaterally breaking the United Nations embargo which was imposed against Rhodesia in 1966 in importing chrome ore from that area.

Mr. President, I support the amendment that is before us for the following reasons:

First. The Office of Emergency Preparedness determined on June 1, 1971, that there is now in existence an excess of stockpile requirements of approximately 2,250,000 tons of chrome ore. In other words, the United States is not being confronted by a serious or dangerous shortage of chrome ore for strategic defense purposes.

Second. Section 503 would take away from the President a portion of his authority—given to him by Congress in the United Nations Participation Act of 1945—to speak for our country when there is a question of complying with a mandatory U.N. Security Council resolution.

Third. Approval of section 503 would represent the first time that any nation, adhereing to U.N. sancitons against Rhodesia, had taken formal action to openly violate its obligations regarding this program which is sanctioned and supported by the United Nations.

Fourth. With the crucial votes that are coming up in the United Nations regarding the China issue, the United States should not offend the countries of Africa, which have almost one-third of the U.N. membership vote.

Fifth. We have supported and continue to support the efforts of the British Government to reach some form of agreement with the Ian Smith government to provide concrete assurance of clear and steady progress toward eventual majority rule.

Mr. President, since a negotiated settlement of the Rhodesian problem has been the goal of our policy, I was very happy to read in yesterday's Washington Post that a possible breakthrough in these difficult and delicate talks may be just around the corner.

Ever since Rhodesia illegally declared its independence, we have recognized the responsibility of arriving at a settlement of the problem as a British responsibility. With many other nations, we have supported the U.N. sanctions, and we must never forget that they were undertaken only after Britain found herself unable to deal satisfactorily with the problem on her own. Our role has been and remains only a supporting one—in support of Britain's efforts to find, with the Rhodesians, a formula permitting legitimate Rhodesian independence and acceptance into the community of nations.

The British Government and Rhodesian officials are actively engaged in another effort to settle this longstanding dispute, and nothing could be more ill-advised than for us at this critical moment to take some kind of unilateral action of our own. Section 503 of the military procurement authorization bill would be just that—an unneeded and inappropriate action whose only immediate effect would be to confuse the situation and, because it represents a step away from our past adherence to sanctions by the United Nations, weaken the hand of the British Government at the negotiating table.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FONG. Mr. President, I ask unanimous consent for 2 minutes more.

The PRESIDING OFFICER. Does the Senator from Wyoming yield additional time to the Senator from Hawaii?

Mr. McGEE. Mr. President, I am glad to yield the Senator 2 more minutes.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 2 additional minutes.

Mr. FONG. Because there is no urgent need to restore our access to Rhodesian chrome ore, and because the measure would constitute a violation of our commitments to abide by sanctions of the U.N. and constitute a major step backward in our relations with Africa, I oppose this measure.

But, even if it had merit, now is clearly not the time to consider it. We have since 1966 abided by this U.N. sanction. Now that prospects for a solution are better than they have been for nearly 3 years, we should not do anything to damage those prospects. That, clearly, is what section 503 would do.

I recommended most strongly that my colleagues adopt the amendment before us.

Mr. SCOTT. A peaceful overall settlement of the Rhodesian dispute, based on a United Kingdom-Rhodesian agreement, would be the best solution for the problem for users of chrome and chrome ore—as well as for everyone else.

If Senate approval or rejection of section 503 of H.R. 8687 is likely to upset or jeopardize the current United Kingdom-Rhodesian talks, hardening the position of one side or the other, then postponing action on the section may be desirable. A decision to seek to postpone action on the section, however, should be based on real prospects:

First, that the current United Kingdom-Rhodesian talks have a significant chance of leading to an agreement;

Second, that such an agreement will lead to an end to United Kingdom sanctions against Rhodesia—or United Kingdom failure to renew their sanctions which expire in November;

Third, that the U.S. Government will promptly follow the British lead in ending sanctions if an agreement is reached. This is important because the United Nations sanctions were imposed by the Security Council and must be lifted by the Council. Russia or any other Security Council member could veto a Security Council resolution aimed at ending the sanctions and leave the issue hopelessly muddy and confused. If the U.S. Government bases its decision solely on the U.N. action, it could be trapped by a veto.

If these considerations cannot reasonably be answered, then the Senate should act now.

If consideration of section 503 of H.R. 8687—the Byrd amendment—is postponed at this time and if for any reason, an agreement ending the dispute does not result, then the issue should be considered anew early in 1972 without further postponement for these reasons:

First, there are legitimate and important national security considerations involved in reliance on the Soviet Union for more than 60 percent of our national needs for chrome.

Second, the Rhodesian sanctions are economically damaging to U.S. interests. The stainless steel industry is being hard pressed by imports, much of which, we believe, are based on Rhodesian chrome which is bootlegged to foreign steel producers at lower costs.

Third, the rising prices of chrome ore, which result from Russian domination of the world market, are costly, inflationary, and damaging to the U.S. chrome industry, the ferroalloys industry and the stainless steel industry.

Fourth, the Rhodesian sanctions can probably be regarded as a failure. Economic sanctions have never been a particularly successful diplomatic weapon. The Rhodesian sanctions have now been in effect more than 4½ years without achieving their objective. Furthermore, exports of chrome ore and chrome products have never been a major factor in the international trade of Rhodesia—less than 2 pecrent of Rhodesia's presanctions exports—and removal of the sanctions on chrome would not have a significant effect on the Rhodesian economy

or on the effectiveness of the U.N. sanctions.

Mr. BUCKLEY. Mr. President, the committee amendment before the Senate today sponsored by the distinguished Senator from Virginia is a sensible solution to an unreasonable policy. For 5 years the United States has had a policy of purchasing a strategic material—chrome ore—from the nation which is the principal threat to our survival, the Soviet Union. This policy was not adopted out of necessity because the Soviet Union was the sole source of chrome ore, but rather out of a petty form of subservience to a United Nations resolution. Under this resolution, the United States agreed to suspend trade with Rhodesia until her differences between the newly independent nation of Rhodesia and the United Kingdom could be settled. That was 5 years ago.

In the interim, the United States proceeded to purchase chrome ore—this time, primarily from the Soviet Union at a price of nearly three times the average price which obtained in the most recent year in which the United States was conducting normal trade relations. The United States has been forced to pay over $72 per ton of chrome from the Soviet Union. Prior to the embargo on Rhodesian chrome, the Soviet Union was selling chrome ore on the international market for $25 per short ton. Prior to the embargo, 37 percent of our chrome ore imports amounting to 329,000 short tons came from Rhodesia.

It should be noted that at the same time that the United States was, at considerable economic cost, upholding a trade embargo on Rhodesian trade to benefit the British Government's negotiating position with Rhodesia, the same British Government sanctioned a flourishing trade with Cuba, North Vietnam and North Korea despite the fact that the United States maintains an embargo against these nations.

It is alleged that because we have a relatively large stockpile of chrome ore on hand at the present time, there is no need to lift the sanctions against the importation of Rhodesia. I submit, however, that there is no justification for accepting a situation which provides an economic windfall to a hostile nation—the Soviet Union—and places us in a situation where, in an emergency, we may be forced to rely upon Soviet shipments of chrome ore. One need only examine the pattern of Soviet economic warfare whereby the Soviets manipulate the supply and prices of goods it trades for political advantage.

The Soviet Union has frequently attempted to destroy longstanding market relationships, domestic industries, and international trading patterns by dominating the market of an individual nation so that it could undermine an opponent's domestic economic stability. There is simply no economic, political, or strategic rationale for continuing our current policy of an embargo on trade in Rhodesian chrome.

Something which should not be overlooked in the Senate debate over this issue which tends to focus on the special case of Rhodesia, is the sheer commonsense of the proposal. The proposal merely declares that the President may not prohibit or regulate the importation of any strategic or critical material from a non-Communist nation as long as the importation of such materials from Communist nations is not prohibited.

Such a proposal is just sound public policy. There is no justification for assisting in the development of the economic aspects of Communist nations at the expense of others who, whatever their domestic policies, do not make a business of exporting their system through subsidized revolution. The proposal we are considering today simply ratifies a commonsense notion that most Americans would understand and accept without question. Abstract and tenuous assertions of the effect of the Byrd amendment on international relations simply cannot outweigh the national security considerations raised as a general principle.

I urge that the amendment proposed by the distinguished Senator from Wyoming (Mr. MCGEE) be decisively defeated, permitting the Byrd amendment to stand.

Mr. MONDALE. Mr. President, a number of my distinguished colleagues have already made a powerful case against adoption of section 503 of the military procurement bill. In adding my own support to their effort, I would make only some brief observations.

First, it seems to me that the central issue here is very simple—regardless of one's views on the wisdom of economic sanctions against Rhodesia, the efficacy of the United Nations, or the importance of black Africa in American foreign policy.

With our chrome stocks more than adequate and an ample diversity of international sources, there is simply no national security justification for section 503.

It may well be that the Rhodesian sanctions have been a mistake, that they have only encouraged intransigence rather than defeating it. It may be that the international community should pursue another course to seek racial justice and peace in central Africa. But to break those sanctions unilaterally, to strike out on some other course, is a grave decision of foreign policy. We should not make that decision in the Senate without the most careful consideration of all the consequences. And we have not begun to give that consideration.

It may well be too that we could survive the international opprobrium—and, I think, a revulsion in our own country as well—over an action which violated our commitment to the United Nations and to some degree affronted every nonwhite people in the world. But surely we cannot take that cost unless there were truly compelling reasons of national security. We will not find those reasons in an amendment which has no more real effect than to give a few American metal dealers a passing advantage in the international chrome market.

It strikes me as harshly ironic that we would be tinkering with the future of several million people in Rhodesia, both white and black—and with our own vulnerable standing in the international community, with all that implies for other economic interests—for such trivial and narrow special interests.

Mr. STENNIS. Mr. President, I yield 6 minutes to the Senator from South Carolina (Mr. THURMOND).

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 6 minutes.

Mr. THURMOND. Mr. President, I rise in opposition to the amendment proposed by the senior Senator from Wyoming. This amendment would delete a section of the military procurement bill which is considered by the Armed Services Committee to be essential to the defense program of the United States. In my view, our national defense must take precedence over all other considerations. The sole issue involved in this matter is simple: Whether or not we should continue to be dependent upon the Soviet Union for a metal which is critical to the production of arms directed primarily against the Soviet Union.

As is now well known, 60 percent of our metallurgical grade chrome ore is now imported from the Soviet Union at a price which is nearly three times what it was before the embargo was placed. This is an obvious absurdity.

This situation has developed since President Johnson issued an Executive order on January 5, 1967, which delegated to the Secretaries of State, Commerce, and Treasury, the power of regulating imports and exports from Rhodesia. At that time the only two main suppliers of the high-grade ore were the Soviet Union and Rhodesia. It was not difficult then to predict what was going to happen. By November of 1967, I pointed out the developing situation and warned against the consequences in a speech on the Senate floor.

In 1968 the Security Council of the United Nations passed even more sweeping sanctions against Rhodesia. It was the most sweeping decision of its kind in the history of the United Nations. At that time the United States participated in what former Secretary of State Dean Acheson called an international conspiracy to topple the Rhodesian Government. It was a sad day in U.S. history when the United States joined in the Security Council action. In a speech on the Senate floor on June 4, 1968, I again pointed out the dangers and quoted metallurgical experts who said that the Soviets had stepped up production and increased the price of chromite, taking advantage of the embargo.

In 1969, the situation had grown worse and I again warned we were severely cutting back our capability to produce this important metal. At that time I quoted the statement of Fred J. Russell, Deputy Director of the Office of Emergency Preparedness, who testified before the House in 1969 that we were already essentially dependent upon the Soviet Union. Mr. Russell said—

> If the U.S.S.R. were to decide to discontinue sale of the chromium ore to the United States for one year, we would use up the entire uncommitted stockpile excess in that year if Congress would authorize it.

It is for this reason that the proposal to sell more chrome out of our stockpile would only be a temporary measure. Therefore Senate bill 773, which would allow for the release of chrome from the strategic stockpile, would not be wise. We must recognize that only a certain percentage of chrome is of metallurgical grade and it is not proper to reduce our stockpiles when a sensible alternative is open to us; namely, the resumption of importing chrome from Rhodesia.

Last year I again called for the removal of the Rhodesian embargo as it became more evident that the situation was becoming even more untenable.

The 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.

The vote in the 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 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.

Since becoming the prime source for chrome for the United States, the Soviet Union has increased the price per ton of this ore from $24 to $72. This is an increase of about 188 percent. Further, the United States has placed itself in a position of dependence upon Russia for a strategic commodity.

In summary then, let me point out that the only considerations which ought to be involved in this matter are the strategic considerations. It makes no sense to be spending $21 billion in military preparedness when an essential element of the defense program and our space effort is supplied by the Soviet Union.

Mr. President, I urge the defeat of the pending amendment.

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Wyoming has 17 minutes. The Senator from Virginia has 23 minutes.

Mr. McGEE. Mr. President, may I ask what the circumstance is for a quorum call? Would that come out of someone's time?

The PRESIDING OFFICER. It would be subject to a unanimous consent agreement.

Mr. McGEE. Mr. President, I ask unanimous consent that we may have a brief quorum call, without taking the time out of either side, until we can reconnoiter here.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of Virginia. Reserving the right to object, I hope that can be held to about 2 minutes.

The PRESIDING OFFICER. What was the reservation?

Mr. BYRD of Virginia. Two minutes.

The PRESIDING OFFICER. Does the Senator from Virginia interpose an objection or a reservation?

Mr. BYRD of Virginia. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STENNIS. Mr. President, how much time remains to each side?

The PRESIDING OFFICER. The Senator from Wyoming has 17 additional minutes. The Senator from Virginia has 23 minutes.

Who yields time?

Mr. STENNIS. I yield 5 minutes to the Senator from Nevada.

Mr. CANNON. Mr. President, on the 29th of March, the distinguished senior Senator from Virginia, (Mr. BYRD) introduced the bill S. 1404 which would exempt chrome ore from the list of materials subject to the Rhodesian embargo and thus end our dependency upon the Soviet Union for this highly important commodity.

Under the Byrd proposal, the President could not ban importation of a strategic material from a free world country if the importation of the same material is permitted from a Communist-dominated country.

This proposal is now incorporated into the procurement authorization bill as section 503. The importance of this proposal was brought forcibly to my attention during the hearings held by my Subcommittee on the National Stockpile and Naval Petroleum Reserves which had under consideration some 28 administration proposals to release excess materials from the national and supplemental stockpiles. One of the bills, S. 773, would have permitted the disposal of 1,313,600 short dry tons of metallurgical grade chromium—chrome ore equivalent—from the Government stockpiles. This constitutes about 30 percent of this material we now have on hand to assure an adequate supply in case of emergency. This bill was not reported out of the committee.

Mr. President, there is no domestic production of the type of material in question and we are dependent upon foreign sources to supply our requirements. Based upon the present rate of consumption, the amount recommended for disposal by administration's proposal would supply our total requirements for a period of less than 2 years. Testimony before my subcommittee left it unmistakably clear that while the amount of the material to be released could be readily absorbed by the consuming industry and might serve the temporary expediency of holding world chrome ore prices in line, the relief would be short-lived.

The principal importation sources in calendar year 1970 in descending order, were the U.S.S.R., Turkey, and South Africa, with the Soviet Union supplying about 60 percent of our needs. Rhodesia was formerly a prime source of supply, providing about 40 percent of our annual requirements. However, as you know, U.S. imports are currently banned in conformity with the U.S. observance of the mandatory U.N. sanctions against Rhodesia.

To further illustrate the shifting of our dependency upon the Soviet Republic as a source of supply, in calendar year 1965 and prior to imposing sanctions against Rhodesia, 36 percent of our imports came from Rhodesia and about an equal amount from the Soviet Republic. As might be expected, prices have risen accordingly. The price per ton of ore imported from the U.S.S.R. in 1965 was $25 as opposed to $72 in calendar year 1971. This is an increase of about 188 percent. It is apparent therefore that there can be no permanent relief until the importation of chrome ore from Rhodesia can be resumed.

Mr. President, I strongly urge that section 503 of the procurement bill be retained. In view of the continuing critical need for this commodity, it would seem to me to be in the best interest of our Nation.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. CANNON. I yield.

Mr. STENNIS. The Senator from Nevada is chairman of the Subcommittee on Stockpile, meaning the strategic material stockpile. Is that correct?

Mr. CANNON. The Senator is correct.

Mr. STENNIS. As I understand the Senator, he and his subcommittee went into this very question. The committee had before it a bill. The committee went into this question with special emphasis on reviewing the entire picture.

Mr. CANNON. The Senator is correct.

Mr. STENNIS. Will the Senator enlarge on that a little, for the benefit of Senators who are not members of the committee?

Mr. CANNON. A bill on the subject, as well as other material in the stockpile, was sent up to us by the administration, recommending the approval of disposal action. It is necessary when the objectives are changed—so that we have in the stockpile an excess to the objective in the stockpile—that Congress be notified and be asked to consent to it and adopt legislation approving disposition.

This came before the committee, and we had testimony from representatives of the administration. Mr. Ross, the Assistant Commissioner for Stockpile Disposal, testified before our committee, and we also had testimony from people in the industry.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield the Senator 1 additional minute.

Mr. CANNON. We had Mr. Bliss, of Foote Mineral Co., who testified before our committee on the overall impact and what had happened since we eliminated Rhodesia as a supplier.

The price, as I stated in my remarks, has gone up 188 percent, for the chrome ore we were obtaining from Russia during that period of time; and we are dependent completely on foreign suppliers for the supply of this very important metal.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield 1 additional minute.

The statement has been made, as I understood it, that we did not use chrome or chrome products in our strategic weapons program. Will the Senator comment on that?

Mr. CANNON. That statement is not correct. We have a requirement in the stockpile. We do have a fixed requirement there for chrome, and we use it in the ordinary business. We use a substantial amount every year, and we must depend on foreign sources.

The statement has been made that we have sanctions against Rhodesia because we do not believe in their internal policies. I do not approve of their internal policies, nor do I approve of Russian policies toward the Jews. I think this is every bit as bad. I do not see why we should buy from a Communist country, a country on which we know we cannot rely. If we have difficulties internationally with a Communist country, we cannot rely on them as a source of supply, and they are our principal supplier today.

Mr. STENNIS. These chrome products go into submarine parts and airplane parts and a host of other things. Is that correct?

Mr. CANNON. The Senator is correct. It is very important in the steel industry to permit them to operate in the fashion in which they do operate.

Mr. McGEE. Mr. President, will the Senator yield, on my time?

Mr. CANNON. I yield.

Mr. McGEE. I wonder how many tons of chrome we use annually for defense needs.

Mr. CANNON. I can give the Senator the stockpile requirement. The proposal in S. 773 was to permit the disposal of 1,313,600 short dry tons. That was approximately 30 percent of the amount we had on hand. The stockpile requires that we keep on hand a 3-year supply. If we multiply that factor by three, it would give us roughly the requirement in the stockpile.

Mr. McGEE. That would be contrary to the testimony in the hearings, which suggests that for defense purposes they would use under 100,000 tons a year. A stockpile with 3 million tons in it would really protect our defense interests, per se, for as much as 30 years, as far as that goes. It is a relatively small percentage of the total.

Mr. CANNON. The Senator is entirely incorrect in that particular. The objective defined by the Office of Emergency Planning is a 3-year requirement for defense purposes, and that is the amount we are trying to reduce it by, 30 percent, which is a million tons. I think I could give the Senator in a moment the exact amount we do have in the stockpile, but the stockpile objective is only a 3-year supply.

Mr. McGEE. We have a stockpile of more than 5 million tons, and they are attempting to reduce it to 3 million plus.

Mr. CANNON. The stockpile objective for the 3-year supply is somewhat in excess of 3 million tons, actually approximately 4 million tons.

Mr. McGEE. I yield myself 1 additional minute, Mr. President.

I read verbatim from the hearing. The individual testifying was the Assistant Secretary of the Office of Emergency Preparedness, and the statement is this, on page 17:

> Mr. Chairman, I think we ought to put the question in perspective. Our figures show that approximately 10 percent of our chrome imports go to direct defense requirements.

The other 90 percent, he went on to explain, goes into regular commercial channels.

Mr. CANNON. But the Senator is missing the point entirely. The stockpile objective is what we need in the event we go to war, and that is the requirement. The Senator is talking about 10 percent of our imports. That is true.

Mr. McGEE. We are not proposing to touch in any way the stockpile. The stockpile is there. We were trying to keep the defense industries going in this country with chrome ore that was being imported.

Mr. CANNON. The Senator is simply saying that 10 percent of our imports goes to defense purposes, and I think that is probably correct. Ten percent of our imports, not 10 percent of the amount we have in the stockpile. That is quite a different figure.

Mr. STENNIS. Mr. President, I yield 2 minutes to the Senator from West Virginia.

SECTION 503 VITAL TO NATION'S DEFENSE

Mr. BYRD of West Virginia. Mr. President, attempts to eliminate section 503 of the pending military procurement bill are based largely on opposition to an internal policy of the Rhodesian Government—and the internal workings of Rhodesia should not be an issue in the passage of this bill.

The only issue to be considered is whether passage of this bill, with section 503 intact, will aid the defense of the United States. I believe it will.

Under this section, the United Nations Participation Act of 1945 would be amended to keep the President from prohibiting the importation of strategic materials from nations not under Communist control or domination. Specifically, section 503 would allow the United States to import chrome ore from Rhodesia.

Rhodesia was the largest importer of chrome to the United States until President Johnson—acting by Executive action, without the advice and consent of Congress—ordered a trade embargo between our two countries. The embargo has not hurt Rhodesia, and it has not caused that small African nation to change its internal racial policies which are none of our business.

But the embargo has hurt the United States, and it has helped the Soviet Union. Since we cannot import chrome from Rhodesia, and since we have no domestic production of this strategic material, we have been forced to depend on Russia for 60 percent of the chrome ore needed for our defense requirements—we have been forced to depend on a country that almost everyone concedes is a threat to our security, and a country whose treatment of its Jewish population is just as repressive as Rhodesia's treatment of its blacks.

This is a ridiculous situation, Mr. President—ridiculous and dangerous. It is also a costly situation, since Russia—aware that it has a virtual monopoly on importing chrome to this country—has raised the price by almost 188 percent, from $25 to $72 a ton.

To correct this situation, the Subcommittee on Stockpiling, with its distinguished chairman from Nevada (Mr. CANNON) studied the matter carefully, as did the entire Senate Committee on Armed Services. Both groups concluded that the United States, which is now facing a shortage of chrome must take steps to decrease its dependence on Russia. Section 503 is the result of their studies, as well as the result of the work done by the distinguished senior Senator from Virginia (Mr. BYRD).

Opponents of Rhodesia's internal policies should note that section 503 would not lift all the sanctions placed on trade between that country and the United States. It would apply only to chrome ore, a material necessary to the production of military equipment used for the defense of our Nation.

Every country in the world has come to realize that isolation is not a practical course to follow in this day and age, and I believe it is just as futile to try to isolate other countries through trade embargoes and the like as it would be for the United States to isolate itself from the international community.

Our Nation now trades with a number of countries that were formerly our battlefield enemies. We trade with countries that are currently our ideological enemies Rhodesia fits in neither category. It is a small nation, one which offers no threat to the United States, and one which has taken no action and expressed no threat toward our country that would justify a trade embargo.

I hope the Senate will realize that importing chrome ore from Rhodesia is a step that should be taken, that the Senate will not let the internal policies of a friendly nation take on a higher priority than the defense of our own country, and that the Senate will defeat any attempt to eliminate section 503 from the military procurement bill.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, will the Senator from Wyoming yield me 5 minutes?

Mr. McGEE. I yield 5 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I rise in support of amendment No. 423, offered by the distinguished Senator from Wyoming. I support that amendment because it deletes section 503 from the defense procurement bill. By deleting that section from the defense procurement bill, the United States would be continuing its pledge with United Nations economic sanctions against Rhodesia. I am concerned that up to this point the matter

of sanctions against Rhodesia has been viewed primarily in terms of its defense-related implications. But, we have not yet given full attention in this Senate to the implications this matter may have on world affairs. Therefore, I support those Senators who clearly see the attempt to withdraw sanctions against Rhodesia as a matter of grave concern—both in terms of the relationship between the United States and other African states and in terms of this Nation's pledge to comply with those resolutions that we have agreed upon in action by the United Nations.

For many of us it is easy to see the dangerous portent of permitting Rhodesian chrome to be purchased by American businesses. There are four essential and critical reasons why we simply cannot change our current policy regarding trade with the rebellious Rhodesian Government.

First, trading with Rhodesia would violate our commitment to the United Nations resolution which imposed economic sanctions against Rhodesia because of its unilateral declaration of independence from the United Kingdom in November 1965.

Second, because Great Britain is in the midst of negotiating a political settlement of their problems with Rhodesia, it is certain that any action that we take in this country which would favor the repressive policies of the Rhodesians will undermine British attempts to achieve favorable results in their ongoing talks.

Third, for the United States to move at this time against the interests of black Africans would not only destroy any credibility we hold with other African nations but it would erode the faith of concerned citizens here at home and around the world who have been advised to "watch our actions, not our words."

And fourth, the repeal of all or any part of the sanctions against Rhodesia would cripple the strength of the United Nations at a time when that body is experiencing a transition that may well determine the course of world affairs for generations to come.

My concern about the proper relationship that must exist between this Nation and Rhodesia is fundamentally the concern I expressed last June when I acted to eliminate the undeserved bonus we pay to South African sugar growers. Morally, it is intolerable for the United States to engage in economic activity with any nation whose basic policies are at war with the most important values of mankind. The isolation of white Rhodesians has become so embedded in their normal life style, that this little, parochial regime has nearly reached a complete shut off from outside influences. They are steadily moving further and further away from the basic beliefs of the Western and African world. Rhodesia is at the door of the rigid inhumanity of apartheid, as espoused by its vainglorious neighbor, South Africa.

One may wonder whether it is because of the irony of geography that so many of the governments on the Southern edge of the African continent are shamefully tangled in this web of race hate and denial of basic human rights and decency. From Angola, Southwest Africa, South Africa, Rhodesia, and into Mozambique, the continued oppression of black Africans has enslaved all of its citizens in a system that dehumanized blacks and distorts the true meaning of life for whites. Since this deplorable condition appears as a consistently spreading cancer throughout those countries, we in this country must consistently fight to end that injustice wherever it is found.

Today, however, the issue before us is a narrow one—or so it may seem. The background of the issue in this debate reveals some interesting sidelights. In the two decades following World War II independence was granted to people in many territories around the world as an affirmation of the lessons we learned during that worldwide conflagration. On the African continent, British and Africans organized a federation in 1953 to bring together the economic resources of the Rhodesias and Nyasaland on a multiracial basis. It was during these years that the bulk of the white Rhodesian population expanded to eventually obtain its present population of 240,000 people, who are now enormously outnumbered by the territory's 5 million African citizens. But, the hopes inspired by the 1961 federation consitution failed to generate a move toward African majority rule in Rhodesia—though that provision was a cornerstone of the federation constitution. After dissolution of the federation in 1963, the British continued to seek ways to achieve a multiracial system within which the African population could aspire to eventual majority rule. Unfortunately, on November 11, 1965, Ian Smith announced Rhodesia's unilateral declaration of independence from the United Kingdom. Since then we have joined with the British and other United Nations member states to work for a solution to the Rhodesian problem.

We supported the Security Council resolution on November 12, 1965 condemning the Smith regime.

In December 1966, we voted with other Security Council members to impose selective mandatory sanctions against the rebel territory.

And again in 1968, we firmly repeated our pledge by voting for the resolution expanding the sanctions to all trade items.

Earlier this year, the very able and distinguished senior Senator from Virginia placed a proposal before this Senate that would have the effect of lifting the ban on trade with Rhodesia. While that measure primarily deals with one commodity, chrome ore, passage of that section in the military procurement bill would certainly establish a dangerous precedent regarding the future effect of sanctions.

The chairman of the Senate Subcommittee on African Affairs subsequently introduced a measure that would delete that section, I support the African Affairs Committee chairman, because his proposal allows the United States to continue its pledge to seek an end to the injustices forced upon the Rhodesian people.

Chrome is an important metal. It enjoys a solid position in American industrial processes. But its availability for domestic purposes is not in jeopardy as some people claim. In fact, the administration has given its support to a legislative measure, S. 773, currently pending before the Armed Services Committee, which will reduce our current stockpile of chrome ore from 5.3 million tons to 3.1 million tons.

Moreover, the Office of Emergency Preparedness—OEP—which manages our stockpiles, has made assurances that chromite, the technical term for chrome ore, is clearly available to meet our so-called strategic needs, which amount to 10 percent of domestic consumption.

I believe that the irritation felt by those who oppose our heavy purchases of Russian chromite is understandable. But I know that the price argument is not ample justification for refuting America's pledge to support the struggle for human decency wherever it is made.

The price of chromite has crept upward in recent years but so many variables have operated to produce those changes that there is clearly no single cause of the price boost. The bitterness of the current economic posture confronting the United States certifies that prices of all commodities have gone up. In fact, a comparison of prices of various metals shows that the market price of antimony increased 45 percent before sanctions were imposed against Rhodesia and from 1967 to 1970 the price rose 207 percent. Nickel increased 3 percent before sanctions and 13 percent from 1967 to 1970. Before sanctions, vanadium had dropped 20 percent but increased 73 percent from 1968 to 1970.

I do not intend to discount sanctions as a factor in the price situation. I simply want that issue placed in perspective for the purposes of this consideration.

At any rate, the price of chromite can in no way compare with the value we place upon the price of human dignity.

Finally, I would like to underscore an aspect of this issue that deserves the careful attention and scrutiny of every Member in this Senate. Time after time, the United States has assumed the burden of world conscience. Under the noble mantle of "moral leadership" we urge other nations to discard petty grievances, to ignore the temptation of avarice and to strive for harmony and justice.

When he visited South Africa in 1966, Senator Robert Kennedy told the students at the University of Capetown that the help and leadership of the United States cannot be accepted if we deny individual integrity, human dignity, and the common humanity of man. If we would lead outside our borders; if we would meet our responsibilities to mankind, we must first, all of us, demolish the barriers which history has erected between men within our own nations—barriers of race and religion, social class, and ignorance.

Congressman CHARLES DIGGS, the very able legislator from Detroit, could not be more exact in saying that nothing gives African people greater concern than our position of mere mouth service against the evils of apartheid and minority rule. Last year when President Nixon withdrew the U.S. consul from Salisbury that indicated the failure of our Govern-

ment to be persuaded to intervene in the Rhodesian crisis.

And so it is, that the United States must act now to affirm its claim that all people must be granted personal rights, self-determination, and fundamental freedoms without regard to race. I urge this Senate to adopt amendment No. 423 and delete the proposal which would allow Rhodesian chrome to legally enter the United States. We cannot afford to undermine our commitment to the world community of nations as ratified in our participation in the resolution calling for sanctions against the repressive racist regime of Rhodesia.

Mr. President, during the course of this debate I have heard some say that we cannot and should not express a judgment, because we cannot control the internal policies of countries around the world. That is true, but it is true up to a point. At a time when there are important questions being decided within the United Nations, when the President of the United States is attempting to use the United Nations to alter and change U.S. policy as it exists towards China, we must be prepared to uphold those public policies. We have seen time and again the functions of the United Nations working to alleviate the problems dealing with man's inhumanity to man, as in the present India-East Pakistan situation. We must make a decision to support the United Nations, even when that decision may be costly in financial terms.

Mr. President, are we going to say that we will support the United Nations only when it serves our own narrow economic interest?

The fundamental question here today is whether the almighty dollar will rule the minds and actions of Members in this Senate.

We have expressed our will. We have put ourselves on the line before the United Nations. We have accepted the signficance of that body. With all the difficulties the United Nations has at this time, it still has the support of this administration. It still has the support of the Amercan people in terms of being an instrument for peace. Obviously, as an instrument for peace, we have got to take the position that we are going to express our will through the United Nations. We are going to take our stand and aline ourselves in the cause of justice and in support of the interests of equity. But we cannot make those decisions based on weakly supported ideas that "this is getting a little bit too costly."

The PRESIDING OFFICER (Mr. BEALL). The time of the Senator from Massachusetts has expired.

Mr. KENNEDY. Mr. President, will the Senator yield me 2 additional minutes?

Mr. McGEE. Mr. President, how much time do I have left?

The PRESIDING OFFICER. Eight minutes.

Mr. McGEE. I yield 2 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 minutes.

Mr. KENNEDY. The United States must not say, "This is getting a little bit too costly and, therefore, we are not going to abide by it."

Finally, we all know, as the chairman and my colleague from Massachusetts (Mr. BROOKE) have pointed out, that extremely delicate negotiations are taking place between Great Britain and Rhodesia. We have indicated, when we talk about supporting our friends and not relying on the Soviet Union, that certainly Great Britain is our friend. If we are talking about trying to work in harmony in terms of trying to bring to the world more orderly and peaceful situation certainly we must adhere to our commitment to our longtime allies in the United Kingdom.

Great Britain has been undertaking an extensive and exhaustive search trying to insure that one of its colonies observes the basic respect of humanity to all men—a respect for man's fundamental dignity.

If we are willing to support our friends in Great Britain and reinforce the constructive and useful work that country is doing to insure a more equitable situation occurring in Rhodesia, then we should be prepared to support our own commitment as ratified in the United Nations resolution.

We should not, in this final hour, be willing to say, because it is going to cost us a few more dollars, that the United States is going to surrender its principles of human decency because of the glittering lure of the dollar.

For all these reasons, Mr. President, I strongly urge the Senate to adopt amendment No. 423.

Mr. CANNON. Mr. President, will the Senator from Mississippi yield me 2 minutes?

Mr. STENNIS. I yield 2 minutes to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 2 minutes.

Mr. CANNON. Mr. President, I want to take issue with the remarks that have just been made, that this is a question of the dollar.

Mr. President, this is a matter of the national security of this country. We have a method by which we now import chrome ore into this country for the purposes of our stockpile objective. Our sole and largest source of supply is from a Communist country—Soviet Russia.

It stands to reason that if we are going to have any difficulty, we are going to have it with a Communist country, which is our main source of supply.

In 1970, this country imported from Russia 409,000 tons of chrome ore.

Mr. KENNEDY. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I am glad to yield on the Senator's time.

Mr. KENNEDY. Just one-half minute.

Mr. McGEE. Mr. President, I yield 30 seconds to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 30 seconds.

Mr. KENNEDY. Is the Senator prepared to say that there would be greater stability in dealing with a country of 5 million blacks and only 200,000 whites? Is that not a tinderbox in terms of the United States having to rely on such a country, even under the test the Senator prescribes? I suggest it is not support of the United Nations, but the cause of the almighty dollar, even using the test the Senator prescribes, the test of security.

Mr. CANNON. Does the Senator from Massachusetts approve of the actions of Soviet Russia with regard to its Jews? Does he think that is any less honorable than the actions of Rhodesia? The Senator knows, it seems to me, that the policy of Russia with regard to its internal policies with respect to the Jewish people is equally as bad as those of Rhodesia.

I do not support the policy that Rhodesia engages in, but I am looking to the security of this country first. We have got to have a supply of chrome ore that we can depend on even if we have to get it from a Communist country. We have got to have a supply that we can depend on to get the metal we need in this country.

I thank the Senator from Mississippi for yielding to me.

Mr. STENNIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. BEALL). Thirteen minutes remain to the Senator from Virginia, and 5 minutes to the Senator from Wyoming.

Mr. STENNIS. Mr. President, I yield 4 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 4 minutes.

Mr. BYRD of Virginia. Mr. President, I think that the distinguished and able Senator from Nevada has summed up this debate in the best possible way.

As he says, the problem facing the country today is whether it wants to put itself in the position or to keep itself in the position of being dependent on Communist Russia for a vital defense material.

I believe that almost everyone will agree that we would not need these great appropriations for defense for our military organizations were it not for the possible threat of Soviet aggression.

Mr. President, the senior Senator from Massachusetts mentioned the almighty dollar. I do not know what he is referring to in that connection, but I want to quote from a telegram sent to me from William J. Hart, director, district 19, United Steelworkers of America. He is interested in humans. He is also interested in jobs for them.

Here is what the telegram states. I have already placed the text in the RECORD. I am not going to take the time to read it all, but there are several sentences I should like to read at this point:

> I am concerned with the black and white steelworkers in Pennsylvania maintaining their jobs in the specialty steel industry. If favorable disposition of the Byrd proposal is not obtained, there will be no specialty steel industry in Pennsylvania or the United States.

Mr. President, perhaps that has something to do with the almightly dollar. I do not know. But I do know that it has something to do with jobs. I do not know about the specialty steel industry. I do not know whether that is an accurate or

an inaccurate statement that Mr. Hart makes, but it is a telegram to me from him.

I want to read into the RECORD another statement which was made in October of 1969 by Fred Russell, Deputy Director of the Office of Emergency Preparedness, who gave the following testimony before a subcommittee of the House Foreign Affairs Committee:

Assuming that the USSR would continue to ship chrome ore to the United States at the present level indefinitely, realizing that the other known amounts of chrome elsewhere in the world are gradually becoming exhausted and knowing that the United States needs are increasing each year, there is no way to see the chrome ore needs of the United States being met without chrome ore from Rhodesia.

As I have said, that is a quotation from the Deputy Director of the Office of Emergency Preparedness.

As the distinguished chairman of the Subcommittee on National Stockpile and Naval Petroleum Reserves of the Committee on Armed Services, the Senator from Nevada (Mr. CANNON) said a little while ago, the need is to assure our Nation of a source of supply of chrome from a non-Communist country.

It is not logical, and it did not seem logical to any member of the Armed Services Committee who was present when the vote was taken, for the United States to appropriate billions of dollars to build up our military equipment and then be dependent upon Communist Russia for a vital, essential, necessary, strategic material. That is the only thing that this proposal which was included in the bill reported by the Armed Services Committee would do. It is a very simple amendment. It is a very simple proposal. It does one thing and one thing only. It simply provides that the President could not prohibit or regulate the importation into the United States of a strategic material from a free world country if the importation of the same material is permitted from a Communist country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Mr. President, I yield myself an additional 3 minutes.

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

Mr. BYRD of Virginia. Mr. President, certainly if we are going to continue to spend billions of dollars for armaments, it is not logical to put ourselves at the mercy of a potential adversary when the whole purpose of armaments is to protect this Nation from possible aggression by Communist Russia.

Mr. STENNIS. Mr. President, the record will show that the Senator from Virginia is in charge of the time.

Mr. BYRD of Virginia subsequently said: Mr. President, because of the time, on the consideration of the McGee amendment today, I was not able to complete some of the remarks that I wanted to make.

I ask unanimous consent that the remarks I shall now make be printed in the RECORD immediately following the last remarks that I made just prior to the vote on the McGee amendment.

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

Mr. BYRD of Virginia. Mr. President, I listened to the eloquent address made to the Senate by the distinguished junior Senator from Massachusetts (Mr. BROOKE) with great interest. However, while it was an eloquent address, it dealt, not with the precise matter of chrome being an essential defense material, and the fact that the United States is dependent on Russia for its main source of supply, but to a considerable extent with internal conditions in Rhodesia.

Mr. President, it seems to me that the internal affairs of other nations should be determined by those nations, and the United States should not attempt to inject itself into those matters. Whether Rhodesia should be independent of Great Britain or whether she should be dependent on that nation is a matter, as I see it, to be determined by those two countries.

My reason for commenting thus is that I want to say I regard the distinguished junior Senator from Massachusetts (Mr. BROOKE) not only as one who very eloquently stated his side of the case—I happen to disagree with a great deal that he said, but I think he presented his case with eloquence—but as a Senator of great ability, and I regard it as a privilege to serve as a colleague of a man with the high ability and personal attributes of the Senator from Massachusetts.

I ask unanimous consent to have printed in the RECORD a table showing the chrome reserves of the world, the source being the U.S. Bureau of Mines.

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

Chromium reserves of the world

(High grade chromite)

Nation:	*Percentage*
Republic of South Africa	22.5
Rhodesia	67.4
Turkey	2.0
United States	0.1
Philippines	0.3
U.S.S.R.	5.6
Albania	0.3
Other Nations	1.8
	100.0

(Source: U.S. Bureau of Mines.)

Mr. BYRD of Virginia. I further ask unanimous consent to have printed in the RECORD another table showing the imports into the United States of metallurgic chrome. I might say, before making that insertion, that in 1960 the amount of chrome imported from Russia was only 7,000 tons, or 1 percent of the total imports, whereas today it is approximately 60 percent. Therefore, I ask unanimous consent that the table to which I have referred, appearing on page 59 of the hearings before the Senate Committee on Foreign Relations in connection with the testimony on S. 1404, be printed in the RECORD.

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

TABLE II.—IMPORTS OF METALLURGICAL GRADE CHROMITE FOR DOMESTIC CONSUMPTION (46 PERCENT OR OVER Cr_2O_3)

[Thousands of short tons]

	1960	Percent	1961	Percent	1962	Percent	1963	Percent	1964	Percent	1965	Percent	1966	Percent	1967	Percent	1968	Percent	1969	Percent	1970	Percent	1971[1]	Percent
Rhodesia	307	57	218	48	234	41	144	37	259	37	329	37	219	24	147	22	1						14	4
Russia	7	1	20	4	36	6	192	49	275	42	242	27	302	33	299	45	335	59	299	57	409	58	198	58
Turkey	123	23	150	33	171	30	40	10	38	6	164	19	186	20	108	16	151	27	74	14	135	19	75	22
South Africa	80	15	54	12	101	17	18	5	64	5	115	13	184	20	95	14	74	13	143	27	97	14	31	9
Other	24	4	10	3	35	6	0	0	25	4	34	4	22	2	11	2	6	1	13	2	62	9	23	7
Total	541		452		577		394		661		884		913		660		567		529		703		341	

[1] January to April.

Source: Bureau of Mines Data 1970, unpublished.

PRICE QUOTATIONS OF VARIOUS GRADES OF FOREIGN CHROMITE (DELIVERED U.S. PORTS)

	1965	1966	1967	1968	1969	1970	1971
Rhodesia: 48 percent Cr_2O_3, 3:1 Cr/Fe ratio	$31.00–$35.00	$31.00–$35.00	$31.00–$35.00	(1)	(1)	(1)	(1)
Turkey: 48 percent Cr_2O_3, 3:1 Cr/Fe ratio	29.50–31.50	29.50–31.50	32.50–33.50	$34.50–$35.50	$37.60–$38.50	$47.50 $48.50	$56–$80
South Africa: 44 percent Cr_2O_3	20.00–21.50	20.00–21.50	18.00–21.50	19.00–21.50	19.00–21.50	26.50	20
U.S.S.R.[2]: 54 percent Cr_2O_3, 4:1 Cr/Fe ratio	25.00	29.25	30.40	34.10	44.00	58.00	72

[1] Not available.

[2] Actual prices to Foote Mineral Co., f.o.b. Burnside.

Source: U.S. Bureau of Mines.

Mr. BYRD of Virginia. Mr. President, the American Legion, at its convention in Houston held several weeks ago, adopted a resolution endorsing the proposal to permit the importation of chrome from Rhodesia. I ask unanimous consent to have printed in the RECORD a letter to me from Herald E. Stringer, director, National Legislative Commission, the American Legion, together with the resolution adopted by the 53d annual national convention of the America Legion held at Houston, Tex., August 31 to September 2, 1971.

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

THE AMERICAN LEGION,
Washington, D.C., September 22, 1971.

Hon. HARRY F. BYRD, JR.,
U.S. Senate, Old Senate Office Building, Washington, D.C.

DEAR SENATOR BYRD: Thank you for your remarks on the floor of the Senate September 10 and 20 in support of Section 503 of H.R. 8687, the military procurement appropriations measure.

As you have stated, Section 503 calls for an end to the prohibition of the import of any strategic material produced in a non-communist country or area so long as the importation of such material from any communist dominated country or area is not likewise prohibited. The case in point is chrome ore from Rhodesia. We are boycotting Rhodesia as requested by the United Nations. We now buy the vast majority of our chrome ore from the Soviet Union, instead of from Rhodesia—the largest source of supply in the world. We pay prices that range up to twice as much per ton for the privilege of relying almost solely on the U.S.S.R. for this strategic and critical ore. Section 503 would eliminate this problem.

Enclosed are copies of Resolution 271 and 436, adopted by our National Convention earlier this month, which are self-explanatory.

Copies of this letter and the resolutions are being forwarded to all Members of the Senate Committees on Armed Services and Foreign Relations.

Sincerely yours,

HERALD E. STRINGER,
Director, National Legislative Commission.

Mr. BYRD of Virginia. Mr. President, I yield the remainder of my time to the Senator from Mississippi (Mr. STENNIS).

Mr. STENNIS. Mr. President, we have had an understanding that the Senator from Wyoming and I will each take 3 minutes of the remaining time and that in the meantime we will have a quorum call.

Mr. McGEE. I ask unanimous consent that there be a quorum call of 5 minutes first, and then the Senator from Mississippi and I will each reserve 3 minutes of the remaining time.

The PRESIDING OFFICER. Without objection, there will now be a 5-minute quorum call. 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.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Mr. President, does each side have 3 minutes remaining?

The PRESIDING OFFICER. The Senator from Mississippi is correct.

Mr. STENNIS. Mr. President, I yield myself 3 minutes or so much thereof as I may use.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, this is a matter of great importance. I respectfully submit that from the standpoint of stockpiling strategic material and national security products, the Senator from Virginia (Mr. BYRD) and the Senator from Nevada (Mr. CANNON), the chairman of the subcommittee of the Armed Services Committee, have done an enormous amount of work.

Their statements have fully explained and fully covered the entire matter. We do need the ore. We do not have too much in the stockpile. We absolutely ought not to be cut off from virtually all our supply of the ore and have that supply limited.

This is not a contest between committees. It is not a contest between the State Department and the Department of Defense. It is not in any way involved in some of these matters that have been mentioned. This is just a matter of security and commonsense. We have this stockpile. The committee recommended unanimously against letting it go. We are cut off from the supply in this situation.

I think the fiscal affairs of this Nation and the soundness of the dollar are a part of national security and a party of this picture. We were paying per ton delivered here when this matter arose in 1965 $25. Now we have to pay Soviet Russia, since the other supply is cut off, $72 per ton, an increase of 188 percent in that brief span. That is a matter of commonsense.

Our committee has pressures brought upon it every day because the price of weaponry is going up and up. It is under attack in the press. I think they have a right to call upon us to hold down prices. In our provision we would be trying to do something tangible. But that is not the only reason. After all these matters are weighed, we are left with the Soviet nation as the principal source of supply. That is contrary to everything we have been trying to do all through the years.

Mr. President, I hope we can keep this provision in the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. Mr. President, the issue here on this measure we are being asked to vote on now is partly the strategic implication. The testimony before the Committee on Foreign Relations on this matter, testimony from the Pentagon, the State Department, and this administration, is that the stockpile is preserved and is adequate. The stockpile is not an issue in this matter.

The question is whether the United States unilaterally uproots an action by the United Nations that sometime ago imposed sanctions on Rhodesia.

Strategically the import of chrome from any source at the present time is minimal. The Soviet Union was the source of supply for many years before there were sanctions. It provided one-third of our chrome. It is not an issue in this particular proposal.

In the interest of the other factors, in the bigger picture, we are asking that we suspend section 503, at least for the time being for these reasons. First, we were instrumental in initiating United Nations' action to avoid a shooting scrap between Great Britain and Rhodesia, and the United Nations handled the matter and imposed sanctions. Are we to become the only nation to formally repudiate a United Nations sanctioned agreement? I think this would be a case of irresponsibility in regard to the world body. Second, in terms of black Africa, whatever we deem our diplomacy toward black Africa to be, the fact is we have other interests over there, such as oil and bauxite. All of them would be called into question if on this issue we rock the boat.

Discussions are now underway, and we are told they are very hopeful discussions, to reach a peaceful settlement between the British and the Rhodesians.

Those discussions are going on at this time. We all agree if we could negotiate the matter this would be the ultimate for all sides.

If we were to keep section 503 in the present bill we would be setting back the chances for those current discussions to reach any successful conclusion. So in the interest of trying to achieve a peaceful settlement in Rhodesia I urge that we vote yea on the pending amendment to strike section 503 from the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to the amendment of the Senator from Wyoming. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SPARKMAN (when his name was called). On this vote I have a live pair with the Senator from Utah (Mr. Moss). If he were present and voting, he would vote "yea." If I were free to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. SCOTT (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Colorado (Mr. DOMINICK). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. RANDOLPH (after having voted in the negative). Mr. President, on this vote I have a live pair with the able Senator from Indiana (Mr. BAYH). I have already cast my vote in the negative. If the Senator from Indiana were present, he would cast his vote in the affirmative. I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Utah (Mr. Moss), the Senator from Illinois (Mr. STEVENSON), and the

Senator from Arkansas (Mr. FULBRIGHT) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PASTORE) is absent on official business.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. PASTORE), the Senator from Illinois (Mr. STEVENSON), and the Senator from Oklahoma (Mr. HARRIS) would each vote "yea."

On this vote, the Senator from Washington (Mr. MAGNUSON) is paired with the Senator from Iowa (Mr. MILLER). If present and voting, the Senator from Washington would vote "yea" and the Senator from Iowa would vote "nay."

On this vote, the Senator from Indiana (Mr. HARTKE) is paired with the Senator from Texas (Mr. TOWER). If present and voting, the Senator from Indiana would vote "yea" and the Senator from Texas would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. DOMINICK) is absent on official business.

The Senator from Ohio (Mr. TAFT) is necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also the Senator from Iowa (Mr. MILLER), the Senator from Ohio (Mr. SAXBE), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The pair of the Senator from Colorado (Mr. DOMINICK) has been previously announced.

On this vote, the Senator from Iowa (Mr. MILLER) is paired with the Senator from Washington (Mr. MAGNUSON). If present and voting, the Senator from Iowa would vote "nay" and the Senator from Washington would vote "yea."

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Indiana (Mr. HARTKE). If present and voting, the Senator from Texas would vote "nay" and the Senator from Indiana would vote "yea."

The result was announced—yeas 36, nays 46, as follows:

[No. 230 Leg.]

YEAS—36

Aiken	Hatfield	Muskie
Boggs	Hughes	Nelson
Brooke	Humphrey	Packwood
Burdick	Inouye	Pell
Case	Jackson	Percy
Church	Javits	Proxmire
Cooper	Kennedy	Ribicoff
Cranston	Mansfield	Roth
Fong	McGee	Stafford
Gravel	McGovern	Symington
Griffin	McIntyre	Tunney
Hart	Mondale	Williams

NAYS—46

Allen	Cotton	Mathias
Allott	Curtis	McClellan
Anderson	Dole	Metcalf
Baker	Eastland	Montoya
Beall	Ellender	Pearson
Bellmon	Ervin	Schweiker
Bennett	Fannin	Smith
Bentsen	Gambrell	Spong
Bible	Goldwater	Stennis
Brock	Gurney	Stevens
Buckley	Hansen	Talmadge
Byrd, Va.	Hollings	Thurmond
Byrd, W. Va.	Hruska	Weicker
Cannon	Jordan, N.C.	Young
Chiles	Jordan, Idaho	
Cook	Long	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Randolph, against.
Scott, for.
Sparkman, against.

NOT VOTING—15

Bayh	Hartke	Pastore
Dominick	Magnuson	Saxbe
Eagleton	Miller	Stevenson
Fulbright	Moss	Taft
Harris	Mundt	Tower

So Mr. McGee's amendment was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. COOPER. Mr. President, I ask for the yeas and nays on the motion to reconsider.

Mr. STENNIS. Mr. President, I withdraw my motion.

The PRESIDING OFFICER. There was not a sufficient second.

Mr. STENNIS. I withdraw the motion.

The PRESIDING OFFICER. Without objection, the motion is withdrawn.

AMENDMENT NO. 429

The PRESIDING OFFICER. Pursuant to the previous order, the amendment (No. 429) of the Senator from South Dakota (Mr. MCGOVERN) is now the pending question.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Has the motion of the Senator from Mississippi been acted upon?

Mr. STENNIS. It was withdrawn.

Mr. CHILES. Mr. President, I voted today to maintain that section of the military procurement authorization bill which would permit this country to buy chrome from the non-Communist country of Rhodesia and against the effort that would have removed this section and would have prohibited the United States from dealing with Rhodesia. I did this for several reasons. The first is that chrome was selling before sanctions at $25 per ton. Since the sanctions were imposed, the price of chrome, which we are having to buy from Russia, has gone to $72 per ton. It is clear that the Russians have gained a competitive advantage over our country in that they are the only producers of chrome other than Rhodesia and Turkey. We are now being forced to buy chrome at this highly increased rate.

I certainly do not agree with some of the practices of the Rhodesian Government but nor do I agree with the way the Russians are treating many of their people such as the Jews and other ethnic groups inside Russia. So this question does not seem to me to be central to this issue at hand.

The national security of this country must come before any other consideration. We must never be dependent on Russia for such a strategic material. Russia, by its own policies, causes this country to react to the extent that we feel we must maintain our present arms commitment and current military posture. It just does not make sense to me how the United States can be dependent on its enemies for strategic materials such as chrome when we can buy them from a non-Communist country.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOPER. Having voted on the losing side, can I make a motion to reconsider?

The PRESIDING OFFICER. Only a Senator who voted with the prevailing side, or who did not vote, can move to reconsider.

Pursuant to the previous order, the amendment, No. 429, of the Senator from South Dakota is now the pending question.

The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from South Dakota (Mr. MCGOVERN) proposes an amendment No. 429.

The PRESIDING OFFICER. On this amendment, there are 45 minutes to each side.

Mr. MCGOVERN. Mr. President, I yield myself such time as I may require.

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

Mr. MCGOVERN. I yield.

Mr. STENNIS. I believe there is a prospect here that we can reduce the time. I ask that all Senators be quiet, so that the Senator from South Dakota may be heard.

The PRESIDING OFFICER. The Senate will be in order. The Senator may proceed.

Mr. MCGOVERN. Mr. President, I ask that the amendment be read.

The PRESIDING OFFICER. The clerk will read the amendment.

The assistant legislative clerk read as follows:

At the end of the bill add the following new section:

SEC. 505. At the same time as he submits his fiscal 1973 budget recommendations for the Department of Defense, the President shall submit for consideration of the Congress the following:

(1) an alternative budget for the Department of Defense providing for expenditures not to exceed $60,000,000,000 in fiscal 1973 and setting forth the amounts which could be expended for the various components of the Armed Forces, for procurement of weapons and for research, development, test, and evaluation within such $60,000,000,000 ceiling; and

(2) a report, including recommendations for congressional action, on programs to stimulate conversion planning by defense industries and to alleviate the economic hardships incurred by defense industries, their employees, and the communities in which they are located as a consequence of declining national defense expenditures.

Mr. MCGOVERN. Mr. President, I asked that the amendment be read because I think it requires little explanation.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators will please take their seats.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MCGOVERN. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the Senator.

Would the distinguished Senator be agreeable to cutting the time back on this amendment to 1 hour, to be equally divided between the mover of the amendment and the managers of the bill?

Mr. MCGOVERN. Yes. That would be perfectly agreeable to me.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on the amendment be limited to 1 hour, to be equally divided between the mover of the amendment and the manager of the bill.

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

Mr. BYRD of West Virginia. I thank the Senator.

AN ALTERNATIVE DEFENSE BUDGET WITH CONVERSION PLANNING

Mr. McGOVERN. I hope every Senator has had an opportunity to examine this proposal. It requires little explanation, since both its terms and its objectives are quite clear, even in a quick ready of the amendment.

It neither cuts from nor adds to the military procurement authorization bill. In fact, it does not affect at all the fiscal 1972 military program which is now under consideration. Rather, it is prospective in nature. It aims to improve the capability of Congress to deal with issues of military security and national priorities in fiscal 1973.

The amendment imposes two requirements on the President of the United States. When he submits his fiscal 1973 military budget, he would be required to submit along with it, first, an alternative budget indicating what kind of defense establishment could be had in exchange for expenditures of $60 billion in fiscal 1973; and, second, a report, including recommendations for Congressional action, on programs to alleviate the hardships caused to industries, workers and communities as a consequence of reductions in military expenditures.

The first requirement goes to the heart of the relationship between the executive and legislative branches in the complicated field of defense expenditures.

While there may be disagreement on the nature of our responsibilities in this area, it is impossible to dispute the fact that the Constitution imposes on the Congress special obligations which do not exist in other areas. Among the powers of Congress enumerated in article I, section 8, of the Constitution is the clause:

> To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.

That 2-year limitation applies to no other area. It seems to me that its meaning is quite clear, particularly in light of the historical framework in which the Constitution was drafted. It gives Congress a responsibility to scrutinize with special diligence the military programs of the United States, and assures that in no case shall the decisions of one Congress be automatically carried over to the next.

On the basis of our past 20 years of experience in the military sphere—characterized by a virtually unbridled arms race, mammoth defense budgets, and a bloody, unwanted war in Indochina—I suggest that Congress has no more critical or urgent responsibility than a careful examination of military outlays.

Yet, at the same time, I suggest that there is no responsibility we are less well equipped to fulfill, not so much because of congressional failings but because of the very size and complexity of the Military Establishment. Even if we have the desire to bring this monstrosity under control, the cards are heavily stacked against us.

My amendment will not, of course, cure this situation entirely. If we are to make close examination of military expenditures a continuing part of our institutional arrangements, instead of the product of a general war-bred disenchantment with the military, then I believe we should also consider the creation of a special independent agency whose sole responsibility would be to prepare, for Congress and for the President, an annual analysis of Pentagon spending requests. There are other worthwhile ideas to explore.

But this amendment would serve, first, to bring Congress in on the budgeting process to a much greater extent than has been the case in the past.

One of our greatest obstacles in recent years has been the fact that most of the policy decisions have already been made by the time the budget reaches Congress. The Pentagon operates on a given set of foreign policy and defense capability requirements which automatically serve as the framework for our debate. Thus, to cite a case with which I am most familiar, the burden has fallen to those who oppose the B-1 bomber to come up with an alternative means of performing the strategic bombing mission. And when we cite possibilities, such as modernization of the B-52 fleet, we are told simply that they have been considered and rejected by the Air Force. Moreover, there is hardly any opportunity to examine the question whether the country needs a strategic bomber at all, considered in the context of other strategic weapons system. In no case are we told, if a total spending ceiling were imposed, what internal priorities would be set—what weapons systems are deemed most important by the services or by the administration. Each is presented as being vital to the national security, and it is no secret that there is great competition among the various services in order to advance their own weapons systems.

Thus, we have an uphill road in proposing amendments on specific systems. At the same time, it is quite difficult to propose an overall ceiling without knowing what it would buy. A few weeks ago, Senator PROXMIRE's amendment to establish what I regarded as a very generous ceiling on fiscal 1972 defense expenditures, on the range of $68 billion, was defeated by a very substantial margin, in large measure because members of the Senate were uncertain what we would have left or how the remaining funds would be expended.

On a related point, this amendment would test the allegation that those of us who feel military spending could be cut susbtantially are somehow advocating unilateral disarmament. In other words, by calling on the Defense Department to submit an alternative budget indicating what they would do if they had a $60 billion ceiling, we would then have before us the best judgment of the Defense Department as to how those funds could best be allocated for the defense of the Nation.

As Members of the Senate know, this $60 billion figure is identical to that suggested by the prestigious Urban Coalition in the "counterbudget" they prepared earlier this year for consideration in fiscal 1972. Actually, it is somewhat higher than their fiscal 1973 recommendation, because they foresaw a $60 billion expenditure figure this year declining to around $50 billion by 1976. That, incidentally, is my own view of what we ought to be able to accomplish, barring a major international conflict. In any event, it is pertinent to note that that organization includes many prominent and thoughtful Americans of both parties, who believe that a figure substantially below the one in this amendment would constitute a defense posture that is both prudent and adequate for this country's military security.

I ask unanimous consent that a list of the Urban Coalition's steering committee be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. McGOVERN. Mr. President, let me say that these gentlemen all endorse the $60 billion ceiling on the military budget. The list includes among other names, David Rockefeller, chairman of the Chase Manhattan Bank; H. I. Romnes, chairman of the American Telephone & Telegraph Company; James H. J. Tate, the Mayor of Philadelphia; Leonard Woodcook, president of the United Auto Workers; Andrew Heiskell, chairman of Time, Inc., and other distinguished Americans.

It seems to me that this unilateral disarmament charge has been given some credence mainly because we have focused on what would be eliminated by those of us who want to reduce military expenditures, rather than on what would be left. Actually, I believe that our attention should be focused on the latter, and that is the purpose of my amendment, to show Members of Congress what could be purchased with $60 billion through the best judgment of our defense experts.

I frankly resent and find somewhat ridiculous the suggestion that our security would be endangered by a $60 billion defense budget. I think a good case can be made that this country would be considerably stronger and more secure if we trimmed some of the fat from our military budget and used it for other purposes where the Nation's security and honor is being undermined by this small investment.

I suggest, for example, that the slowness of our attack on the problems of air and water pollution which, if left unchecked could be a greater threat to the health and well-being of all of us than anything now going on in the foreign capitals around the world.

I believe that a more modest military outlay would, instead, improve our security by strengthening the economy and permitting us to get on with the urgent

domestic priorities which have so unsettled our national well-being.

But in any case, let us have some detail. Let us find out why a defense budget that is bigger than that of any other country on the face of this planet—bigger than the defense expenditures of the Soviet Union and the People's Republic of China combined—should somehow endanger the security of the United States.

Let me say that in a few weeks I will be offering my own suggestions on what could be included in a fiscal 1973 defense budget of $60 billion. For some time, members of my staff and I have been working on an alternative budget of our own, based on careful study and consultation with a wide range of defense experts. The budget as it now tentatively stands differs in some major respects from that of the Urban Coalition. We should consider the views of the administration as well, operating within the $60 billion budget limit. That, of course, is the first purpose of the amendment.

Finally, the alternative budget portion of this amendment would overcome the charge that a spending ceiling cannot be imposed without some long-range advance warning to the Pentagon and to the administration. I think that has been a fair criticism leveled at across-the-board cuts. There is some difficulty in dealing quickly with an across-the-board cut, in that it does not give the Defense Department adequate time to plan for the efficient use of whatever funds are available.

When the Proxmire-Mathias amendment was pending, a major point raised in opposition—as the Senator from Wisconsin (Mr. PROXMIRE) will recall—was that to impose a ceiling on expenditures, rather than on obligational authority—and the latter would be virtually meaningless—was the fact that if they began the year spending at a $76 billion annual rate and were required to come down to a $60 billion total, the administration would have to get down to an annual rate of about $50 billion by the end of the year. To the extent that is the case, it is obviously because major adjustments in the rate of spending cannot be made overnight, without advance warning, particularly when the fiscal year to which the ceiling is applied has already begun.

Well, what this amendment says is that if a ceiling is to be imposed, the administration will not only have plenty of advance warning, it will also have the opportunity to participate in planning under the ceiling well before the fiscal year begins.

These purposes are, in my view, well in line with concerns which have been expressed by Senators of all persuasions, whether they are for or against the spending cuts which have been proposed in recent years. Since all the amendment requires at this point is information, I cannot see how any Senator should oppose the first section of this amendment.

The second section, in addition to dealing with a fundamental economic concern in the current period, also has a direct bearing on our practical ability to influence the arms budget.

In the period since World War II, we have established a substantial dependency upon a high level of defense and space expenditures among workers, businesses, and communities. Because such contracts have tended to be concentrated in a limited number of States, even slight adjustments in spending of this kind can produce economic depression. Even in my State—and South Dakota ranks 51st among the 50 States and the District of Columbia in defense spending—we have seen whole towns literally disappear as a consequence of the termination of a defense installation.

No Member of Congress wants to be faced with a choice between supporting a military system he knows is unwise on the one hand, and unemployment for his constituents on the other hand. Yet that is the choice we face now in the absence of an alternative blue print for utilizing labor and resources no longer needed in the aerospace and defense fields.

Without sound conversion planning to ease the transition, we need not doubt that every weapons system that is cut is going to produce some additional unemployment somewhere. Without sound conversion planning it is impossible for us to make decisions on these issues as they should be made, on the basis of what we honestly feel is necessary for national security.

Beyond this I believe that the national Government, having lured so many Americans out on the economic limb of dependence on military spending, has a positive obligation to assist when that limb is severed. If it is irresponsible to support a military budget request solely on the basis of the jobs it creates or retains, it is equally irresponsible to eliminate that program without attention to the very real economic problems that decision entails. To do so is to support the notion that the worker in a plant producing parts for the ABM is somehow responsible for the decision to product that system, when in fact his preeminent responsibility and his main concern is to keep his job and support his family.

But the truth is that military spending is a very poor creator of jobs per dollar spent. The growth it produces is parasitic and inflationary, because it creates jobs without creating products to be purchased and consumed in this country.

Moreover, it seems quite clear that a given level of spending in this high technology area produces many fewer jobs than the same number of dollars would provide in such priority areas as housing and transportation, thus freeing military resources for use in such areas is in the interest of all Americans. If we can undertake conversion planning to assure that new jobs will be quickly created to replace those lost, the implements of production idled by defense cutbacks can be quickly employed in other areas and new enterprise will come to the communities which have suffered the impact of military reductions.

There are a number of bills pending before the Congress on the conversion issue and doubtless more will be introduced. Certainly congressional initiative has not been lacking.

But we also need a coordinated input from the administration. We need to know what plans are being made and what programs are being implemented at that level, both to confront current difficulties and to prepare for such hopeful events as an end to the war in Vietnam and an agreement in the Strategic Arms Limitation Talks. That is what the second portion of my amendment would provide.

Mr. President, as I said at the outset, the content and the purpose of this amendment are quite simple. It will not create unwarranted difficulties for the administration, and it will make a positive contribution to the solution of some of the most perplexing issues facing the Congress. I strongly urge its adoption.

EXHIBIT 1

STEERING COMMITTEE OF THE NATIONAL URBAN COALITION

Arnold Aronson, Secretary, Leadership Conference on Civil Rights.

Albert E. Arent, Chairman, National Jewish Community Relations Advisory Council.

Mrs. Bruce B. Benson, President, League of Women Voters of the U.S.

Joseph J. Bernal, State Senator, Texas.

John Cardinal Dearden, Archbishop of Detroit.

Edwin D. Etherington, Former President, Wesleyan University.

John W. Gardner, Chairman, Common Cause.

Warren Gilmore, President, Youth Organizations United.

Ernest Green, Director, Joint Apprenticeship Program.

Mrs. Fred R. Harris, President, Americans for Indian Opportunity.

Richard Gordon Hatcher, Mayor of Gary, Indiana.

Dorothy I. Height, President, National Council of Negro Women, Inc.

Andrew Heiskell, Chairman, Time, Inc.

Mrs. Aileen C. Hernandez, President, National Organization of Women.

Samuel C. Johnson, Chairman and President, S. C. Johnson & Son, Inc.

Vernon E. Jordan, Jr., Executive Director, United Negro College Fund, Inc.

Stephen F. Keating, President, Honeywell, Inc.

Joseph D. Keenan, Int'l Secretary, Int'l Brotherhood of Electrical Workers, AFL–CIO.

John V. Lindsay, Mayor of New York.

J. Irwin Miller, Chairman, Cummins Engine Company.

C. McKim Norton, Counsel, Regional Plan Association.

Louis Nunez, President, Aspira of America, Inc.

James M. Roche, Chairman, General Motors Corporation.

David Rockefeller, Chairman, Chase Manhattan Bank.

H. I. Romnes, Chairman, American Telephone and Telegraph.

Henry Santiestevan, Executive Director, Southwest Council of La Raza.

Mark R. Shedd, Superintendent, of Schools, Philadelphia, Pa.

John G. Simon, President, Taconic Foundation, Inc.

Martin Stone, President Monogram Industries.

James H. J. Tate, Mayor of Philadelphia.

Mrs. Theodore O. Wedel, President, National Conference of Churches.

Leonard Woodcock, President, United Auto Workers.

Whitney M. Young, Jr., Executive Director, National Urban League.

Sol M. Linowitz, Chairman, National Urban Coalition.

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

Mr. McGOVERN. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, as I understand the Senator's amendment, what he would do is not to reduce the defense budget at all.

Mr. McGOVERN. The Senator is correct.

Mr. PROXMIRE. As I understand it, he would simply require the administration to tell us for the 1973 budget—which is to go into effect next July—what would happen, what their priorities would be, and how they would be able to meet a $60 billion ceiling.

Mr. McGOVERN. The Senator is correct.

Mr. PROXMIRE. It would not bind the administration to that ceiling in any way, shape, or form. However, it would ask them to show what they would have to cut back in their judgment and still give us the strongest possible military force for $60 billion.

Mr. McGOVERN. The Senator is correct. The President would submit his own defense project at a somewhat larger figure, if we could go on the basis of what has happened in the past, and then side by side, if this amendment is agreed to, he would submit an alternative budget indicating what items he would have in that defense budget if the administration were bound to a ceiling of $60 billion.

Mr. PROXMIRE. Mr. President, is it not true that under these circumstances the administration would be in a position to make a very strong argument for the additional amount they want? Say if they want an $80 billion budget, instead of $60 billion, they could make whatever arguments they wished for the additional $20 billion, and Congress would be in a position to know what in their view was essential and what was subject to deletion by Congress without striking, in the judgment of the military, the very heart of their strength.

Mr. McGOVERN. The Senator is correct.

The Senator will recall that when he offered what I thought to be a laudable amendment to hold the ceiling to $68 billion in the current fiscal year, the argument was raised that the Defense Department had not had time to review the matter, that they were already into the fiscal year, and that it was difficult to know how to adjust the budget to those figures.

We are now giving them a full year's notice to come up with an alternative budget.

It would not be binding on the administration or on the Armed Services Committee or on any Member of Congress. However, it would let the executive exercise its best judgment as to what they think they could buy for $60 billion. Then we could have something to compare as a test against whatever alternative budget the President would recommend.

Mr. PROXMIRE. It is a most ingenious idea. This has not been applied to other departments. That does not mean that it would not be a good idea. However, it is no precedent.

Mr. McGOVERN. I know of no precedent. I know of no other area of the Government that has such a large budget, however, as the Defense Department, and a budget, I might add, that is so difficult to understand.

Mr. PROXMIRE. Other Senators may take different positions. However, I intend to support the amendment.

The amendment would enormously improve the quality of our debate on the Defense budget. We would be in a much better position to know what we are talking about. We would have far more knowledge concerning what they propose to do with the additional amount of money, and it seems to me that we could make a much better decision from the standpoint of national security and from the standpoint of having a sensible ordering of our priorities.

Mr. McGOVERN. Mr. President, as the Senator knows—and I think I am correct on this—the way the Defense budget is shaped, the various Services come in with their own recommendations. The Secretary of the Air Force has his recommendations. The Secretary of the Navy has his. The Secretary of the Army has his recommendations.

Those original estimates are always way above what is finally authorized by the Secretary of Defense. Then he in turn submits the budget that goes to the Office of the President and the Bureau of the Budget, where it is then further whittled down.

At some point, the President himself would have to step in and make some very hard and tough decisions among the competing claims of the various services.

It seems to me that this kind of an amendment would be of service not only to the Congress but also to the President of the United States. They would be able to see what they could eliminate with this ceiling of $60 billion, and the budget would be placed before the President as well as the Congress of the United States.

Mr. PROXMIRE. I know that there will be objection and very strong objection to the amendment. I think it is something that we ought to try to work on and try to work out something so that we could elicit from the Defense Department some kind of responsible demonstration of what happens when the budget is cut down.

When the Senator from Maryland (Mr. MATHIAS) and I offered an amendment this year, as the Senator from South Dakota has pointed out, the Secretary of Defense said that if we were to put that limitation on the budget it would have an appalling effect and would result in a tremendous layoff in the military.

That was exceedingly hard for us to accept. However, it would be very helpful for us to know what they would prescribe. While this kind of proposal is unprecedented and has not been done in other departments, it would not bind the Congress. We could go half way and cut the amount back to $70 billion if $80 billion were asked for on the one hand and the $60 billion did not appear adequate. We could take the entire recommendation of the President if we thought it were necessary. However, we would be in a much better position to know what we were doing on the basis of what the responsible authorities in the Government would tell us.

Mr. McGOVERN. Mr. President, the Senator from Wisconsin has had the same problem as I have had in trying to master the complicated defense budget. I am sure that the Armed Services Committee must face the problem all the time of knowing where cuts could more safely be made.

The amendment would have the effect of identifying those areas of the budget which contain what the Defense Department and the Executive feel are the areas that are least essential and least important in the defense of this country.

Suppose there were a difference of $20 billion between the recommendation contained in the President's budget and the $60 billion, were this amendment agreed to, we would know that the $20 billion consisted of items—at least if we can trust their judgment at all—that they would eliminate as being the ones that were less essential to the security of the Nation.

Beyond that, the second part of the amendment goes to the administration and the policy of developing alternative blueprints for workers and resources no longer needed in the Defense and aerospace field.

I think that is one of the really glaring omissions in our present national plan. If we wait until an SST project is cancelled or the B–1 bomber, think of what would happen with the aircraft workers at the Boeing or North American plant or the Lockheed plant, when we should be making plans well ahead of time for alternative means of employment for those men.

On both counts, I think the amendment is sound, and I hope the chairman of the committee, the Senator from Mississippi, will see fit to accept the amendment.

Mr. STENNIS. Mr. President, I yield myself 8 minutes, or so much thereof as I may require.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I thank the Senator from South Dakota for his compliment. I wish I could digest his proposal.

Mr. President, I am not good at all with respect to displays or anything of that nature, but as an illustration of what we are talking about, these books on my desk that are piled from 18 to 24 inches high comprise the budget and its appendices. There are something like 1,600, 1,800, or 2,000 printed pages of the budget, and they are finely printed pages. In addition, there is the testimony we have taken here along side of the budget and there are over 5 thousand closely printed pages. This illustrates what the subcommittee chairman and the full committee has been going into since January trying to get one budget prepared.

I know it looks easy and good to our friends, but as a member of the Committee on Armed Services and the Committee on Appropriations who has been dealing with this matter for years, this would make an impossible situation for us to handle it in anything like the way

in which is it now handled with thoroughness and clarity.

This is a sweeping amendment which has been offered from the floor. It has not been studied and analyzed. It would be a major amendment to the basic budget law which was passed in 1921. It would present to the committees—and I emphasize the plural—including the Committee on Appropriations, an imponderable situation that could not be overcome. But leaving out the committees, the high prerogative and responsibility of passing fiscal affairs rests in the Congress of the United States. The President is supposed to have a national policy and an international policy. Under the law and the basic principles of our Government, he not only has the prerogative, but also he has the duty to give an estimate to the legislative branch about what he thinks is necessary in dollars to carry out those policies. Until that happens, we do not have a point from which to start.

We are given a program and then an estimate on that program, and we start from there. That is where our duty and our responsibility begins: to increase, decrease, obliterate, or to do anything we see fit. The machinery has become voluminous and it takes years. But here we would be treading on principles of government right and left.

Another thing is that if the President is going to have a security program he thinks is necessary to protect our people and this country, and one in which the people will back him up, how is he going to get anywhere in connection with nations not friendly to us if he has to come out with two budgets? It would be a giveaway to them from the start as to weakness and indecision and, unfortunately, the President would not know where he stands. I want whoever is President to have the prerogatives that go with the presidency, and to have the courage to back them up. That is the way we have operated all through the years.

I know there is a desire to reduce the budget. That is laudable. I think there has been considerable help in that regard in the committees. But to proceed with alternative policies and budgets would be proceeding in the opposite way.

I have asked the chairman of the Committee on Appropriations to be here and I have asked the ranking minority member of the Committee on Appropriations to be here. The Senator from New Hampshire is here. He digs into all these budget matters concerning research and development, which involves $8 billion. He digs into that in far greater detail than any other individual ever has. I do not know what he is going to say but we are entitled to have the benefit of his experience.

The Senator from Maine, who is the ranking minority member of the Committee on Armed Services is here. She will speak for herself.

I shall not take a great deal of time. I think the old Latin phrase that we use in law is applicable: res ipsa loquiteur—the thing speaks for itself. It speaks loudly to those who have to deal with this problem and I believe to most Members.

Mr. President, I yield 10 minutes to the Senator from New Hampshire. He is just fresh from the frying pan for several months going through this budget; let us hear what he has to say.

Mr. McINTYRE. Mr. President, I thank my chairman, the distinguished Senator from Mississippi. Before I begin I do want to pay my respects to the distinguished Senator from South Dakota. I think I know what he is struggling for; I think I have the same feeling myself at times. It is a vast budget and I think the Senator has heard me say that in just the R. & D. field we contend with 475 or 500 different line items embracing 5,000 to 8,000 projects. So I admire his spirit. I, too, would like to bring this under control, but I have to join my distinguished chairman in strong opposition to the amendment proposed by my distinguished colleague from South Dakota. That amendment would be simply and completely unworkable.

The amendment would require the President to work out the full detail of at least a 20-percent cut in defense spending and propose this alternative program to the Congress next January. Leaving time for Congress to act and for processing of the budget, this would allow a little more than 2 months for the President to come up with sweeping cuts in troop strength, deployments, weapons development and procurement, production schedules, base closures, and so forth. The executive branch would have to do this while at the same time reacting to other changes as the 1972 authorization and appropriation bills move along, and while developing the regular 1973 budget estimates. The many people who would have to develop the so-called alternative budget already are strained to the utmost in work on the regular 1972 and 1973 budgets. We in the Congress, who labor for most of the year in handling single budget proposals, certainly should have some appreciation of the massive extra effort and cost, the uncertainty and confusion, that would be involved in more than doubling this workload on such short notice.

And that is only a small part of the problem, Mr. President. In developing a budget one of the key considerations is the starting point, that is, where you plan to be at the start of the fiscal year. In this case, we are talking about July 1, 1972, just 9 months away. In preparing the regular 1973 budget certain basic assumptions are made based on expectations of congressional actions on the estimates now pending, the ultimate outcome of which is still several months away.

The starting point for the regular estimates, then, is likely to include some 2.4 million military personnel, just over 1 million civilian personnel, some $20 billion of contracts in the pipeline, and operating levels somewhat below those of today. With such a starting point, however, a $60 billion spending level in fiscal 1973 is just about impossible. The Department of Defense would be starting that year at an annual rate of spending somewhere between $75 and $80 billion. To start at such a rate, and cut to $60 billion for a full year would require spending at a rate of some $40 billion per year by the end of fiscal 1973, just about half the current rate. This would require wholesale reductions in manpower starting right now, widespread base closures, and precipitate terminations of major contracts and literally thousands of smaller ones. This could deal the economy of the United States a crippling blow.

In developing his alternative $60 billion budget for 1973, then, the President would somehow have to come to terms with the starting point problem. He would have two choices:

First. He could assume a reasonable and realistic June 30, 1972, position—in which case he would just about have to put defense out of business by June 30, 1973, in order to hold spending to $60 billion for the year as a whole.

Second. He could assume much lower manpower and pipeline levels at July 1, 1972—levels he has no intention of attaining—and thus project a somewhat more stable 1973 program

Whichever choice the President makes, the resulting budgetary proposals would be worthless from my point of view

If he follows the first course, he simply projects a fiscal straitjacket. Under the second approach, he projects a program that is unattainable from the time he submits it.

There is no need for such drastic and ill-considered action with respect to the defense budget. The entire defense program is before the Congress now—manpower, weapons, R. & D., and all the rest. The Committees on Armed Services and on Appropriations have spent the past 8 months considering these programs in detail—and defense matters have certainly consumed a great deal of time on the floor of this Chamber. If the Congress wishes to reduce or modify specific defense programs or manpower, this can be done in the normal and well established manner. There is no need for us to impose upon the President the almost impossible task of working out a massive realignment of our national security posture. This could be argued as constituting an unwarranted infringement upon the prerogatives of the President. It is, after all, his task to propose what he believes necessary for national security and other public programs; and it is ours to dispose. We enter upon dangerous ground, I believe, when we tell the President what to propose. It is simply unsound, from a public policy viewpoint, to require the President to project a program that he would believe harmful to the national interest.

The McGovern proposal constitutes a major amendment of the Budget and Accounting Act of 1921—a matter not limited to the Department of Defense appropriation. This would involve a radical change in our approach to budgetary and fiscal affairs, a change which has not been considered by the responsible committees. There have been no hearings, no reports, no consideration of the pros and cons of so major a change. And then, why single out the Department of Defense? Is not the problem really governmentwide?

Finally, we have to consider the destructive impact of a $60 billion budget level upon our national security. Bear in mind that fiscal year 1972 spending will

be in the range of $75 to $76 billion, after allowing for statutory additions to the President's proposals—largely the military pay raise in the draft bill—and offset by likely congressional cuts. Costs will rise in fiscal year 1973 with the regular 1973 raise, plus the deferred 1972 raise which would be taking effect next July, plus annualization of the recent military pay raise, increases in military retired pay, and some inflation. Some of these costs—such as military retired pay—are fixed so that the McGovern amendment's $60 billion would involve a cut of at least 30 percent in the controllable portions of the budget.

Now, the 1972 program that is going to be cut by some 30 percent involves about 2.4 million military personnel and 1 million civilians—the lowest manpower levels in over 20 years, since before the Korean war. We would have to cut military manpower to significantly less than the 1.8 million we had in June 1941—6 months before Pearl Harbor.

Army divisions, naval vessels, and so forth, are already at a 20-year low in this fiscal year 1972 program. These also would be subject to a further cut. Purchases of all types—weapons, equipment, supplies, and services—are already well under the prewar level, when adjusted for inflation. Defense-related employment in industry is also well below prewar. These are the programs, in short, that would be cut by at least an additional 30 percent under the alternative budget.

I am not aware of any shift in the international strategic situation that would warrant such a massive cutback in our national security. I am not aware of any programmatic justification for a $60 billion budget, nor any magic in such a figure. Considered against our needs and the fiscal realities, the figure is ridiculously low. In fact, payroll spending alone—even with significant manpower cuts in 1973—will probably approach three-fourths of such an amount.

In short, the McGovern amendment would set a task for the President that would be virtually impossible to perform in a meaningful way; it would be thoroughly disruptive of established procedures within the Congress and the executive branch for the orderly and systematic consideration of national security and other program requirements; and would be pointless in any event since it is postulated upon a budget level which would place our national security in the gravest peril.

In conclusion, Mr. President, let me recite briefly from my own experience as chairman of the Ad Hoc Subcommittee on Research and Development. The subcommittee spent many long hours covering a period of 4 months in reviewing the research and development portion of the military procurement request for fiscal 1972. That request consisted of 475 separate programs broken down into literally thousands of individual projects and tasks. Although we did our very best in the time available in reviewing the tremendous volume of material and examining numerous defense witnesses, we could not cover more than the most essential portions of this program. I shudder at the thought of having to take on the additional task of examining an alternative budget proposal in all of its full detail. I am convinced that this would be literally an impossibility.

Mr. President, I ask my colleagues to voice their strong opposition to this amendment.

Mr. STENNIS. Mr. President, I yield 3 minutes to the distinguished chairman of the Committee on Appropriations.

Mr. ELLENDER. Mr. President, I am in thorough accord with the views expressed by the Senator from Mississippi. As chairman of the Committee on Appropriations, it has been my privilege to listen for many, many months to testimony on the Department of Defense budget submitted by the President.

The proposed amendment would be a complete departure from the Budget and Accounting Act of 1921, under which the President is authorized to submit his budget. In this instance, he would have his own views on the needs for Defense and an alternative Defense budget which he could not support. Of course, he would ask the Congress to enact his budget and to reject the alternative.

I submit that to force the President to submit two budgets would be wrong.

It strikes me that it is up to the President to submit what he thinks is necessary for defense, and let the Congress hold hearings, and then decide what it thinks is necessary.

I hope the amendment is defeated.

Mr. STENNIS. I thank the Senator from Louisiana.

I yield now 3 or 4 minutes, if he needs it, to the Senator from North Dakota (Mr. YOUNG), who is the ranking member on the minority side of the committee.

Mr. YOUNG. Mr. President, there is not a single member of the sizable Subcommittee on Defense Appropriations who listened for 2½ months to the testimony of the Defense Department witnesses and many other witnesses who believe we could make a cut anywhere near this amount of money.

Presently we are spending almost $40 billion in the Department of Defense just for personnel alone. A measure that passed the Senate 2 days ago resulted in an additional $2.2 billion to the cost of personnel. In the last 5 years we have already reduced the military and civilian personnel by 1,300,000. No doubt, that number could be decreased much more.

Personally, I think we must have a modern army, a modern navy, and a modern air force. This kind of budget would set back our whole national defense, at a time when the Soviet Union is spending more and more money for its defense.

Janes, which is long the most recognized authority on naval affairs, put out a story 2 months ago to the effect that the United States is fast becoming a second-rate power as compared with the Russian navy, and that probably would occur in the 1970's, and possibly in not more than 2 or 3 years.

All of our modernization programs would have to be scuttled if we got down to anywhere near a $60 billion defense budget.

To give one more example, the Russians now have the FOXBAT plane deployed in Egypt. It is a plane which flies higher and faster than anything we have. Should we get in trouble with the Russians in the Mediterranean, they would control the skies at an altitude of 50,000 feet and over.

They are moving ahead of us in submarines, building Polaris type submarines twice as fast as we are. To me, Mr. President, a budget such as this would be totally unwarranted, it would gut our national defense, and it would soon make us a second rate power to Russia.

Mr. STENNIS. Mr. President, I am glad to yield to the Senator from Maine such time as she may require.

Mrs. SMITH. Mr. President, it has been my privilege to serve as a member of the Senate Armed Services Committee with the distinguished and able chairman (Mr. STENNIS) for a good many years. He has so ably expressed my opinions with respect to this amendment that I think it is hardly necessary for me to add anything to it.

It is the prerogative of the executive branch of the Government to formulate the budget. The budget comes up here, and as we sit around the table, both in the Committee on Appropriations, on which I serve, and the Committee on Armed Services, we find what a stupendous job it has been to formulate that budget. I think it would be highly improper for Congress even to think of making a suggestion, at this time especially, that we could get a budget together for $60 billion that would take care of the defenses and the national security of this country.

But that is beside that point. It is the prerogative of the executive branch. Let the executive branch of the Government formulate the budget and send it up to us, and then let us go to work at it, as we have during the past 8 months of this year and for many months in previous years, and pick it to pieces, cut it down, or add to it as we wish. But let us not try to change the policies of the President by telling him what the budget should be.

I shall vote against the amendment.

Mr. STENNIS. I thank the Senator.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7 minutes.

Mr. STENNIS. I yield 3 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, an interesting thing has happened in the Senate in the last 2 or 3 years, a type of thing we had not experienced in more than 50 years. As we sit here in this Chamber during this time of the year, when we argue about military authorizations and appropriations, we are led to believe tht no thought has been given at all to the weapons systems, that no consideration has been given by any committee to these very large expenditures.

I say to the Senate that I do not think there is another authorization or appropriation bill which comes before this body or the other body that receives nearly the consideration and attention that this one receives. I would remind

my colleagues that each of the services, through their chiefs, are now considering budgets perhaps 3 or 4 years away. The Joint Chiefs of Staff review the budgets, the National Security Council looks at them, the President looks at them and makes recommendations, and, last but not least, the subcommittee and then the full Committees on Armed Services of the Senate and the House of Representatives scrutinize these budgets.

We who serve on those committees are probably more acutely aware of the gigantic increase in costs over the past several years than any other committees or Members of this body.

The $18 billion that we have regained from the cycling down of the war in Vietnam in the last 5 years has, every cent of it, gone to pay increased weapons costs. It amuses me to hear people speak as if they expect to spend that money in some other field, when frankly, Mr. President, if we are going to stand up to the requirements that this country has to face in weaponry, payrolls, and so forth, I think the President is going to have to ask, next year, for probably another $8 billion to $10 billion, without buying any more equipment than we are buying this year.

I remind my colleagues that the military procurement budget, over the last 7 years, has not varied much. It has gone from $14 billion to a high of $21 billion, and then to about $18-billion-something this year.

Furthermore, in arguing against the proposed amendment, I point out that about 52 percent of the military budget goes for pay. I can tell my colleagues that there are great expectations in the new Army and in the new services planned for the 1980's of greatly reduced forces, and that for every 100,000 men we can eliminate from the forces, we can save $1 billion.

But this is not going to be done overnight. Neither can it be done without the most modern weapons systems. So I strongly urge my colleagues to ignore this request for this additional budget. I know it sounds good to the average person. It probably makes a lot of sense to have two budgets, and if it makes sense for the military, I would suggest that the fastest growing spender of money, HEW, might also submit two budgets, so we can go through them.

Mr. President, I do not think there is a single measure that comes before this body that has more scrutiny than the authorization bill heard and considered by the Armed Services Committee and the appropriation bill heard and considered by the Appropriations Committee. I ask unanimous consent to have printed in the RECORD at this point just the subcommittee staff visits of the Research and Development Subcommittee, the places that the staff visited this year. As busy as that subcommittee has been, we were able to study only 15 percent of the total research and development programs of the military. I think this one area can be greatly increased.

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

SUBCOMMITTEE STAFF VISITS

ARMY ACTIVITIES

Harry Diamond Laboratory, Washington, D.C.

Yuma Proving Ground, Arizona, (Cheyenne demonstration).

NAVY ACTIVITIES

Naval Research Laboratory, Washington, D.C.

Pacific Missile Range, Point Mugu, California.

Naval Missile Center, Point Mugu, California.

Naval Undersea Research and Development Center, San Diego, California.

Naval Electronics Laboratory Center, San Diego, California.

Naval Personnel Research Activity, San Diego, California.

Naval Facility, Bermuda.

Naval Underwater Sound Laboratory, Bermuda.

Naval Ordnance Laboratory, White Oak, Maryland.

Naval Ship Research and Development Center, Carderock, Maryland.

Exercise involving flight on P-3C engaged in exercise against a nuclear submarine.

Naval Air Test Center, Patuxent River, Maryland (Harrier demonstration).

AIR FORCE

Western Test Range, Vandenberg Air Force Base, California.

Space and Missile Systems Organization, Los Angeles, California.

Headquarters, Air Force Systems Command, Andrews Air Force Base, Washington, D.C.

OTHER

Defense Atomic Support Agency at Nevada Test Site.

National Security Agency, Fort Meade, Maryland.

Aerospace Corporation, Los Angeles, California.

McDonnell-Douglas, St. Louis, Missouri.

Lockheed Aircraft Company, Los Angeles, California.

Boeing Company, Seattle, Washington.

Tacoma Boat Company, Tacoma, Washington.

Mr. GOLDWATER. I think, Mr. President, we are taking a dangerous step, although it does sound interesting, if we vote for the proposed amendment, and I urge my colleagues to stand in opposition to it.

Mr. STENNIS. Mr. President, I yield 3 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, acceptance of the pending amendment, offered by the distinguished Senator from South Dakota (Mr. MCGOVERN), would signal to the world the United States will accept a second-rate military power status.

Amendment No. 429 proposes that the President submit next year, along with his regular military budget, a second defense budget limited to expenditures of $60 billion.

This would represent a defense cut of nearly $20 billion from the figure being considered at the present time. The current budget is $76 billion, and Secretary of Defense Melvin Laird has indicated the new budget will exceed that amount.

Thus, if the Senate approves this amendment, it will be telling the world it would like to consider a fiscal year 1973 budget which is nearly $20 billion less than currently projected figures.

Mr. President, the Senate has in the past defeated these amendments aimed at lumping off billions from defense spending. This amendment deserves the same fate.

The Senate should realize that the President has the responsibility to send to the Congress a defense budget he feels will provide for our national security. Then the Congress is free to work its will through hearings, committee action, and amendments on the floor.

The present administration has already cut Army divisions from 19 to 13, reduced our Vietnam troops from one-half million to around 200,000, closed many military installations, and reduced civilian defense manpower. These cutbacks have impaired our military strength and to suggest $20 billion in additional cuts be made is completely unrealistic.

That such a proposal would even be made in the Congress will certainly send shock waves through our defense establishment and shake the confidence of our free world allies. Such a low defense budget would be a step toward isolationism and would undoubtedly result in the Soviets attaining a clear military superiority over this country.

Defense costs are rising not falling. The Senate has just passed a $2.4 billion pay raise. If this were added to the pending budget, it would almost take us to $80 billion. At present 52 percent of defense dollars go to personnel, and the new pay raise will push that percentage to 56 or higher. That does not leave much for maintenance, operations, and weapon expenditures.

Mr. President, I urge my colleagues to reject this amendment by a decisive vote. The Nation and the world must understand clearly we intend to remain first in military power.

Mr. STENNIS. Mr. President, this is an unwise amendment for three basic reasons which I will discuss in detail—one relating to the legal aspects of this amendment and the other to the policy aspects. Third is the impracticability.

This proposed amendment would require the President to submit an alternative budget for the Department of Defense for fiscal year 1973, with a ceiling not to exceed $60 billion in expenditures.

Mr. President, this amendment is an example of legislative procedure at its worst. The Budget and Accounting Act of 1921 sets forth in great detail the requirement and the procedures for the budgetary process. All Presidential budgets are submitted in accordance with this act. The underlying premise of this act is that the budget represent the President's recommendations to the Congress. It is "his" budget and under our historical processes, the President "proposes" and the Congress "disposes."

Let me first say that the committee having jurisdiction over this time-honored 1921 act is the Committee on Government Operations which, I am sure, would have some views on any basic change to this legislation. Hearings should be held in order to obtain the views of the Secretary of Defense, the Director of the Office of Management and Budget, and possibly other agencies

of the Government. If we are to have alternative budgets for the Department of Defense, we should probably have alternative budgets for every other department of the Government. Mr. President, I think that the long history of our congressional processes has proven that the present method is the best way to handle the large budgets of today.

POLICY ASPECTS

Mr. President, first let us examine briefly what the defense budget represents. This document, implementing the President's budget message, is the cost, in his opinion, of carrying out the President's defense policies. These policies in turn represent his views on our national and worldwide commitments and the various force levels in terms of men and equipment needed to meet these requirements.

An alternative budget would require alternative policies which in turn would lead to a different mix of forces such as the number of divisions, the number of carriers, the overall manpower levels, and so forth.

These decisions, Mr. President, are arrived at only after months of debate and examination within the executive branch by the President.

In my opinion it would be wholly unpractical to impose on the President the burden of starting from a fixed ceiling unrelated to the previous year's budget and formulate an alternative national defense policy to meet a given budget ceiling which would obviously have to be based on policies that the President could not support.

Mr. President, let me go back to my original point—that the budget represents the best advice of the President and it is up to the Congress to change the budget if it does not like the President's program.

Mr. President, I have grave doubt as to whether it would be wise to require the President to submit to the Congress a program which he did not think was in the best interests of this country whatever the figure might be in terms of an alternative ceiling.

IMPLICATIONS OF A $60 BILLION BUDGET

Obviously, this amendment implies the $60 billion budget being extended serious consideration. I would like to discuss some of the implications and practical results of such an alternative budget.

First, Mr. President, in terms of the literal period of time required to prepare a Defense budget, it would probably be almost impossible for the executive branch to adequately prepare an alternative budget for fiscal year 1973. At the present time they are feverishly engaged in the final stages of preparing the regular fiscal year 1973 budget which will be submitted to the Congress around January 20. Mr. President, the normal period of time required to develop a budget is about 12 months.

Another complicating factor, even in the regular 1973 budget is the fact that the fiscal year 1972 Defense appropriation is still pending in the Congress. In terms of final money figures, the Executive does not have a precise starting point for the regular 1973 budget.

Mr. President, the budget for the entire Government contains 593 pages; the appendix alone contains 1,112 pages. These documents represent the culmination of literally millions of man-hours. I include all of the budget since if an alternative Defense budget is submitted, obviously other budgets could be affected.

At this point, Mr. President, I think it is fair to say that the Appropriations Committee, with all its subcommittees, is fully occupied with considering the one budget that is submitted from the executive branch. We are hard-pressed to make an intelligent decision on the regular budget.

ALTERNATIVE AUTHORIZATIONS

Mr. President, an alternative budget would require the submission of an alternative authorization legislation in all instances where an authorization is required as a condition precedent to an appropriation. The Armed Services Committee now authorizes all major weapons systems procurement and all research and development and the active duty manpower strengths of the Armed Forces. In substance, the Armed Services Committee approves in the form of an authorization the Defense budget except for the Operations and Maintenance activities, and certain personnel expenses and what might be termed minor procurement proposals. This compounds the problem since it involves both the Armed Services Committees as well as the Appropriations Committees.

POSSIBLE RESULTS OF A $60 BILLION BUDGET

Mr. President, an alternative budget of $60 billion implies that this would be a reasonable figure for Congress to adopt for fiscal year 1973. Let me point out a few examples of what we could anticipate to be the results if such a budget were to be enacted at this level.

It has been estimated that such a budget for next year would require at least a 30 percent cut from the current level of certain Defense operations. In order to go down immediately from a 1972 budget of approximately $75 billion to a 1973 budget of approximately $60 billion, there must be immediate cuts in programs which will save dollars immediately. This means, of course, severe cuts in manpower and in the operations and maintenance areas which include all of our training programs as well as necessary terminations in some of our procurement activities. This means, Mr. President, that the force levels—that is, the Army divisions, naval vessels, and so forth—which are already at a 20-year low in the 1972 program would necessarily be drastically reduced below the 1972 level. Mr. President, the Senate should know that if the Congress were to adopt a $60 billion budget for fiscal year 1973, it would be necessary to start severely reducing the Armed Forces at this time in order to have a transition period and achieve the cuts which this lower figure would impose for fiscal year 1973. I know of no international developments which would warrant such a massive cutback in our national security involving fewer divisions, fewer naval personnel, fewer men in our strategic forces necessary to defend this country, and wholesale cancellations or cutbacks in our major weapons systems procurement programs.

Mr. President, in view of all the considerations I have discussed, I urge the Senate to reject this amendment.

Mr. President, the committee rests this matter upon the arguments and the testimonials that have been presented. Members of the Appropriations Committee have argued the matter, and the Senators from New Hampshire, Arizona, and South Carolina, as well as others, have spoken. We rest our case.

Mr. McGOVERN. Mr. President, I just have a minute remaining. I ask unanimous consent that the name of Senator HATFIELD be added as a cosponsor of this amendment.

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

Mr. McGOVERN. Mr. President, I want to make the point that it seems to me that much of the criticism of this amendment is irrelevant. It centers on the fact that $60 billion is too small a figure. That is not the point of the amendment. The point of the amendment is to call upon the Defense Department and the President to see what could be purchased with that amount of money, and then Congress would have the same opportunity it has always had to make a judgment on what the size of the military budget ought to be. It would not commit the President or Congress in advance to any ceiling, but it would simply help to identify where possible reductions could be made which, in the judgment of the Department of Defense, would do the least damage, if any damage at all, to our defense posture.

Some Senators have raised the question about the Defense Department already being overworked. But they have some 30,000 employees working at the Pentagon, and 100 Senators are trying to evaluate what they are doing.

The PRESIDING OFFICER. All time on the amendment has expired.

The question is on agreeing to the amendment from the Senator from South Dakota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Missouri (Mr. EAGLETON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Utah (Mr. MOSS), the Senator from Illinois (Mr. STEVENSON), and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PASTORE) is absent on official business.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. PASTORE) would vote "nay."

On this vote, the Senator from Indiana (Mr. BAYH) is paired with the Senator from Washington (Mr. MAGNUSON). If present and voting, the Senator from Indiana would vote "yea" and the Senator from Washington would vote "nay."

On this vote, the Senator from Oklahoma (Mr. HARRIS) is paired with the Senator from Illinois (Mr. STEVENSON). If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from Illinois would vote "nay."

On this vote, the Senator from Indiana (Mr. HARTKE) is paired with the Senator from Texas (Mr. TOWER). If present and voting, the Senator from Indiana would vote "yea" and the Senator from Texas would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. DOMINICK) is absent on official business.

The Senator from Ohio (Mr. TAFT) is necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also, the Senator from Massachusetts (Mr. BROOKE), the Senator from Iowa (Mr. MILLER), the Senator from Ohio (Mr. SAXBE), and the Senator from Texas (Mr. TOWER) are necessarily absent.

If present and voting, the Senator from Iowa (Mr. MILLER) and the Senator from Colorado (Mr. DOMINICK) would each vote "nay."

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Indiana (Mr. HARTKE). If present and voting, the Senator from Texas would vote "nay" and the Senator from Indiana would vote "yea."

The result was announced—yeas 26, nays 58, as follows:

[No. 231 Leg.]

YEAS—26

Burdick	Humphrey	Muskie
Case	Inouye	Nelson
Church	Javits	Pell
Cranston	Kennedy	Proxmire
Fulbright	Mansfield	Randolph
Gravel	Mathias	Ribicoff
Hart	McGovern	Tunney
Hatfield	Metcalf	Williams
Hughes	Mondale	

NAYS—58

Aiken	Curtis	Montoya
Allen	Dole	Packwood
Allott	Eastland	Pearson
Anderson	Ellender	Percy
Baker	Ervin	Roth
Beall	Fannin	Schweiker
Bellmon	Fong	Scott
Bennett	Gambrell	Smith
Bentsen	Goldwater	Sparkman
Bible	Griffin	Spong
Boggs	Gurney	Stafford
Brock	Hansen	Stennis
Buckley	Hruska	Stevens
Byrd, Va.	Jackson	Symington
Byrd, W. Va.	Jordan, N.C.	Talmadge
Cannon	Jordan, Idaho	Thurmond
Chiles	Long	Weicker
Cook	McClellan	Young
Cooper	McGee	
Cotton	McIntyre	

NOT VOTING—16

Bayh	Hollings	Saxbe
Brooke	Magnuson	Stevenson
Dominick	Miller	Taft
Eagleton	Moss	Tower
Harris	Mundt	
Hartke	Pastore	

So Mr. MCGOVERN's amendment (No. 429) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2260) to amend further the Peace Corps Act (75 Stat. 612), as amended.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 9844) to authorize certain construction at military installations, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HÉBERT, Mr. PRICE of Illinois, Mr. FISHER, Mr. BENNETT, Mr. BYRNE of Pennsylvania, Mr. STRATTON, Mr. ARENDS, Mr. O'KONSKI, Mr. BRAY, Mr. BOB WILSON, and Mr. GUBSER were appointed managers on the part of the House at the conference.

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.

THE MULTIPLE INDEPENDENT RE-ENTRY VEHICLE AMENDMENT

Mr. THURMOND. Mr. President, the MIRV amendment to be offered on Friday by the distinguished Senator from Minnesota, Mr. HUMPHREY, would establish an unnecessary restriction on this Nation's strategic missile development deployment.

Amendment No. 244 would place MIRV funds in a special account to be used only when the President and the Congress jointly determine Russian MIRV activities necessitate further testing and deployment.

Such an action would be another example of trying to meet a challenge with one hand tied behind your back. The disaster in Vietnam occurred because of just such policies.

The Congress has the right to approve or disapprove MIRV. The President has already determined we need it. Funds for the program are in this bill. Thus, Congress has its opportunity to speak.

Why then should we take unilateral action to tie our own hands on such an important weapon system? Supporters of this amendment answer the United States should not MIRV unless the Soviets MIRV. How are we to determine if the Soviets have deployed MIRV? The warhead looks the same. Testing can be detected, but determining if deployment has taken place is another matter.

The imposition of the MIRV escrow restriction would simultaneously cut back the strategic deterrent capability of our strategic missiles, Minuteman III and Poseidon. The degradation of either force alone would be a major problem. The cutback in both would incur an unnecessary and unjustified risk with the security of the United States. The Soviets already outnumber us in ICBM's, approximately 1,500 to 1,054, and are increasing this lead every month.

Our Polaris and Poseidon ballistic missile submarines are a major factor in our nuclear strategic deterrent. These forces are on patrol 24 hours a day. They are virtually invulnerable to any first strike threat the Soviets can deploy. They are capable of launching payloads with multiple warheads which can assure penetration of Russian ABM defenses. We believe these forces can inflict sufficient damage to deter any Soviet first strike attack.

Imposition of the proposed MIRV escrow fund would weaken this cornerstone of our Nation's deterrent. It would leave our Navy with only two realistic alternatives. First, deploy with only one warhead per missile, thus eliminating the antiballistic missile penetration capability of MIRV and reducing the nuclear equivalent yield by an order of magnitude. Or second, revert to Polaris, a process which would require an inordinate amount of time and money because all preparations have been based on Poseidon conversions. Both of these alternatives would result in serious degradation of our sea-based deterrent capability for prolonged periods of time.

The amendment would cause similar problems with our Minuteman forces. Minuteman I is aging and lacks nuclear hardening. Replacing it with Minuteman II is impractical, because production lines have been shut down, thus our only reasonable alternative is to continue replacing Minuteman I with Minuteman III, but with only one reentry vehicle.

The proposed amendment would, therefore, constitute an intolerable strategic imbalance between the United States and the Soviet Union.

The MIRV weapons on our strategic missile systems are designed to penetrate defenses and thus preserve our deterrent effectiveness in the face of an ABM threat. Even if the proposed escrow restriction did not present technical problems, the continued Soviet ABM activity, including testing of improved ABM interceptors, coupled with the possibility of surface-to-air missiles converted to ABM's, make it prudent to continue to deploy MIRV.

Further, we cannot expect continued progress in the SALT talks if we unilaterally restrict our strategic forces in this manner. Negotiation is normally a two-way street, with each party yielding or gaining in exchange for similar moves on the part of the other. We cannot hope to achieve SALT progress by unilaterally giving up MIRV. In fact, the lack of MIRV might lead the Soviets to conclude that there is no longer any need for further negotiations.

Mr. President, I sincerely urge my colleagues to defeat this MIRV escrow amendment. In so doing, we will help to assure that our SALT team can nego-

tiate from a position of strength rather than weakness and will provide our Department of Defense with the weapons which will help to fulfill their mission of deterring nuclear war.

THE B–1 BOMBER

Mr. GOLDWATER. Mr. President, yesterday, my distinguished colleagues, the Senator from South Dakota (Mr. McGOVERN) and the Senator from Wisconsin (Mr. PROXMIRE) let us share their views on the B–1 bomber. Although the amendment proposed by Senator McGOVERN and supported by Senator PROXMIRE to severely limit the funds for the B–1 development program was defeated, I feel it is still appropriate to present what I consider to be useful clarification of the principal issues they raised.

Mr. President, I have to apologize for not having been present yesterday. I was told no amendments would be brought up. And I spent the day celebrating my 37th wedding anniversary with my wife in the West.

First, let me make it clear that the B–1 program is motivated by the strongly held conviction that the diversity provided by bombers is an indispensable element of our national strategy of deterrence. Corollary considerations leading to the development of the B–1 are the advancing age of the B–52 and the growth of Soviet air defenses.

Given the long lead times involved in the development, production, and deployment of major new weapons systems, we must project our thinking at least 10–15 years into the future. By that time, new and totally unanticipated vulnerabilities may appear in one element or another of our strategic forces, just as they have in the past. The only way in which we can insure that these unanticipated vulnerabilities will not weaken our deterrent before we can act to offset them is to maintain at all times well diversified forces in which each element has distinctly different survival and penetration characteristics.

We now have such forces: bombers, land-based missiles, and sea-based missiles. Each has a different mode for prelaunch survival; further, the bomber has a penetration mode distinctly different from that of ballistic missiles. Thus a diversified force has the strong redeeming feature that a major breakthrough by the Soviets in any one area—offensive or defensive—can affect only that area, and not our overall deterrent. It makes the best of sense to maintain this diversity, and that means it makes the best of sense to have a modern, effective bomber force.

Although I have been discussing the B–1's contribution to deterrence of nuclear war, it should be noted that it could be used in nonnuclear conflicts also. In this respect, bombers are unique among our strategic weapons systems. They alone have the flexibility and capability to support our national objectives across a wide range of possible conflicts—from a quick show of force, to small scale conventional wars, to global nuclear wars. Again, we see the need to maintain a modern, effective bomber force.

Since the B–52 is nearing the end of its serviceable life, and since it does take many years to develop a new bomber—or any major new weapon system—the continuance of the B–1 development program at this time is a prudent step, essential to the entry of a new bomber into the inventory when needed.

Now permit me to address the other issues raised yesterday by Senator McGOVERN and Senator PROXMIRE. First, the penetration capability of the B–1.

The B–1 is designed specifically to counter possible advanced Soviet air defenses. The B–1, by virtue of its low penetration altitude, small radar cross section, and low infrared emission, will have a high probability of passing undetected through the leading edge of the Soviet air defense system—and perhaps even deeper. The effective radar range of a Soviet Airborne Warning and Control System would be considerably shorter against a B–1 than against a B–52. Perhaps of greater importance, the reduced radar cross section of the B–1 permits a sizable reduction, compared to that of the B–52, in the radiated jamming power required to screen the B–1 from Soviet radars. Also, the B–1 could move through the extended defenses expected for the Soviets during the 1980s considerably faster than a B–52, at high or low altitude. This latter feature would be particularly important if the Soviets deploy a large force of improved interceptors such as the Foxbat. Further, the B–1, because of its great volume and weight carrying capacity, will lend itself readily to the provision of a self-defense capability; if needed.

The B–1 will be able to counter Soviet surface-to-air missiles—SAM's—by penetrating at low altitudes. Also, its great speed and small radar cross section will compound the problem presented to the defense by shortening the reaction time available to the SAM defenses.

In addition, the B–1 will carry the Subsonic Cruise Armed Decoy—SCAD—or the Short Range Attack Missile—SRAM—or both. The SCAD can be used for defense dilution, while the SRAM can be used for defense suppression or direct attack on objective targets.

Therefore, there is every reason to believe that the B–1 will be able to penetrate most effectively through advanced air defenses. It is designed specifically to do just that. And, I emphasize at this point that the advanced defenses to which I refer are those which are postulated for the Soviets to have in operation during the post 1980 time frame. This fact is contrary to the impression given yesterday by the Senator from South Dakota that the B–1 was not being designed to counter potential improvements in Soviet defensive systems.

Related to the penetration issue is another issue raised by my colleagues: the B–1's supersonic capability. The key consideration here is the flexibility which the supersonic capability provides to our Air Force. Whether or not we choose to penetrate at supersonic speeds at high altitudes, the Soviets must plan for and deploy defenses to counter such a capability. Moreover, defenses designed to counter high altitude, supersonic bombers are not very useful against low altitude penetrators. Further—and this is most important—there can be no question but that the supersonic capability will facilitate penetration of extended air defenses typified by the Soviet Airborne Warning and Control System and advanced Foxbat-type interceptors. And of course, supersonic capability will be vastly important for penetration through lesser defenses which could be presented by adversaries other than the Soviet Union. So the B–1 supersonic capability will be there for sound reasons—not "to enhance the excitement for strategic bomber pilots and the glamor of Air Force recruiting programs," as we were somewhat curiously told yesterday.

Now let us address the issue of the B–52. Why can we not make do with a so-called modernized B–52?

First of all, it is perfectly obvious that the B–52's cannot last forever; they eventually will have to be replaced. The latest models were delivered to the Strategic Air Command between December 1958 and October 1962. Thus the youngest of these is already more than 8 years old and the oldest more than 12. The Air Force believes the latest models can be maintained in a safe and operable condition at least through 1980.

By that time the oldest aircraft would be about 22 years old and the youngest about 18 years.

How much beyond 1980 these aircraft can be kept safe and serviceable is a matter of conjecture. It should be recalled that the B–52's were not designed for low level operations. Very extensive structural modifications were required over the years to keep them flying in that mode.

Even so, the B–52 is not an optimum aircraft for low altitude operations. It is still quite sensitive to the effects of low altitude turbulence, in terms of loss of aircraft control and airframe damage from fatigue. Consequently, after another decade of operation at low altitude, we can confidently anticipate the need for additional structural modifications, as well as the replacement of many major components.

When viewed in terms of further modifications to the B–52, we must compare the resulting product with the B–1 option. Significant advances have been made in aircraft technology over the past 20 years and the design of the B–1 takes advantage of these improvements.

Even if some way could be found to overcome the inevitable problem of aging—and I believe this would take a change in the basic laws of nature—the B–52 simply will not have the penetration capability that the B–1 will have against advanced Soviet air defense. The B–52 cannot fly as fast; it has a greater radar cross-section; it has a greater infrared emission; and it does not have as great a penetration aid capability.

Furthermore the B–52 is deficient relative to the B–1 in prelaunch survivability, inasmuch as the B–1 is specifically designed for quick reaction, close interval launch, and will be significantly hardened against nuclear effects.

In short, the B–52 is an aging aircraft whose lifespan cannot be extended in-

definitely. And it simply will not have the penetration and prelaunch survivability that a modern force demands.

Now the issue of costs also was raised yesterday. Principally, it was contended that costs are or will be driven unreasonably upward by the requirement for high-altitude supersonic capability and the so-called "inevitable demand" for a new tanker "to accompany the B–1." Further, it was contended that the Air Force attempts to cut costs by degrading system capabilities. Let us look at these contentions one at a time.

I have already told you of the value of supersonic capability—how it will give us excellent operational flexibility and how it compounds, an adversary's air defense problem. Now it was stated yesterday that this valuable capability adds as much as 50 percent to procurement costs. It is not clear to me how that figure was derived, but I can only view it with a measure of skepticism. It is true that the supersonic capability costs money, as might be expected of design aspects which improve total capability. But, the Air Force has studied this aspect closely, and assures me that the subsonic-only penetrator would cost only about 15 percent less than the B–1 in terms of unit procurement costs—and this is, in an important sense, offset by the additional stress on the Soviet defenses.

With regard to tankers, the Air Force has continuously and consistently planned for the B–1 on the premise that it would be supported by the KC–135 tanker aircraft—not a new tanker. Confidence that the KC–135 will be available in the same time frame as the B–1 has been demonstrated by critical evaluations of KC–135 service life remaining. The KC–135 tankers are expected to perform until at least 1985–89, and studies are continuing to determine if the service life could be extended to the 1990's or beyond.

I might say here that I do not mean to imply the Air Force is not considering new tankers. It constantly has to consider new equipment. At the present time a number of existing aircraft are being viewed as a potential carryon if the time comes when KC–135 is no longer serviceable.

A significant point to remember is that the mission stress imposed on the KC–135 cannot be compared directly to that of the B–52; thus their expected lives are not comparable. The B–52 must operate at low altitude in its mission, although it was not designed for this flight regime; whereas the KC–135 operates completely in its design environment. This explains why the KC–135 will be able to operate for a longer period than the B–52, and why we need not be concerned about incurring the cost of a new tanker to support the B–1.

With regard to the idea that attempts are made to cut costs of eliminating important capabilities, some examples are in order to establish a proper perspective for this allegation. First, the internal storage capacity was reduced to cut costs but the original payload goal has been retained in that a number of SRAM's or SCAD's will be able to be carried externally. Next, some minor cost savings were effected by eliminating the requirement for supersonic speed at low altitude. However, the basic reason for this change was not cost, but a full consideration of military utility—principally the greatly reduced number of miles of low-altitude flight available at supersonic speeds.

Now I could go on at length about costs and the experiences we have had in previous programs. But let me assure you of one thing: the Air Force is well aware of the current and projected budgetary environment. It knows, that if this Nation is to get the modern bomber it needs, costs will have to be tightly controlled. It is partly for this reason, and partly the result of good management procedures which has influenced the Air Force into devising the unique aspects of the B–1 development program. These unique features have accommodated the trade-off of design specifications with marginal return for a weapons system which possesses sufficient capability for its operational mission. This emphasis on stringent, but realistic, cost control and the features of "fly-before-buy" policy which are also incorporated into the B–1 program give us full confidence that the cost objectives will be met.

Now there is one final point which was raised yesterday, which I wish to discuss—the strategic arms limitation talks.

A mixed force of bombers and missiles provide the United States with a greater degree of flexibility in arms limitation negotiations. SALT is still in an early stage, and until agreement is reached on the limitation of specific weapons systems—which may take some time to negotiate—it would be highly imprudent for us to prejudice the outcome. Nevertheless, it is reasonable to speculate that, because bombers are not very good "first strike" weapons, their retention by both sides would be a logical provision to include in any agreement designed to enhance stability. Therefore, we certainly ought to keep our B–1 option alive and active.

In conclusion, I believe it is clear that diversified strategic forces will continue to be essential to the maintenance of our deterrent as far as we can see into the future; that bombers will continue to be an indispensable element of these deterrent forces; and that, given the age of the B–52 force and the Soviet air defenses postulated for the future, it is mandatory that we develop a new and versatile bomber—the B–1—on an orderly and deliberately paced schedule. Our national strategy of realistic deterrence demands no less.

Mr. President, yesterday the distinguished Senator from Wisconsin made this statement concerning bombers and the possible improvement of the aging B–52:

> I point out to the distinguished Senator from South Dakota that I intend to speak for about 45 minutes or an hour in support of his position and point out that the B–52, improved, modernized, and brought up to date, can do the B–1 job and do it better.

I do not care to delay the Senate longer. Mr. President, I ask unanimous consent to have printed in the RECORD my discussion concerning reengine possibilities of the B–52.

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

(See exhibit 1.)

Mr. GOLDWATER. Mr. President, I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks: the Air Force response to Senator PROXMIRE on the B–52, a letter written by the distinguished chairman of our Joint Economic Committee to Mr. David Packard on May 24, 1971, the answer of Mr. Packard to Senator PROXMIRE on June 24, 1971, a letter written to me over the signature of Major General Bacalis of the Strategic Air Command in connection with questions I asked at Omaha relative to the reengining of the B–52 and other proposals, and a directive concerning the reengined B–52.

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

(See exhibits 2 through 6.)

Mr. GOLDWATER. Mr. President, finally I ask unanimous consent to have printed in the RECORD a document relating to the B–1 so that Senators may know the extent to which the Air Force is going to determine whether or not reengining of the B–52 would be practicable.

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

(See exhibit 7.)

Mr. GOLDWATER. All I can say in conclusion is that if the diameter of the C–5A engine and the nacelle is 100 inches, if they ever put it on the B–52, it would make it the world's biggest vacuum cleaner. It would suck up every piece of concrete and debris near it and would make it impractical.

Mr. President, I yield the floor.

EXHIBIT 1

WHY NOT REENGINE B–52

In any discussion of what can or should be done to an aircraft built with the technology of the 50's, we should carefully consider only these modifications most urgently needed to maintain the B–52's combat capability in the face of a growing Soviet threat. Toward this end, we have two major areas for improvement: (1) prelaunch survivability and (2) capability to penetrate defenses.

With respect to the first objective, reengining the B–52 would not significantly enhance pre-launch survivability since the B–52 nuclear effects hardness and maximum allowable escape speed would be unchanged. A lower technical risk—and considerably less expensive—approach to improving the B–52's pre-launch survival is to provide the present engines with a quick starting capability which, in conjunction with our present basing plans, is expected to effectively counter possible depressed trajectory SLBM attacks.

A second objective is an improved capability to penetrate. The ability to fly greater distances at low altitudes contributes to penetration survivability and; reengining the B–52 would increase low altitude range and be desirable if it could be done in a reasonable time, at low technical risk, and was not too expensive. However—and this is the important point—reengining would not alter those performance characteristics which collectively contribute most to penetration survivability. Penetration speed would not be increased, radar cross section would not be decreased (if anything, it would increase), the airplane could not be flown any lower,

and the infrared (IR) signature would not be significantly reduced. It is for these reasons that we have chosen to support those programs which contribute most to improving B–52 penetration capabilities; i.e., the Short Range Attack Missile (SRAM), the Subsonic Cruise Armed Decoy (SCAD), Electro-Optical Viewing System (EVS), and continuing improvements in Electronic Countermeasures (ECM). It might be noted that we would much prefer securing funds for continuing the development of SCAD than to spend $40 million for a 24-month prototype program which could at best only demonstrate the "feasibility" of reengining.

POSSIBILITY OF SAVINGS BY REDUCING TANKER AIRCRAFT

With respect to a possible reduction in tanker forces, it is true that some tanker O&M savings might result from a reengining modification to the B–52 G&H fleet. However, our calculations indicate that the heavy investment costs associated with the modifications would not be amortized in a reasonable time.

Based on the classified performance data provided by Boeing, and the aircraft and mission characteristics of the mid-to-late 70s, it would appear that a reengined B–52 G/H force could do the same job as the original force with less tankers. If the theoretical O&M savings of this reduction are compared to the costs of the B–52 reengining program from 1974–78 (both in 1970 constant dollars), economic crossover does not occur until about 13 years after go-ahead. However, it has been the intent of Congress, and a specific OSD Directive that dollars discounted by a factor of 10% be used in examining proposed future investments. If these calculations take into account this discounting factor, economic crossover will not occur until the 28th year. At that time the youngest B–52 would be about 40 years old.

TECHNICAL UNKNOWNS

At this time, the Air Force does not know the technical risks involved in the re-engining proposal. Some of these, which will be examined in an on-going Air Force study, to be completed 1 December 1971, include the loss of aircraft control during assymetrical thrust conditions, effects on the wing and fuselage structure, possible sonic fatigue factors, nacelle design problems, and the long range effects on service life the extra thrust of these powerful engines may have.

Before this report is available we should consider data which is known—

I know this re-engining proposal sounds feasible to the person not acquainted with aircraft or with bombers in particular.

The B–52's are the mainstay of our strategic bomber force today. They were delivered to the Air Force during the 1955–62 period and have demonstrated outstanding versatility since that time. Originally designed for high altitude missions carrying small numbers of nuclear weapons, various models and modifications have evolved to serve subsequent roles such as reconnaissance and large scale conventional bombing in Viet Nam. As the USSR developed high-altitude interceptor and missile defenses, SAC countered with a penetration concept of hugging the earth to avoid detection by airborne search radars and interceptors by hiding in the ground clutter and to underfly the beams of ground search radars.

Since the B–52's were originally designed for smooth high altitude operations, but have been for years forced to operate in turbulent low altitude conditions, some $3 billion has been spent for structural modifications, capability improvements and depot maintenance to keep them in a safe and effective condition until replacement by the B–1 (by 1990, the mid point of the planned B–1 life, the newest B–52 would be 28 years old; older, for example, than the latest B–17's built during World II are today). These monies are considered well spent. Nonetheless, continued use at low altitude uses up the remaining life of the basic structure faster than the originally intended high altitude operations.

Consideration has been given to further modifications, particularly re-engining with four larger latest technology high by-pass engines and resulting with latest improved avionics. In assessing the resulting capability improvement, it must be noted that no matter what is done to prolong the B–52's structural life or to extend its range, it will still have a difficult time penetrating sophisticated air defense by the late 1970's. It will not go any faster, its radar signature cannot be reduced sufficiently to materially improve penetration capability, and its vulnerability to nuclear effects (both in escape from take-off base and in penetration) cannot be significantly improved—but the defenses it must face are constantly improving.

The B–1 will present a much smaller radar signature to airborne and ground search radars during high-altitude approach, substantially reducing the chances of being detected. After descending to low altitude (a two-thirds lower altitude than the B–52I can achieve) the B–1 will have the further advantage of being more deeply immersed in the ground clutter returned to the airborne radar. Should an interceptor be vectored into the area, the B–1's low altitude will keep the interceptor from attaining a position from which his radar can look up out of the clutter; his lack of any significant speed advantage over the B–1 will force him to adopt a head-on approach. From this head-on, look-down approach, he will see a radar signature even further reduced by the engines being obscured from view. The B–52I, in contrast, could be approached from almost any aspect, even from below. The B–1's greater speed will also preclude turnaround sorties by an interceptor, as would be possible with the B–52I. Approaching ground radars in the terminal area, the B–1's lower altitude alone will reduce his exposure. His greater speed will reduce it further, resulting in exposure times one-fifth that of the B–52I. The unique low level ride control on the B–1 allows maximum crew effectiveness to utilize penetration aids and tactics in such low-altitude, high-speed penetrations.

Having supersonic high-altitude performance available in the B–1 provides increased flexibility in its application across all levels of conflict. Even in all-out general nuclear exchange, shallow penetration in lightly defended areas could sometimes best be done supersonically at high altitude. Merely having the capability to penetrate to considerable depth supersonically at high altitude forces the opposition to develop and purchase air defenses against that capability.

For survivability against a surprise SLBM attack, the B–52I would have to be concentrated at the more interior bases of the continental United States. While the B–52I enjoys a take-off distance comparable to that of the B–1, the lower weight and smaller width of the B–1 results in a greater number of airfields to select from for survivable basing. Although the B–52I requires about the same take-off roll distance, the shorter taxi and engine start times and the increased nuclear hardness of the B–1 allow it to reach safe escape distance in the face of shorter SLBM warning times. As a result, it can be based at more widely dispersed locations, further enhancing survivability.

In summary, the B–52 has served this nation admirably for 16 years and, with relatively modest improvements, will continue to do so until the B–1 becomes operational. To make it truly adequate as our primary manned bomber for the 1980–2000 period however, would require not only new engines and avionics, but a radical change in size and shape to reduce radar signature, increase speed and permit lower altitude operation. While in the process of that magnitude of redesign, it would be prudent to incorporate the latest techniques and technology in materials and structures, nuclear hardening, areodynamics, environmental control systems and human factors. Such a scope of redesign has been undertaken—it is called the B–1.

AIR FORCE RESPONSE TO SENATOR PROXMIRE

B–52

The Air Force testified before the Senate and House Armed Services Committees this year on the possibility of re-engining the B–52 G&H fleet. At the request of the Senate Armed Services Staff, the Air Force has secured from Boeing a copy of their preliminary proposal and have provided it to the staff.

The Boeing Company's idea for re-engining was originally briefed to the Air Force in January 1969 and represented the results of preliminary analyses which they had performed to increase the B–52's range/payload capability. Boeing's approach was to modify an Air Force B–52 with four TF–39 engines. Boeing, in 1969, estimated the prototype program would take 2 years and cost $6–10 million. Since no formal proposal was submitted, an official response was not made, however, the Air Force did consider the merits of the Boeing idea.

The B–52s are the mainstay of our bomber forces today. They were delivered to SAC during the 1955–62 period. The earlier models have already been phased out. Thus, by 1980, the remaining G&H models will be about 20 years old. The B–52s were not designed for sustained low altitude operations.

Some $3 billion has already been spent over the years for structural modifications, capability improvements and depot maintenance to keep them safe and effective. Since there are limitations to what can and should be done to an aging aircraft, the Air Force has carefully selected those modifications most urgently needed to maintain the B–52's combat capability in the face of a growing Soviet threat. Another decade of flight might well require more extensive and expensive modifications than in the past.

Boeing's idea would not preserve the B–52. Re-engining the B–52 would not significantly enhance pre-launch survivability since the B–52 nuclear effects hardness and maximum allowable escape speed are unchanged. Additionally, the larger engines would require much greater start time. It is not presently possible to provide quick-starting capability on the TF–39 type engines. Boeing's data on re-engining the B–52 included some structure modifications designed to support the engine installation and therefore would increase the airplane's maximum take-off gross weight. A configuration change of this magnitude would not increase the B–52 flying hour service life but would decrease the service life remaining.

Re-engining would not improve the B–52's survival during penetration of Soviet air defenses. Since the present aircraft are programmed to carry all the payload of which it is capable, it was determined that the greatest enhancement to penetration could be achieved by other means. Therefore, the Air Force is planning to equip the B–52s with the Short Range Attack Missile (SRAM), the Subsonic Cruise Armed Decoy (SCAD), Electro-Optical Visual Sensors (EVS), and continuing improvements in Electronics Countermeasures (ECM).

For some time now, the Air Force has looked for a system that would perform the mission of the B–52 but without the deficiencies. The Air Force used its experience with the B–52 to design an airplane that would react faster to reach a safe escape distance, would take off at a closer interval on each runway, could be dispersed to more runways, and have a designed inventory life of 25 years. The B–1 bomber proposal was the result.

Through a combination of subsystem design and hardness to nuclear effects, the B–1 would reach a safe escape distance from a nuclear detonation over the base much faster than a B–52. The smaller dimensions of the B–1 would permit it to take off with a spacing interval between aircraft of one-half of that of the B–52. The shorter take-off distance of the B–1 would make available about 150 more existing runways than are available to the B–52, thereby permitting greater dispersal and faster reaction by the alert force. Additionally, the B–1 would have a significant range-payload advantage over the B–52. The B–1 would be able to carry twice the bomb load capacity of the older B–52.

The B–1 would have a faster penetration speed, lower penetration altitude, reduced radar cross section and smaller infrared signature than the B–52. These factors combine to preclude a tail-chase intercept by the current Soviet manned interceptors—eliminating a major portion of the Soviet interceptors as a threat.

Finally, with respect to weapon delivery accuracies, the B–1 (by virtue of better avionics) would be able to deliver its payload more accurately than the B–52.

Taking all factors into consideration, the Boeing idea to re-engine the B–52 will not improve the combat effectiveness or extend the life of the Boeing B–52 aircraft.

EXHIBIT 3

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
Washington, D.C., May 24, 1971.

The HONORABLE DAVID PACKARD,
The Deputy Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR MR. PACKARD: Some time over a year ago, The Boeing Company presented to the Air Force a proposal to study the possibility of re-engining and otherwise modifying the G & H models of our B–52 bomber force. What Boeing proposed, according to a company spokesman, was a low cost program whereby it would borrow from the Air Force a B–52 aircraft and several TF–39 engines of the kind presently used on the C–5A. The plane and the engines would be used to construct a prototype with which to evaluate the possibility of replacing the B–52's eight present engines with four new high by-pass ratio turbofan engines such as the TF–39.

Apparently, the only problems envisioned were of a minor technical nature, having to do with the ground clearance of the larger new engines and aircraft control in the event that one of the engines went out. It was thought that both problems might be solved simply by positioning the engines in fairly close proximity to the fuselage. If no substantial difficulties were encountered, the proposal envisioned a re-engining of perhaps the entire 255 aircraft G & H force. Simultaneous with this re-engining, it proposed minor structural modifications to the wings of the aircraft which would ensure the soundness of the B–52 force through 1985. The cost of both the re-engining and the structural modifications was estimated at about $5 million per aircraft, or $1.25 billion for the entire G & H force.

Apart from confirming that such a proposal had, in fact, been made, the Boeing spokesman declined to discuss further its implications, suggesting that inquiries about it be directed to the Department of Defense and the Air Force. That is the purpose of my letter to you today. While it would be unwise to undertake these modifications unless and until they were needed, it is imperative that the Congress be better informed about them. Acceptance of the Boeing proposal might extend the useful life of the late-model B–52's. It might also give us a much more effective airplane.

First, the greater thrust inherent in high by-pass ratio turbofan engines might significantly enhance the pre-launch survivability of our B–52 force, which is increasingly threatened by the prospect of depressed trajectory Soviet SLBM attack. In fact, these new engines, together with the new bomber basing program in progress and other relatively inexpensive changes, might give the B–52's almost the same degree of protection from such an attack as the proposed B–1 bomber would have.

Second, the much lower specific fuel consumption of the new engines could produce a significant increase in B–52 range. According to some aerospace engineering experts, the range of the H models (which already have the rather primitive TF–33 turbofan engine) could be extended up to 25% and the range of the G models considerably more. This increased range might significantly increase the number of our bombers which would reach their targets unrefueled in the event their tankers did not meet them, a possibility worth considering in the light of the Soviet SLBM threat.

Third, this increased range might also make possible reduced tanker support for the refueled two-way mission. It is conceivable that the resultant savings in KC–135 operating costs over a period of years might itself pay for the cost of the re-engining work.

Fourth, the new engines might make possible an increase in the gross take-off weight of the bombers. To the extent it did, the increased weight capacity could be used either to carry more fuel and extend bomber range or, alternatively, to increase bomber payload capacity in terms of SRAM's and SCAD's, thereby enhancing penetration effectiveness against Soviet defenses.

For all these reasons, I am writing to request a copy of the Boeing proposal and any other documents relating to the concept of a re-engined B–52 which Boeing may have submitted.

In addition, could you please answer the following specific questions:

1. When was the Boeing proposal first presented to the Air Force?

2. What was the proposed cost to the Government for the prototype program alone?

3. What time period was proposed to carry out this program and determine the feasibility of re-engining the B–52 G & H force?

4. What response has the Department of Defense made to the proposal thus far and what response is foreseen in the future?

5. Has the Department of Defense conducted any studies of the tanker operating costs which might be saved annually if the present B–52 G & H force were replaced by a force of 255 B–52's equipped with TF–39 or equivalent turbofan engines? If so, what are the respective annual tanker operating costs of these alternative forces, assuming identical mission characteristics and identical recovery bases? How would these tanker operating costs compare with the costs associated with a force of 255 B–1's given identical mission characteristics and recovery bases? Please include with your answer copies of any such studies which have been made.

6. How many flying hours have most of the B–52 G's and H's accumulated to date, and what is their current annual utilization rate? What specific modifications to the wings of the aircraft were envisioned in the Boeing proposal and what increase, if any, in the estimated 12,000 flying hour future lifetime of the aircraft will these modifications produce? How many flying hours have been accumulated to date by B–52 aircraft which lead the force in hours flown in an attempt to foresee possible problems ahead?

I would appreciate receiving your unclassified answers to the above questions, and any other comments you might care to make regarding the Boeing proposal, at your earliest convenience.

Sincerely,

WILLIAM PROXMIRE, U.S.S.

EXHIBIT 4

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., June 24, 1971.

Hon. WILLIAM PROXMIRE,
Chairman, Joint Economic Committee,
Congress of the United States,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your letter of May 24, 1971, concerning the possible usefulness of reengining the B–52 G&H fleet. Initially, I would like to point out that Air Force witnesses have previously responded to questions on this subject during their testimony before the Congress on the Fiscal Year 1972 Authorization Bill.

The Boeing Company's idea for reengining the B–52 G&H fleet with TF–39 engines was briefed to the Air Force in January 1969 and represented the results of preliminary work which the company had done in studying ways to increase the B–52's range capability. The Boeing classified briefing material, some preliminary brochures on the reengining concept, and data on an attendant prototype program were furnished to the Air Force. The initial Boeing prototype program involved simply bolting C–5 engines and nacelles to a B–52 and running a series of tests to demonstrate the feasibility of the reengining concept. Boeing first estimated such a prototype program would take about 20 months and cost $6–$10M. At that time, their rough estimate of total B–52 G&H equippage was $1.25B. The Air Force considered the merits of the Boeing idea, particularly with respect to the technical problems involved and the relative increase in low altitude range. The technical problems, including loss of aircraft control during assymetrical thrust conditions and insufficient ground clearance on outboard engine pods, caused Boeing to reconsider their design. Boeing's latest concept of reengining involves a dual-podded configuration for the engines. This program is estimated by the contractor to cost approximately $40 million for a 24-month prototype effort and an additional $1.7 billion to modify the B–52 G/H fleet. We presently cannot validate the accuracy of these cost estimates. It is interesting to note, however, that in recognition of possibly serious technical problems remaining even in the current design concept, Boeing has recommended a contracted engineering study before pursuit of the prototype program. The Air Force has initiated a study of potential costs and many technical unknowns in such a modification to have a clearer understanding of it as a bomber improvement option. These technical unknowns include wing and fuselage structural implications, sonic fatigue factors, racelle design considerations, and effects on service life.

In any event, there are limitations to what can and should be done to an aircraft built with the technology of the '50s, and the Air Force carefully selects those modifications most urgently needed to maintain the B–52's combat capability in the face of a growing Soviet threat. Toward this end, we have two major areas for improvement: (1) pre-launch survivability and (2) capability to penetrate defenses.

With respect to the first objective, reengining the B–52 would not, as you suggest, significantly enhance pre-launch survivability since the B–52 nuclear effects hardness and maximum allowable escape speed would be unchanged. A lower technical risk—and considerably less expensive—approach to improving the B–52's pre-launch survival is to provide the present engines with a quick starting capability which, in conjunction with our present basing plans, is expected to effectively counter possible depressed trajectory SLBM attacks.

Our second objective is an improved capability to penetrate. The ability to fly greater distances at low altitude contributes to penetration survivability and, as I mentioned earlier, reengining the B–52 would increase

low altitude range and be desirable if it could be done in a reasonable time, at low technical risk, and was not too expensive. However—and this is the important point—reengining would not alter those peformance characteristics which collectively contribute most to penetration survivability. Penetration speed would not be increased, radar cross section would not be decreased (if anything, it would increase), the airplane could not be flown any lower, and the infrared (IR) signature would not be significantly reduced. It is for these reasons that we have chosen to support those programs which contribute most to improving B–52 penetration capabilities, i.e., the Short Range Attack Missile (SRAM), the Subsonic Cruise Armed Decoy (SCAD), Electro-Optical Viewing System (EVS), and continuing improvements in Electronic Countermeasures (ECM). It might be noted that we would much prefer securing funds for continuing the development of SCAD (which you recently endorsed) than to spend $40 million for a 24-month prototype program which could at best only demonstrate the "feasibility" of reengining.

With respect to your comments on a possible reduction in tanker forces, it is true that some tanker O&M savings might result from a reengining modification to the B–52 G&H fleet. However, our calculations indicate that the heavy investment costs associated with the modification would not be amortized in a reasonable time.

Based on the classified performance data provided by Boeing, and the aircraft and mission characteristics of the mid-to-late 70s, it would appear that a reengined B–52 G/H force could do the same job as the original force with less tankers. If the theoretical O&M savings of this reduction are compared to the costs of a B–52 reengining program from 1974–78 (both in 1970 constant dollars), economic crossover does not occur until about 13 years after go-ahead. However, it has been the intent of Congress, and a specific OSD Directive that dollars discounted by a factor of 10% be used in examining proposed future investments. If these calculations take into account this discounting factor, economic crossover will not occur until the 28th year. At that time the youngest B–52 would be about 40 years old.

Moreover, the suggestion that such a modification would result in a surplus of KC–135 tankers is not necessarily true. Our best option in this case would probably be to retain the existing tankers for use in conjunction with the improved performance of the reengined B–52 to enhance the probability of survival of bombers to the recovery base by increasing the distance flown at low altitude after the last target. Furthermore, KC–135s are also committed to support tactical forces in contingency operations. Any future prospects of reducing the tanker force would have to take into account our tactical support requirements at that time.

In response to your question concerning accumulated fleet flying hours, the B–52 Gs and Hs now average 5400 and 4600 flying hours, respectively, and are currently adding flying hours at an annual rate of 440 hours. Our lead-the-fleet B–52 aircraft have flown as follows: B–52D—10,400 hours; B–52G—9700; B–52H—8900. Boeing's data on reengining the B–52 included some structural modifications designed to support the engine installation and also to increase the airplane's maximum takeoff gross weight. Boeing did not identify how or to what degree the wing modification could be expected to affect the service life of the aircraft. A decrease in the service life remaining is always a possibility in any configuration change where extension of service life is not specifically addressed.

Finally, in regard to your desire for an unclassified response to your letter, both the Boeing brochures and the detailed calculations on possible tanker reductions are classified. These documents are available and will be forwarded to your office if you desire.

Sincerely,

———— ————.

EXHIBIT 5

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS STRATEGIC AIR COMMAND,
Offutt Air Force Base, Nebr., Aug. 16, 1971.

Reply to attn of: XP
Subject: Four Engine B–52 Proposal
To: Senator Goldwater

1. During your visit to SAC Headquarters on 6 August, you requested any information we might have on this proposal. I understand that you have a copy of the unsolicited proposal from Boeing along with some performance charts from one of their more recent studies.

2. As you know, a major multi-command study is now under way within the Air Force to validate the data and evaluate the technical feasibility of the unsolicited proposal. Estimated completion date is 1 December 1971.

3. Any attempt at a preliminary evaluation of the concept is inhibited by the very limited availability of validated engineering data. If the Boeing claims were accepted at face value, the re-engined aircraft might possibly be able to operate at increased gross weights which could increase range and low level distance or loiter time, and reduce somewhat the amount of tanker support required. Similarly, improved takeoff performance and escape time, decreased IR signature at certain look angles, additional jettisonable external fuel tank or store locations, reduced engine smoke, improved sound pressure levels, and reduced O&M costs might be possible. Countervailing these possibilities are major potential problems of cost, increased radar cross section, and slow engine start timing (TF–39 engines are started electrically). Equally disadvantageous are problems of wing structure design, sonic fatigue to the fuselage, and the uncertain effect on aircraft service life. Basic problems of engine-to-ground clearance, wake turbulence, and aircraft control with engine loss are also worrisome.

4. Reduced to essentials, the proposal appears to offer only one clear benefit—increased range—and it remains to be seen whether that potential will survive engineering validation. The significance and cost effectiveness of most other alleged benefits are, at best, debatable or offset by countervailing disadvantages. These factors support the following observations:

a. If one attempted to modify the B–52 on the basis of overall mission requirements, as distinct from range only, the resulting design—which would be infeasible in terms of airframe and avionics modification—would approximate the B–1. This merely confirms the limitations on what can and should be done to an aircraft with technology of the 1950s which has been in active service for over ten years.

b. The fundamental question is "how can we best invest limited resources to maintain the B–52 fleet as a viable weapon system in pace with the growing and changing demands of the mission and the threat?" Our studies in depth indicate that the improvements we are currently pursuing are more productive in this sense—and less costly—than the reengining proposal.

5. It is unfortunate that precise engineering data is not now available. As the Air Force study progresses, more confident net assessments for the proposal will be possible.

PAUL N. BACALIS,
Major General, USAF,
Deputy Chief of Staff/Plans.

EXHIBIT 6

RE-ENGINED B–52 G AND H

Required action (briefly): Prepare comprehensive technical study and cost and schedule analysis for B–52 G & H re-engining.

Relayed documents: Boeing Document D–3 5389 Subj: Prototype 4–Engine B–52 G/H dated Oct. 69.

Direction: AFLC with AFSC and SAC assistance will conduct a study of the B–52 G and H re-engined with high bypass ratio engines. Results are to be provided this headquarters as soon as practicable.

To assist in evaluating the impact of reengining on the aircraft structure, consideration should be given to supplementary technical review by a committee of experts, independent of the contractor and the cognizant Air Force agencies.

Guidance: The study is to include at least the following areas in terms of feasibility and cost:

1. Wing and fuselage structure implications.
2. Asymmetrical thrust implications.
3. Nacelle design parameters, including potential for RCS reduction.
4. Service life implications.
5. Aircraft systems re-design and interface.
6. Long term operations and maintenance.
7. Increasing maximum gross weight.
8. Increasing low-level and escape speeds.
9. Quick starting systems for engines.
10. Infra-red signature reduction.
11. Nuclear effects vulnerability.
12. Prototype program addressing key technology areas.

Funds: Study will be accomplished using in-house resources to maximum extent possible. Submit justification for additional fund requirements.

W. A. MURPHY,
Originator.

EXHIBIT 7

THE B–1's ROLE IN NATIONAL STRATEGIC POLICY

MAY 26, 1971.

The strategic manned bomber is one of the three elements of this country's strategic deterrence posture, usually referred to as the Triad (three-pronged). The Triad consists of (1) manned bombers, (2) Intercontinental Ballistic Missiles—ICBM's, and (3) Submarine Launched Ballistic Missiles—SLBM's. The Triad, if kept up to date, would be strong enough to survive an enemy nuclear surprise attack with a retaliatory force capable of inflicting unacceptable destruction on the aggressor's homeland. An enemy assessing the strength of a Triad equipped with modern weapons would realize it would be suicidal to launch a sneak attack.

The three systems of the Triad, operating in totally different environments (land, sea, and air), are sufficiently different in reaction times, vulnerability, and methods of delivery to eliminate a potential aggressor's ability to defeat or defend against them. An attempt to destroy each element of the Triad at the same time becomes impossible because an attack on one provides a warning to all of them. No single conceivable offensive weapon, defensive system, or technological innovation could stop all elements of the Triad. Elimination of any of the three systems (particularly true of the bomber) greatly reduces the effectiveness of those remaining. The B–1 is designed to replace the aging and near obsolete B–52 and assure that the manned bomber element of the Triad will remain a strong deterrent through the 1980s and 1990s.

In addition to deterrence of general nuclear war, the United States' policy is also to deter aggression at lower levels of conflict and further to deal with the aggression and suppress escalation should deterrence fail.

The manned bomber is by far the most flexible weapon in our strategic force. An all

missile force, for instance, would be an all-nuclear force and therefore offer a President a "no-other choice" response.

Accuracy and warhead size achievable with manned aircraft provide the best method of attacking hardened targets (dug-in, reinforced, etc.) while minimizing non-target damage. The capabilities of launch and recall, multiple use, assessment of damage done by U.S. missiles, and reconnaissance-strike against undamaged or previously unlocated targets obviously make the manned bomber an indispensable member of the Triad.

Recognition of the uncertainties in assessing what the political and technological environments will be during the 1980s and 1990s further underlines the need for flexibility in our strategic posture. Possible technological developments in such areas as Multiple Independent Reentry Vehicles (MIRV), Anti-Ballistic Missiles (ABM), orbiting and partial orbiting defensive and offensive systems, Anti-Submarine Warfare (ASW), and laser weapons preclude reliance on any one type of strategic system or delivery method.

Uncertainties as to what the political climate will be in the future allow for a wide range of potential threats. In particular, the considerations of third country actions strongly confirm the wisdom of including the flexibility provided by the modern manned penetrating bomber in the strategic force of the United States.

PROGRAM MANAGEMENT/COST

JUNE 4, 1971.

The USAF has long recognized the cost sensitive environment for the B–1 procurement. This system and its options have been exhaustively studied by both the Air Force and industry since 1965 at a cost of $140 million. Capabilities have been scrutinized and traded-off in many key areas to assure minimal production unit costs, while retaining required effectiveness.

Program development is keyed to the following objectives to assure realization of the cost goals:

Minimize early year funding levels for a controlled "milestone" approach.

Minimize government investment to a "fly-before-buy" production decision point.

Provide earliest visible hardware flight demonstration.

Retain orderly transition to production and a suitable timely introduction into inventory.

Perhaps the most significant factor of all is that for the first major program in many years the B–1 is a "fly-before-buy" approach with twelve months of flying before the production decision is made. The prime contractors, the subcontractors, the Air Force, and Congress will know what we have and how much it will cost before production commitment. The problems that have occurred in most recent cases have occurred in the test and development phase rather than in production. Moving into production before the R&D phases are completed can involve major costly and time consuming changes or fixes in the early production articles. In many cases the fixes also degrade performance. In attempting to regain performance, further delays and cost increases can occur. "Fly-before-buy" precludes these problems.

Another significant factor was the decision to plan on a "stepped" avionics approach for production, adjusting with time in order to take full advantage of then available "on-the-shelf" developments, as well as changes in the threat. Advancements in avionics state-of-the-art continue independent of the B–1. In this manner, the latest developments can be applied to the latest assessment of the threat. A basic flight electronics system will be provided for the flight test program. The early production avionics system is scheduled to incorporate then available "off-the-shelf" equipment. With this schedule, the original five prototype flight articles have been reduced to three which will be flown and tested for one year before a decision is made on any production system.

The B–1 approach is to utilize existing auxiliaries (i.e., tanker, weapons, etc.) to the maximum degree. For example, the B–1 is designed to be completely compatible with and achieve its required range with the current KC–135 tanker. Minor modifications to the tanker may be required for operational considerations of basing and reaction time. A more likely event is that the KC–135 will be eventually replaced whether there is a B–1 or not. SAC is the tanker support manager for all services, and only a small portion of the fleet is required to support SAC bombers. A new tanker would incorporate basing and reaction time compatible with the B–1 without significant additional cost, and also would increase refuel range.

Likewise, with respect to the weapons currently in various development stages. The SRAM off-set air-to-ground missile is designed for the B–52 and FB–111, and will be required for the continued updating of these inventory bombers whether a replacement B–1 is ever built or not. The same is true for the SCAD armed decoy which is being planned for improving the future penetration survivability of the B–52 and FB–111 bombers.

GFY 72 FUNDING

THE COMPROMISE FOR B–1 GFY 1972 FUNDS HAS ALREADY BEEN MADE

In the case of the B–1, the USAF has long recognized the cost sensitive environment. Soon after contract award, the Secretary of the Air Force ordered that performance trade-off studies be conducted to reduce unit production costs. The project, known as "FOCUS" analyzed trade-offs between costs and various performance aspects of the B–1 system, such as supersonic speed, range, payload, refuel altitude, avionics concept, and titanium content. Project Focus was successful in reducing the production unit costs primarily in the areas of avionics and reduced titanium content. In conjunction with Project Focus, it was further directed that the GFY 1972 funds requirement of the B–1 Program be reduced from 569 million to a maximum of 400 million. The Air Force subsequently reduced the requirement to 370.3 million. To offset an obvious program slip (See chart.), the SPO Director took action to replan the RDT&E program to absorb the reduced early funding levels while still maintaining the scheduled Critical Milestones. The results of this study, known as "Innovations" were implemented to provide new and innovative management approaches to the B–1 Program.

The objectives of the innovated B–1 RDT&E Program are to achieve overall lower development costs, while still maintaining the requirement to develop an efficient, supportable weapon system; and to minimize the Government's investment up to the point of production decision. The latter was accomplished by deferring the production decision until one year after first flight, thus greatly reducing concurrency between the development and production program under the fly-before-buy concept.

Program plan	GPY 1972 funding	Total R.D.T. & E. program	1st flight
Original contract	$569M	$2.682B	45 Mos.
"175 Plan" (reduce early year funding).	$400M (Max)	$2.768B	52 Mos.
Innovations plan	$370.3M	$2.283B	47 Mos.

In summary, the B–1 Program has been optimized to the GFY 1972 370.3 million funding level through SECAF direction and has continued to be viable through the cost reduction actions of "Innovations." Further reductions in funding levels would increase RDT&E costs, cause a serious contraction of a growing subcontractor and supplier network, delay first flight and IOC, and consequently, a substantially weaker deterrent posture.

The B–1 Program has made its 1972 compromise. Further reduction in funding would be "Penny Wise and Dollar Foolish."

MAY 27, 1971.

SUPERSONIC SPEED: A KEY CAPABILITY FOR THE MODERN MANNED BOMBER

The capability of supersonic cruise performance is mandatory for a truly modern manned strategic bomber that will have to be operated in the 1980s and 1990s as a key element of this country's strategic force.

Flexibility, which is the manner bomber's greatest advantage over missile systems, is greatly enhanced by the supersonic capability. The ability to accelerate to supersonic speeds in order to skirt or make an "end run" around interceptor concentrations, airborne warning aircraft control systems (AWACS), or other sophisticated defenses is an example of the tactical versatility provided by the B–1's Mach 2 plus capability.

The SRAM (short-range attack missile) which the B–1 is designed to carry, is an offset missile—one capable of being launched in any direction from the aircraft. This SRAM capability eliminates the need to fly directly over the intended target and through heavy defense concentrations. A B–1 flying at supersonic speed increases the capability of the SRAM, by more than doubling the offset range of the missile when launched at high altitude.

The higher aircraft thrust-to-weight ratio required for supersonic flight results in higher acceleration capability which aids in escaping potential nuclear SLBM attacks against air bases.

Supersonic response times can also provide the operational flexibility to suppress escalation of brush-fire wars or contain international incidents. For example, if the U.S. could have provided a one-hour response at the beginning of the Pueblo incident off the coast of Korea it is quite likely the following incidents of capture and imprisonment for the Pueblo crew could have been deterred.

The "Productivity" of an aircraft; i.e., to do useful work, is measured by multiplying the aircraft velocity (speed) by the aircraft payload. The supersonic capability coupled with its larger payload capacity gives the B–1 a "Productivity" approximately 13 times that of the subsonic B–52.

The above important advantages of having a supersonic cruise capability in the B–1 only adds 16 percent to the flyaway cost. In addition to the previous advantages outlined, having above supersonic high-altitude performance as well as near supersonic low-level capability in the B–1 forces the enemy to expend large sums and scientific talent for multiple defense systems which have to guard against the possibility of two kinds of attacks.

Threats which can't be predicted at this time and the guarantee of technological developments over the next 30 years demand a versatile manned bomber.

Possible technological developments in such defense systems as radar, ECM (electronic counter-measures), and Lasers could tilt the survival and effectiveness advantage toward high-speed, high-altitude operations. It is agreed that no one could have predicted the developments of the past 30 years, or their impacts.

JUNE 4, 1971.

STRATEGIC PAYLOAD AND RANGE

The value of the strategic bomber is based on the capability for accurate delivery of large payloads over long distances for target

strikes. The ranges required for strategic bomber operations in Europe during World War II with overseas basing in England were short as compared with current B–52 mission with basing in the U.S. Each successive strategic bomber has taken advantage of technological gains for greater payload and range than its predecessor in order to meet increased targeting requirements. The B–1 continues this trend in order to renew the deterrent effectiveness with a fleet one-half the size of the B–52 force.

The B–1's internal payload capability provides:

1. Reduced drag for longer range, and eliminates the environmental problems associated with external carriage of stores over long distances at high speeds.

2. Greater payload flexibility when mixes of offensive missiles, bombs, and decoys must be carried.

3. Additional weapons, over and above those required for target strikes, that can be allocated for SAM and air base defense destruction.

The payload of the B–52 has been increased through expensive modifications to nearly three times that of its original design. The increased payload was required not only to strike more targets, but to carry weapons and defensive aids that could be used against an ever increasing threat. The new B–1 payload will be twice that of the current B–52, thus ensuring continued capability against future threat increases.

The intercontinental range of the B–1 assures complete target coverage of the Soviet Union, including the capability of reaching and destroying even those targets heavily defended with ABM's. Equally important, the B–1 has the range to strike targets in any aggressor nation in the unpredictable future world without reliance on overseas basing. When the B–1 arrives, it is prepared to deliver a previously unparalleled quantity of payload.

In the post-1978 time period, the B–1 will be the primary manned strategic system in the Triad. When the Soviets develop an effective defense against the U.S. ballistic missile forces, the U.S. will necessarily depend to an even greater degree on the strategic bomber for effectively striking preplanned targets. The larger payload and increased range, along with the improved accuracy and penetration survival capability of the B–1, as compared with the older B–52, will insure that a larger number of the assigned targets can be destroyed. The larger payload and range will also increase strategic manned bomber capability to deter aggression at all levels of conflict anywhere in the world.

LOW ALTITUDE PENETRATION

JULY 13, 1971.

The B–1 is designed for high survivability during penetration to sustain its credibility as a lethal retaliatory weapon and, therefore, as a deterrent to nuclear warfare. The primary design features contributing to penetration survival are the propulsion, variable geometry wing, and the unique low level ride control systems which permit deep penetrations flown entirely at very low altitudes at a speed 55 percent faster than the B–52. This low altitude high speed penetration capability reduces exposure time to the defense. For example, even the advanced Soviet fighters such as Foxbat will not be able to make multiple turnaround attacks against the B–1, while these are possible against the slower moving B–52's. Also of extreme importance, the superior B–1 penetration speed at low altitude precludes a tail chase intercept by Soviet manned interceptors—eliminating a major portion of the Soviet interceptor threat. Further, the low altitude precludes Soviet fighters from making an attack from below the bomber. Therefore. only fighters with a look-down, shoot-down capability can make an effective attack. This capability postulates very advanced and expensive radar and missile performance which is not anticipated to be achievable for many years, and even then will be vulnerable to countermeasures which the B–1 will incorporate.

At the time of the B–70 development, higher and faster was the only option available in the propulsion state-of-the-art to enhance bomber penetration survival against the manned interceptor defense systems. It has taken several years of aerodynamic and propulsion development to open the additional option of low level penetration at intercontinental ranges. The B–1 is being designed to exercise that option, and still retain the high altitude, supersonic capability to increase its versatility as an effective deterrent in the ever broadening spectrum of conflict environment.

All defensive functions are degraded in some degree when faced with a low level, high speed penetrator. Defense surveillance radars, if they can tract at all, can only provide intermittent, brief flashes of data so that the defense commander cannot form a coherent picture of battle progress to coordinate his defenses. During low altitude penetrations over western Russia, the most heavily defended area in the world, the ground-to-air defense surveillance system would be unable to detect the B–1 during 80 percent of its time in hostile air space. A projected 73 percent of all Soviet SAM's were designed to combat high altitude penetrations and will be completely ineffective against the low altitude penetrator. Only 9 percent of Soviet interceptors and fighters will have search radars designed to have any look-down, shoot-down capability against low altitude penetrators. For the foreseeable future, systems designed to have a capability at low altitude must rely on clever, intricate data processing tricks which simply preclude a high kill probability against a modern penetrator. A further constraint is imposed on the defense by the low level penetrator: the liberal use of medium- or high-yield nuclear warheads in defense, conceivable against high altitude penetrators, must be constrained in degree if used at all defending the homeland against low altitude penetrators.

Another significant primary design feature of the B–1 contributing to its superior penetration capability is the reduced detection cross section seen by radar trying to detect or track the B–1. The design goal is a detection cross section less than *one one-hundredth* that of the B–52. Picture a sweep of interceptors hunting with radar for low flying penetrators; it will take three times the number of interceptors to close the net on the B–1 as for the B–52.

A selection of subsystems collectively known as penetration aids will be included in any B–1 production aircraft which will enable the crew to detect, monitor, and identify hostile electromagnetic emissions and selectively evade, jam, confuse, or saturate them with ECM, decoys, flares, and chaff. The Subsonic Cruise Advanced Decoy (SCAD) that is planned as a replacement for the B–52's Quail decoy can also be used with the B–1 as a penetration aid. If the SCAD is armed with a nuclear warhead, it, too, must be attacked, further straining the defenses.

The B–1's primary nuclear weapon is the Short Range Attack Missile (SRAM) being developed for the B–52 and FB–111. This weapon gives the B–1 an offset kill capability so that defenses may be avoided or attacked. Raid timing and planning will allow later waves of B–1's to attack their targets safely after the defenses have been "rolled back."

In summary, the suggestion of impregnable defenses against strategic aircraft simply cannot be realized in the foreseeable future. Goering assured Hitler of the impenetrable defense of Berlin, yet 93 percent of allied bomber strikes reached their tarkets. A truly modern and flexible strategic aircraft, as the B–1 is, cannot be negated.

THE MANNED PENETRATOR VS. SOML

JUNE 15, 1971.

Among the many issues involved in replacing the aging B–52 Strategic Bomber is the choice between a manned penetrator versus a stand-off missile launcher (SOML). Of the factors to be considered, cost, accuracy, damage assessment, survival, and flexibility are the most significant.

Cost analysis has shown that the unit cost of a combination of the B–1 type penetrator coupled with an offset (360 degree aiming capability), short range attack missile (SRAM is 18% less costly than a less sophisticated, non-penetrating SOML coupled with a necessarily much longer range, more costly stand-off missile. Since the SOML concept is also less effective, the cost to kill as many targets as the B–1 would be 6 times as great.

Far greater total system accuracies are available from a penetrator utilizing short range missiles and bombs than an SOML utilizing cruise or ballistic type stand-off missiles. This improved accuracy (a factor of from 2 to 7, depending primarily on launcher location exactness) reduces the number of weapons required to kill hard targets such as enemy ICBMs and control centers. It also permits the use of conventional warheads if the situation requires. An air launched stand-off missile must have range similar to the Polaris SLBM in order to keep the vulnerable, low performance launcher aircraft outside the enemy air defense perimeter. The development and unit cost of such a missile is not only costly, but simply adds another missile to the existing ICBM and SLBM force. The result is an all-missile force which is an all-nuclear force and, therefore provides no other response option.

The ability to assess target damage is a unique feature of a manned penetrator system. With stand-off missiles only, we would be essentially operating blind. We would have little or no knowledge of what has been or has not been accomplished in the target area. We would not know whether previously launched missiles ever reached the target area, hit the target, or were duds. This information is vital in two respects: (1) without damage assessment, more weapons must be assigned to each target to insure target kill; and, (2) without damage assessment, intelligent decisions cannot be made concerning follow-on actions. Control of future events is reduced because we would not know who is winning.

Survival considerations favor the penetrator-SRAM system. If the standoff missile is ballistic, as in the case of the Skybolt, then a singular defense system (ABM) would apply to all three elements of the Triad. If the stand-off missile is a cruise type, it is subject to the same defenses as the manned penetrator aircraft without the benefit of extensive penetration aids, employable tactics, or the high speed terminal target entry of the SRAM, which can be launched without overflying the defended target. The SOML itself becomes more vulnerable with time since extended land and sea-based missile and interceptor ranges would be relatively easy and inexpensive for the enemy to obtain.

The penetrator system approach always has the flexibility to be provided with an alternate stand-off role if future events warrant. The SOML can never be expected to be any better in a penetration role than the B–52 it replaces.

Several stand-off missile concepts have been proposed, but all are subject to the same deficiencies discussed previously. These deficiencies, along with the added cost of a new missile system to achieve the ranges required for target coverage, are serious drawbacks to the stand-off missile concept.

The adaptation of existing medium and short-range missiles to existing aircraft launchers to achieve the required total ranges is not feasible nor economical. For example, a B–52-SCAD SOML system concept can provide only 30 percent of the assigned target coverage and would be of no value in a less than nuclear conflict.

From the results of these studies, it is clear that the manned penetrator-SRAM system provides the lowest cost and most effective solution to the problem or replacing the B–52 and extending the proven deterrence of the Triad into the future.

B–1 vs. B–52 SCAD

JUNE 1, 1971.

The subsonic cruise armed decoy (SCAD) is a SRAM-size, air-breathing missile designed to appear on the enemy's radar screens to be a penetrating bomber. These decoys dilute and confuse the enemy air defense system and seriously weaken the defenses encountered by the bombers themselves. SCAD is initially intended for extending the survivability of the B–52 and FB–111, but the B–1 is also designed to utilize it, as required.

In its role as a decoy, the 1,600-pound missile would be capable of cruising at the same speeds and altitudes as the bombers, tracing flight paths (up to 1,000 miles) such as bombers would follow, simulating bomber radar reflections, radiating jamming signals, and otherwise behaving like a penetrating bomber. Including a 200-pound nuclear warhead and terminal guidance would give it additional target kill capability.

Employing it as a standoff long-range missiles, launched from a B–52 has been suggested as a substitute for manned penetration. This B–52 SCAD concept has many deficiencies that have eliminated it as alternative to the B–1/SRAM penetration system.

Because of the large distance involved in the standoff concept and the launcher position errors, the SCAD warhead cannot be delivered as accurately and consequently, is effective only against soft targets. This means that more SCAD's than SRAM's would be required to kill a target. In penetrating to the target area after launch, the cruise missile is subject to the same defenses as penetrating bombers without the benefit of the extensive penetration aids (air-to-air defense missiles and IR decoys for terminal penetrations) and tactical maneuvers (circumnavigating previously unknown defenses) available to the bomber. This again increases the number of SCAD's required. Nor is the B–52 necessarily safe from temporary extensions of the enemy defenses beyond their normal reach. Finally, the limited range of the SCAD, launched at a safe standoff distance, can reach only 30 percent of the targets in the Sino-Soviet region.

To achieve full target coverage in this region, a standoff missile, with a range of 1,500–2,000 miles would be required. (The Polaris, in comparison, is a standoff sub-launched ballistic missile with 1,500 n.mi. range.)

A standoff missile designed to deliver a SRAM-size warhead over distance would weigh about 5,000 pounds. This long-range version (LRSCAD), cruising over the same 2,000 nautical miles as a penetrating bomber but without the benefit of the penetration aids and real-time tactical options available to the bomber, is, by virtue of its size, even more susceptible to the defenses in the area penetrated. In addition, it must fly directly into the target defenses. Its delivery accuracy would still be significantly less than that of a SRAM warhead delivered at much shorter ranges from a penetrating bomber. To destroy the same number of hardened ICBM silos, many more LRSCAD's as SRAM's would be required. Our SAC pilots, flying the much more survivable B–1, could deliver (with even greater effect) more SRAM's than the B–52 used as a LRSCAD launcher.

If, even in the face of these deficiencies, the B–52/SCAD were used, at some time in the 1980's the aging B–52's would have to be replaced. Cost analysis has shown that the combination of the B–1 penetrator coupled with SRAM is 18 percent less costly than development of a new standoff missile (LRSCAD) and a new launch vehicle. Not only would such a new system be much less effective, because of the inaccuracy of long-range delivery, but it would be limited to this one nuclear role (as against the B–1's many potential uses). In the event of a large-scale retaliatory strike against ICBM silos and other military targets, not only is the manned penetrator more effective in weapon delivery but it also has the unique ability to accurately assess target damage resulting from its own weapons or those from previous sorties. With no knowledge of what we have accomplished, more missiles must be launched to achieve a given level of target destruction and intelligent decisions concerning follow-on actions are very difficult to make.

Because of the inaccuracy, vulnerability, and blindness of the long-range stand-off missile, both the effectiveness of immediate actions and the control of future events is reduced.

THE B–1 AND AERIAL TANKERS

JULY 13, 1971.

The Strategic Air Command is assigned world-wide responsibility for aerial refueling support for the entire Air Force, with only a portion of the refueling tanker fleet required to support SAC bombers. The present SAC tanker fleet comprises KC–135 aircraft and is more than sufficient to provide the total refueling required for all proposed B–1 operations. The B–1 bomber will be completely compatible with the current KC–135 tanker, not only in obvious design features such as the mating mechanism for aerial refueling, but also in operational capability. This capability along with the reduction in tanker support required tends to extend the adequacy of the current KC–135 fleet. Unlike the bomber fleet, the KC–135's are not forced into the much more rigorous structural environment of extensive low altitude flight. With the advent of the B–1, decisions on modernization of our aerial refueling capability can be safely deferred beyond funding requirements of currently planned systems, thereby allowing time for tanker design optimization and assurance of minimum cost.

The new B–1 strategic bomber significantly reduces the total Air Force requirement for aerial tankers. In fact, fewer tankers are required to support the B–1 than are required to support the B–52 which it replaces. The increased payload and penetration capability of the B–1 allows the planned force of operational aircraft to provide more effectiveness than a fleet of more than twice that of B–52's. Greater range of the B–1 and better low altitude fuel consumption further reduce tanker support requirements.

However, tanker requirements in general are increasing, driven primarily by the need for more low altitude penetration distance in order to cope with excepted improvements in enemy defenses. Sooner or later we will need a new tanker whether we have the B–1 or not. It must be noted, however, that alternative decisions to pressing on with the B–1 program could create a critical tanker problem and require a new tanker sooner. Should a decision be made to extend our reliance on the B–52 beyond the current phase-out schedule, additional tanker support would become urgent. The increased low altitude penetration leg required by projected enemy defenses would generate additional aerial refueling beyond the capacity of the current fleet. The interim FB–111 requires even greater tanker support as a result of shorter range and much smaller payload. Any expansion of the FB–111 force in the strategic role would immediately overtax the current tanker fleet.

B-1 MILITARY AVIONICS SYSTEM

JUNE 15, 1971.

When the airframe and engine contracts were awarded in June 1970, it was planned that in the development phase of the B–1 program a separate contractor would be selected to develop and integrate the avionics system package. Soon after the go-aheads awards on the airframe and engine, however, the Air Force was directed to defer start of the development of the avionics package until at least two years of development on the engine and airframe had been accomplished and availability of funds was more certain. Since that time a viable "building block" approach for the avionics effort has been developed.

This building block approach which is now up for approval to provide the most cost-effective avionics capability over the entire B–1 lifetime consists of the following:

1. Installation of available "off-the-shelf" Government-furnished "basic flight avionics" in the RDT&E aircraft for the flight demonstration program.

2. Maximum use of then existing, demonstrated "off-the-shelf" avionics equipments to minimize need for new developments for initial production aircraft.

3. "Designed in" avionics/ weapons growth capability to take advantage of USAF-planned and funded technical advances in avionics/weapons required to counter a changing, increasing threat in later production versions as required.

This "innovative" time phased or "stepped" approach is being effectively applied to realize maximum cost of savings while assuring competitive operational capabilities and flexibility. Maximum development consideration must be made for future avionics/ weapons as normally planned by the USAF, whether a B–1 production decision is made or not. The Government's investment in providing the required avionics capability for the B–1 is thus minimized prior to aircraft production decision point, while maximum flexibility is retained for providing the B–1 required future operational defensive and weapons delivery capability.

Unlike previous programs, the B–1 program is structured so that the air vehicle is designed from the beginning to be capable of accepting at a future date, with only minor modifications, technical advances in avionics systems throughout its lifetime. For the RDT&E flight test aircraft, concerned primarily with testing and demonstrating the air vehicle and engine for production decision, existing "off-the-shelf" Government-furnished communications and navigation aid "basic flight avionics" equipment will be installed. For the initial production B–1, optimum application of latest existing equipments, as well as avionics developments in process at the time of the production decision, will provide considerably improved initial B–1 operational avionics capability over that of the FB–111. This real-time phasing of the avionics development program will permit consideration for use of the latest avionics developments which will be proceeding independently of the B–1. The technical and financial plus low-risk advantages of these several factors are considerable.

This approach results in several major advantages to the over-all program and basically provides for:

1. Sizing the basic air vehicle and critical subsystems (such as volume, electrical power and cooling) to be able to accept a most probable future avionics system and locating installation positions for certain structure critical elements such as antennas and inertial platforms.

2. Deferring the start of the development

of the production air vehicle avionics system to the latest feasible data which will provide the latest state-of-the-art capability and still support avionics system availability for initial production aircraft.

3. Optimum application of "off-the-shelf" or other in-process avionics developments which will support B–1 operational requirements.

4. Provisions of "basic flight avionics" communications and navigation aids needed in RDT&E flight test aircraft through installation of existing equipment to be furnished by the Government.

5. Application of funds available for the avionics effort at the most advantageous time for the over-all program.

An Air Force review is currently in progress which will finalize more specific program direction for full implementation of the B–1 avionics effort to the phased approach. The selected approach will be accomplished within the funds previously budgeted for this portion of the B–1 program. Completion of this review and subsequent direction to the Contractor is anticipated by early July 1971.

STRATEGIC ARMS LIMITATIONS AND THE B–1 BOMBER

JUNE 4, 1971.

On May 20, 1971, President Nixon announced that the United States and Soviet Union had joined in a "declaration of intent" to agree to limit defensive missiles and some offensive weapons. This declaration demonstrated a new initiative on the part of both countries to seriously attempt to find a means of curtailing a new arms race. After 19 months of negotiations, the only agreement was to concentrate on those systems and limitations which appear most promising for further discussions and ultimate agreement. The primary questions which still must be settled are which offensive and defensive weapons to limit and by how much.

In any evaluation of the various possible Strategic Arms Limitations Talks (SALT) agreements it is important to bear in mind that the objective of both U.S. and Soviet strategic forces is as a deterrent to nuclear attack. At present, both the U.S. and USSR possess second-strike capabilities in sufficient quantities that a successful first-strike capability by either side is unattainable. This state of mutual deterrence must be maintained without renewing the arms race.

The Soviets want the U.S. to stop deployment of Safeguard ABM systems which will protect its Minuteman ICBM's; the U.S. wants to limit deployment of the giant 18- to 25–MT SS–9 which, when equipped with MIRV warheads, has kill capabilities against U.S. Minuteman ICBM's. Hence, the most likely initial agreement is a limitation on ABM's and ICBM's. Elements of the agreement may be: (1) ABM deployment restricted to national command centers, or the banning of all ABM's and their acquisition radars; and (2) some limitation on large Soviet land-based ICBM's. Strategic bombers will not be a part of the initial agreements because of the problem of defining a strategic aircraft. The nuclear capability of NATO/Warsaw Pact tactical aircraft, carrier-based aircraft, and the potential delivery capability of transport aircraft are difficult to separate from the B–52/B–1 class aircraft.

If and when the initial SALT agreements are completed, further negotiations on a more comprehensive nuclear weapons limitations package will commence. The possible resultant agreements can be broadly grouped into four categories: (1) A ceiling on numbers of offensive weapons, (2) a freeze on payload, (3) a limitation on MIRV's, and (4) a freeze on delivery vehicles.

An agreement which includes a numerical limit on nuclear delivery vehicles with or without separate limits on bombers will favor a B–1 production decision. The much smaller force of B–1's can deliver many more weapons to targets than would be possible with the B–52's and FB–111's. The agreement which would limit bombers separately, may even be more positive for the B–1 because there would be a guaranteed number of bombers in the strategic forces inventory and the B–52 needs to be replaced.

A freeze on deliverable nuclear payload could also favor the B–1 program: (1) if the limitation is on the number of warheads, then fewer B–1's need to be produced; (2) if the limitation is on deliverable megatons, then the B–1 would be needed to carry larger numbers of smaller yield, accurate weapons to targets. Any limitation on MIRV's could have a positive effect on the B–1 program because it could mean that the bombers with SCRAM's would continue to carry the majority of the U.S. nuclear weapons.

The fourth possible agreement, a freeze on nuclear delivery vehicles or warheads so that no new system would be deployed, would not necessarily preclude B–1 production since the B–1 is the only strategic weapon that does not depend on nuclear weapons to be effective. Completion of RDT&E phase of development should continue as a hedge against Soviet noncompliance with the provisions of the agreement. Full support of the B–1 RDT&E program at this time would motivate consideration of such an agreement and would also require a more substantive concession by the U.S.S.R.

In conclusion, the increase in the number of warheads atop missiles (MIRV's) and the resultant requirement for ABM protection have led to a new phase of the arms race. The bomber does not motivate the arms race since it is neither a first strike weapon, a nuclear only weapon nor on a hair trigger; it will be detected long before it arrives over targets; it can be launched, maintained on 24-hour airborne alert, and then recalled; and it provides the precision to pinpoint and control damage as opposed to the massive destruction by missiles. The bomber is the most stabilizing element in the U.S. strategic force. Old, outmoded bombers must, however, be replaced with the new B–1 bombers designed to deter aggression, able to contain various levels of aggression should deterrence fail.

B–521 vs. B–1

SEPTEMBER 13, 1971.

The B–52's are the mainstay of our strategic bomber force today. They were delivered to the Air Force during the 1955–62 period and have demonstrated outstanding versatility since that time. Originally designed for high altitude missions carryinig small numbers of nuclear weapons, various models and modifications have evolved to serve subsequent roles such as reconnaissance and large scale conventional bombing in Viet Nam. As the USSR developed high-altitude interceptor and missile defenses, SAC countered with a penetration concept of hugging the earth to avoid detection by airborne search radars and interceptors by hiding in the ground clutter and to underfly the beams of ground search radars.

Since the B–52's were originally designed for smooth high altitude operations, but have been for years forced to operate in turbulent low altitude conditions, some $3 billion has been spent for structural modifications, capability improvements and depot maintenance to keep them in a safe and effective condition until replacement by the B–1 (by 1990, the mid point of the planned B–1 life, the newest B–52 would be 28 years old; older, for example, than the latest B–17's built during World War II are today). These monies are considered well spent. Nonetheless, continued use at low altitude uses up the remaining life of the basic structure faster than the originally intended high altitude operations.

Consideration has been given to further modifications, particularly re-engining with four larger latest technology high by-pass engines and resulting with latest improved avionics. In assessing the resulting capability improvement, it must be noted that no matter what is done to prolong the B–52's structural life or to extend its range, it will still have a difficult time penetrating sophisticated air defenses by the late 1970's. It will not go any faster, its radar signature cannot be reduced sufficiently to materially improve penetration capability, and its vulnerability to nuclear effects (both in escape from take-off base and in penetration) cannot be significantly improved—but the defenses it must face are constantly improving.

The B–1 will present a much smaller radar signature to airborne and ground search radars during high-altitude approach, substantially reducing the chances of being detected. After descending to low altitude (a two-thirds lower altitude than the B–52I can achieve) the B–1 will have the further advantage of being more deeply immersed in the ground clutter returned to the airborne radar. Should an interceptor be vectored into the area, the B–1's low altitude will keep the interceptor from attaining a position from which his radar can look up out of the clutter; his lack of any significant speed advantage over the B–1 will force him to adopt a head-on approach. From this head-on, look-down approach, he will see a radar signature even further reduced by the engines being obscured from view. The B–52I, in contrast, could be approached from almost any aspect, even from below. The B–1's greater speed will also preclude turnaround sorties by an interceptor, as would be possible with the B–52I. Approaching ground radars in the terminal area, the B–1's lower altitude alone will reduce his exposure. His greater speed will reduce it further, resulting in exposure times one-fifth that of the B–52I. The unique low level ride control on the B–1 allows maximum crew effectiveness to utilize penetration aids and tactics in such low-altitude, high-speed penetrations.

Having supersonic high-altitude performance available in the B–1 provides increased flexibility in its application across all levels of conflict. Even in all-out general nuclear exchange, shallow penetration in lightly defended areas could sometimes best be done supersonically at high altitude. Merely having the capability to penetrate to considerable depth supersonically at high altitude forces the opposition to develop and purchase air defenses against that capability.

For survivability against a surprise SLBM attack, the B–52I would have to be concentrated at the more interior bases of the continental United States. While the B–52I enjoys a take-off distance comparable to that of the B–1, the lower weight and smaller width of the B–1 results in a greater number of airfields to select from for survivable basing. Although the B–521 requires about the same take-off roll distance, the shorter taxi and engine start times and the increased nuclear hardness of the B–1 allow it to reach safe escape distance in the face of shorter SLBM warning times. As a result, it can be based at more widely dispersed locations, further enhancing survivability.

In summary, the B–52 has served this nation admirably for 16 years and, with relatively modest improvements, will continue to do so until the B–1 becomes operational. To make it truly adequate as our primary manned bomber for the 1980–2000 period however, would require not only new engines and avionics, but a radical change in size and shape to reduce radar signature, increase speed and permit lower altitude operation. While in the process of that magnitude of redesign, it would be prudent to incorporate the latest techniques and tech-

nology in materials and structures, nuclear hardening, aerodynamics, environmental control systems and human factors. Such a scope of redesign *has* been undertaken—it is called the B–1.

Mr. PROXMIRE. Mr. President, the amendment offered yesterday by the Senator from South Dakota to delete funds for the B–1 bombers was defeated. We recognize that the main fight on this matter will come when the proposal for production money comes forward. I stand by what I said yesterday. I think a careful reading of the speech just delivered by the Senator from Arizona and my own statement yesterday will indicate that there was a solid basis for my argument against the B–1 and in favor of the far more economical and I think far more effective way I suggested of providing for an air deterrent.

Mr. President, one of the most unneeded systems in the bill before us the Navy's F–14 fleet defense fighter.

I would like to introduce at this time, on behalf of the distinguished Senator from Indiana (Mr. HARTKE) and myself, two amendments relating to the F–14 issue. The first amendment would terminate the F–14 program. The other would authorize $25 million to initiate work on a Navy light fighter prototype program to develop a replacement for the F–14.

I send the amendments to the desk and ask that they be received and printed.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie at the desk.

Mr. PROXMIRE. Mr. President, the Senator from Indiana cannot be here today and asked me to enter into the RECORD a statement by him on the amendments relating to the F–14 fighter program. I ask unanimous consent to have printed in the RECORD at this point my colleague's excellent statement.

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

STATEMENT BY SENATOR HARTKE

Mr. President, I am pleased to join with the distinguished Senator from Wisconsin (Mr. PROXMIRE) in offering these two amendments relating to the Navy's F–14 fighter program.

We fully recognize the need for modification and improvement of our tactical air force to meet the expanded capabilities of potential enemies. However, we do not believe the F–14 can adequately perform the role the Navy has mapped for it.

The F–14 will cost several times more than the aircraft it is scheduled to replace—the F–4 Phantom—with no indication that the additional cost per plane is justified by superior performance characteristics.

In our view it is best to admit now that the attempt to combine the functions of an air-superiority fighter, and a fleet-defense interceptor in one plane has failed. The F–14's lack of maneuverability, attributable to its excessive weight and an underpowered engine, severely compromises its role as an air-superiority fighter; while the proven unreliability of its Phoenix missile system makes it very doubtful that it could successfully perform its fleet defense function in the face of a concerted air and water attack.

With regard to the Phoenix, it must be emphasized that six of these missiles, carried by a fully loaded F–14, would cost $400,000 each, or $2.4 million. This latter figure is the approximate cost of three simple Mig–21's or one of our own F–14 fighters.

As an alternative, we propose the initiation of a light fighter prototype program, similar to that recently launched by the Air Force. This new fighter would be highly maneuverable, with a reliable avionics system and a proven weapons system, all at a cost of $2.5 to $3 million per plane, if produced in sufficient quantity.

It is our position that the F–14 is a very bad bargain. It is costly and there is no indication that it will adequately fulfill its fighter or fleet defense function.

I look forward to discussing this program in more detail during the coming week. In the meantime, I would caution our colleagues against ready acceptance of an aircraft which was designed to be a jack-of-all-trades but is clearly a master of none.

Mr. PROXMIRE. Mr. President, I am sure he will want to say more for himself at a later time. I am sure he believes, as I do that the F–14 amendment is probably the most crucial weapons system amendment which will be offered on this bill.

One of the factors which makes it so crucial is the fact that the House of Representatives deleted all procurement funds for the F–14 from this bill.

Mr. President, a few days ago I said there were two basic questions which had to be answered in deciding whether to buy the F–14.

First, how reasonable is it to build an airplane, equip it with a terribly complicated and expensive air-to-air missile, and then stick it on an attack carrier to protect that carrier and its task force from the spectrum of threats the Soviets can throw against them?

Second, how reasonable is it to rely on that airplane, with all the performance compromises caused by carriage of that missile, as our next generation Navy fighter?

I tried to explain then why the Phoenix missile's fleet air defense mission makes little sense at all. What I want to show today is the fact that it makes even less sense to rely on the F–14 as our first-line Navy fighter of the future.

Here are a few reasons why:

Because a recent Pentagon study convincingly shows that the old F–4, modified only with leading edge slats, could outperform the F–14A at all speeds likely to be encountered in a dogfight;

Because it is almost certain that the F–14 would be no match for new Russian fighters which are likely to be produced over the next 5–10 years; and

Because the Navy could build at one-fourth the cost a new light fighter which could quickly put the F–14 to shame.

It is a basic, straightforward fact that the F–14 costs the most yet has the least performance of all the fighter options available to the Navy. Accordingly, our first priority is to start work now on a new light fighter development program for the Navy. If work were started this fall, new Navy prototypes could be ready for a flyoff in about 2 years. And in another 2 years the first production models would be ready for delivery to the fleet.

An equally important need is to scrap the F–14. The F–14 just cannot hack it as a fighter. Therefore, there is no justification for keeping it going unless we want to buy a limited number of the planes—200 or so—for altogether different missions. But what missions?

Not Phoenix fleet air defense. The mission makes no sense and it could be performed by other aircraft anyway.

And we certainly don't need the F–14 for its interdiction bombing capability. We already have aircraft designed specifically for the interdiction mission which need escorts, not competitors, when they fly.

The third thing we should do is to put leading edge slats on a portion of the Navy's F–4 force. The cost would be minimal and it would give us a fighter better than the F–14A till the new Navy fighter came along.

These are the conclusions I hope to support today. Before they can be reached, three preliminary questions will have to be answered:

What is the role of Navy tactical air?

What is the Soviet fighter threat?

And just what capabilities do we want—and why—in a new Navy fighter of our own?

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

Mr. PROXMIRE. Yes, I am happy to yield.

Mr. GOLDWATER. If the Senator wants me to wait until he finishes his statement, I shall be glad to, but there are certain questions the Senator asks that I would like to comment on.

Mr. PROXMIRE. Fine.

Mr. GOLDWATER. The Senator proposes, as question No. 1: What role does it play? I think that depends on the ultimate answer to what this Congress adopts as the role of the carrier itself. If we eliminate the carrier from the fleet, then there is no need for fleet aircraft. As long as we have the carrier, there is a need for fleet aircraft. So I think the answer to the first question is going to depend a great deal on when we make decisions as to roles and missions of tactical air. Are we going to have four tactical air forces or one?

Mr. PROXMIRE. I think the Senator raises a good fundamental point. He is absolutely right. As I intend to say later, the role of the carrier, in my view, as was indicated the other day, is a definite role. It is a function which should not be eliminated entirely, but it does not have a function in directly confronting the Soviet Union in a nuclear situation, it seems to me. It is very vulnerable.

No matter how much we spend on a fighter plane, it is enormously disadvantageous to have a carrier-based American plane against a land-based Russian plane. Under those circumstances, it seems to me the role of the carrier should be restricted in such a way that we do not need the F–14 to perform this function.

Mr. GOLDWATER. I think the Senator will be interested to learn that, under the chairmanship of the Senator from Nevada (Mr. CANNON), there are going to be subcommittee hearings on rules and missions of tactical air. This has not been decided since 1950 or 1951, when we decided we would have one. Now we have four. I have to say I think it is an extreme waste of money that we have a multiplicity in this particular field of tactical air support.

One other comment regarding the F–4 and modernizing it with leading edge flaps. This was put on to try to correct a very bad stall tendency of the F–4. It has a dangerous stall tendency at very high speed turn, when the airplane will enter a flat spin, and no way has been devised to get out of it except to bail out. I do not think we get the improvement in the F–4 that we would like to have. I think we could compare the F–4 more with the F–15 than with the F–14. I just wanted to bring that point out.

Mr. PROXMIRE. I appreciate that, but, as I have said, the studies that I have seen do indicate that the F–4 can be easily and efficiently and inexpensively adapted so that it can be a far more effective plane than the F–14 as a fighter.

Mr. GOLDWATER. I would say, without knowing of any of the flight characteristics of the F–14—I think they had just about 10 hours of trial—that the F–4 could probably turn inside the F–14 without any trouble. It is smaller and has less wing loading. While the speed is not comparable, the rate of speed is greater. There has been discussion with World War II, Korean, and Vietnam fighter pilots as to what the pilots want. My contention is that an optical sight and a cannon is the ultimate answer to an airplane that is going to engage only in a traditional dogfight.

I think most pilots will agree with that. However, they all agreed that the ability to knock an enemy airplane down in, say, 25 or 30 miles is a lot more desirable than having to chase him out of the sky, and that is where the Phoenix missile comes in, or whatever missile we might have. The F–14 was designed for it. The F–4 could not carry that missile. So you can argue both sides of this fence.

There is a place, as long as we have carriers. As long as we say we have to have carriers in the fleet, then we have to have aircraft specifically designed for them, and the F–4 will not carry the weapons system that is needed for fleet defense, if that is what we want to call it.

Mr. PROXMIRE. Would not the Senator agree that in the past, the air-to-air missiles have not worked, that they have not been very effective?

Mr. GOLDWATER. I would have to agree that the reaction of most pilots from Vietnam has been "take them off," that in anything over a 2–G turn, they are not going to leave the tube, and you are going to have to roll out to get rid of the missile before it blows up and destroys you.

But we have not had enough experience with the air-to-air missile over Vietnam, because of almost total lack of enemy air power, to make a judgment. I lean away from it, to be perfectly honest. I have fired them, and if they would work, the theory is great. But if someone is after you, and you are after someone else, what you need is a cannon and not a missile.

I think this is going to be resolved in the coming year's consideration before the committee. There are, in my opinion, too many missiles, air-to-air, air-to-ground, and ground-to-air. I think we can do with a smaller force. But I do not think we have had enough experience for anyone to be able to say categorically that the air-to-air missile, particularly the sophisticated Phoenix—I like that word, by the way—will not work.

Mr. SYMINGTON. Mr. President, will the able Senator from Wisconsin yield?

Mr. PROXMIRE. I am glad to yield.

Mr. SYMINGTON. I have been listening to this colloquy with interest, especially because of my respect for the two Senators who have been conducting it, their knowledge of the subject. After the Senator has completed his address, which I have read and with which I, in the main, agree, I shall make a short talk in support of his position. But when it comes to air-to-air missiles, with all due respect to my distinguished friend from Arizona, some have worked and some have not.

For example, the Falcon. At one point perhaps the leading pilot in the Indochina theater told me he would never again permit it to be used in his squadron. I understand it has been improved since then. But the Senator is correct; there was a problem, with the G's, in getting it out of the tube.

The Sidewinder, however, has a much better record, and then we also have the Sparrow.

We do have too many missiles. One of the chief logical arguments against the F–14 by the able Senator from Wisconsin, who has devoted so much time to this matter, is that, fundamentally it is a carefully planned program for launching the Phoenix; still, according to testimony we have had recently, an unproved missile, and in any case a very expensive one.

Let us hope, in order to get a few more miles of range, now that we have the improved Falcon, the Sparrow, and the Sidewinder, we will not put billions into this questionable new plane so as to get a launching platform for the Phoenix missile.

The Senator's comments are pertinent. Having once had a cattle ranch in his State, I wish the missile had been called the Tucson, rather than the Phoenix.

But, regardless of names, I know we do not want to have any missile unless it works and is worth the money.

Mr. GOLDWATER. Mr. President, if the Senator will yield on that point, I would not like the colloquy to end without repeating that I do not think that we have had any fair test of air-to-air missiles in South Vietnam. I am thinking of the possibility of a classic war, where we have to get air superiority. We would probably be getting back to the middle stages of World War II, where we had to shoot down enemy fighters at close ranges. The argument for the missile, if it will work, is that if you can identify the planes at great distances—I have got to see it to believe it—and can hit them at great distances, it will eliminate the need, very possibly, for close contact.

If we have that experience—and Lord knows I would not want it and I do not think our country would want to have it—I do not think we can condemn all missiles. I have talked to a great many pilots with experience over Vietnam. Some do not like them at all; some like them. I think if you have a situation where you can identify the enemy and come inside the envelope without his knowing you are there, a missile is a great thing, but if he knows you are there and is trying to get away, it is not worth much.

Mr. PROXMIRE. Mr. President, may I just say the problem—we are building planes big enough, and they are expensive enough, heaven knows, with the F–14 at $16 million a copy, to use these missiles; the reason we have to put that much money in them is so that they can use the missiles. But we ought to test the missiles in this country, and we have not done that. We ought to test the missiles first, before we go ahead with this kind of fantastically expensive program with the F–14.

Mr. SYMINGTON. Mr. President, I understand the Sidewinder works, have heard praise, both from carrier pilots off Yankee Station and also Air Force pilots who have used it. The Sparrow, a considerably longer range missile than the first two, I understand is also working. Why then should we spend over $16 million per plane on an airplane in order to get a launching platform for a missile which will go a few miles further. We badly need a true air superiority fighter. The letter which the Senator from Arizona sent me not long ago, and which he allowed me to use in the hearings, is a bible on how to obtain such a fighter.

I cannot imagine a plane much farther away from being a clean air superiority fighter than the F–14A.

Mr. GOLDWATER. I might tell my friend from Missouri, who was once a rancher in Arizona, that the Falcon is made in Tucson.

Mr. SYMINGTON. I knew that, and thank the able Senator.

(Mr. BEALL assumed the chair as Presiding Officer at this point.)

Mr. PROXMIRE. Mr. President, I understand that the Senator from Kentucky wanted me to yield for a minute or two, for a resolution; is that correct?

Mr. COOK. The Senator is correct.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to yield briefly to the Senator from Kentucky, with the understanding that his remarks will follow mine at the end of my speech—in the RECORD.

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

I. THE ROLE OF CARRIER-BASED TACTICAL AIR SUPPORT

Mr. PROXMIRE. Mr. President, I argued a few days ago that the growing vulnerability of our carriers justified a

reduction to nine in our overall attack carrier force level. Then are two other considerations which reinforce this point.

One is the relative cost of land-based and sea-based tactical air support. Not surprisingly. Navy analysis shows the cost of the two to be about equal, while Air Force analysis concludes that sea-based support is several times more expensive. Depth of service rivalry notwithstanding, such a large disparity can exist only because of the difficulty in determining which costs—particularly in the areas of support requirements, shared defense costs, airlift, and the like—should be included in costing each alternative.

Most neutral observers would agree, however, that an individual sea-based wing is about 50 percent more expensive than a land-based wing composed of the same aircraft. And Navy planes are themselves more expensive at the present time. The Air Force, for example, has had no tactical air counterparts to the Navy's EA–6B electronic countermeasures plane or its E–2C reconnaissance aircraft.

The second consideration is Air Force development of a "bare base kit" which allows it to set up operations within a few days on very primitive airfields, with nothing more than a runway, parking areas, and a water supply of some kind. There are over 1,700 such airfields in non-Communist countries throughout the world, with some in virtually every country. Thanks to the "bare base kit," the Air Force is now able to set up operations in many areas abroad more quickly than carriers can be moved there from the United States.

This is not to suggest for a moment that we should eliminate carriers altogether. I recognize that land bases, even if offered, might be temporarily overrun. And unsheltered land-based aircraft have a vulnerability problem of their own, as demonstrated in Vietnam, where large numbers of such aircraft have been destroyed on the ground, while carrier-based aircraft have operated from a sanctuary granted by the North Vietnamese. Moreover, if we were to institute the changes in carrier defense alluded to in my earlier remarks, carriers would become more competitive with land-based aircraft from a cost standpoint as well.

My only point is that nine carriers would give us the mix between land-based and sea-based tactical air support which a wise allocation of resources seems to require. And it is about time that we thought more about this in sizing our tactical air forces. Unfortunately, the main consideration in Southeast Asia has been to see to it that Navy and Air Force interdiction strikes have been divided up 50–50.

However many attack carriers we decide to have, we will have to count on them to provide the full spectrum of offensive tactical air support missions—interdiction, air superiority, and close air support.

INTERDICTION OVEREMPHASIZED

To date, the Navy, like the Air Force, has given primary attention to the interdiction missions, notwithstanding the negligible results shown in Vietnam, Korea, and World War II. The A–6 and the A–7 are its primary aircraft for interdiction strikes, and the F–14 itself has been given a considerable air-to-surface capability, at great cost both in dollars and dogfighting performance.

And perhaps the best indication of the Navy's limited affection for close air support was provided in this year's hearings before the Senate Armed Services Committee. When asked what aircraft the Navy would be using for close support in the next few years, Admiral Connolly replied:

> Well to a very large degree we will use A–7's, and as long as we have A–4's we will use A–4's, and we have used F–4's when it was necessary. And the Marines will be using the Harrier. And I wouldn't be surprised under some circumstances that they will load the F–14 up because it covers a lot of real estate and can carry a big load of bombs and under circumstances it might turn out that the F–14 would do close air support.

Unfortunately, the A–4 is the only aircraft at all suited to close support in the Navy's inventory, and as Admiral Connolly indicated, it already is being phased out. Once it is gone all the Navy itself will have for the mission is one interdiction aircraft and two fleet air defense fighters.

AIR SUPERIORITY IS KEY

But air superiority is the subject today, and in many respects, the air superiority mission is more important than either close support or interdiction, since there is no way that either close support or interdiction aircraft can be made to influence land battles in progress unless we have air superiority in the first place.

The F–4 has been since 1961 and is now the air superiority fighter of the Navy, going through several different versions over the years. Originally developed by the Navy alone, it has been the front line fighter for the Air Force as well. But while Navy purchases ceased after fiscal year 1970, the Air Force bought some late model F–4's last year and will do so again this year.

At present, the Navy has about two aircraft supporting the interdiction mission aboard its carriers for each F–4 fighter. In a relatively benign environment such as Vietnam, where we have encountered only a handful of Mig–21's, it is possible to live with this ratio. It would not be so, however, against a more numerous enemy fighter threat.

And our carriers can fully expect to counter such a threat, even if they are specifically earmarked for wars not involving Soviet naval forces. The Soviets have long shown a willingness to make Mig–21's available to their allies. The new Mig–23, or Foxbat, is supporting the Egyptians in small numbers, and we can expect large quantities of new air superiority fighters to be exported also in the next ten years, especially if the Soviets continue their traditional emphasis on light, highly maneuverable fighter designs.

This is a central fact which it is important to fully grasp. Due to their high costs and technical complexity, there is no way that the Soviets can make available to their allies the spectrum of sophisticated threats with which they themselves threaten our carriers, such as large numbers of submarines with cruise missiles and acoustic homing torpedoes. What they can give their allies is a limited number of patrol boats with Styx missiles, some diesel submarines and obsolete naval bombers, and a large number of cheap, high performance fighters. What we need to counter these items is a less complex and more reliable kind of carrier defense and some high performance fighters of our own.

Just what is the current status of the Russian threat these fighters will have to counter?

II. THE SOVIET FIGHTER THREAT

An in-depth discussion of the Soviet threat is not warranted here, but three important observations should be made.

First, the Soviets have done more work on the development of new fighter aircraft during the past 20 years than has the United States. As the Navy itself is fond of pointing out, albeit with some exaggeration—accomplished by counting as separate models all versions of each basic design:

> The Soviets, since 1954 when the F–4 was designed, have flown 18 new models of modern-type fighter aircraft . . . The Soviet Union has concentrated on tactical aircraft specifically oriented for the air superiority role.

Second, the Soviets have approached the problem of new fighter design with a different design philosophy than the United States. As Air Force Secretary Seamans told the Senate Armed Services Committee in 1969:

> Since their appearance in the Korean War, Soviet-designed fighters have generally been more maneuverable and have had better acceleration than U.S. fighters. Our fighters, on the other hand, have had better radiuses of action, firepower, avionics, and payload.

The Soviets, in other words, have steered clear for the most part from the kind of complex avionics and armament gear which has not worked for us in Southeast Asia and about which I will say more later. Their own fighters, freed from the weight and drag of this equipment, have emphasized the maneuverability required for aerial dogfights.

Their fighters have also cost far less. For example, the F–4 costs about three times as much as its most direct Soviet competitor, the Mig–21, based on direct comparisons of the cost of U.S. aircraft of comparable size and complexity. I can not help noting that the $800,000 cost of a simple Mig–21 is the cost for only two of the six Phoenix missiles which would be carried by the F–14.

Third, the fact remains that the Soviets have yet to develop a new tactical air-to-air fighter which is superior to the F–4. It appeared for a while that the new Foxbat, or Mig–23, might be such an aircraft, but it now seems clear that it is primarily a high altitude interceptor, rather than an air superiority fighter. As General Bellis, Air Force program manager for the F–15, told the Senate Armed Services Committee this year:

> The Foxbat, a high speed, high altitude aircraft, became operational with the Soviet air defense forces in 1970 and appears to have excellent capabilities as an interceptor or reconnaissance aircraft, but it has limited maneuverability and low dynamic pressure

limit. Because of these limitations, the Foxbat does not represent an overwhelming tactical air combat threat, but does represent an impressive technological threat.

Calling the Foxbat "an impressive technical threat" is a nice way of saying that the Soviets can probably build a much better fighter. No doubt they can and will when they try. And a true successor to the Mig–21 is due any year now. It is important, therefore, that we design our own new generation of fighters not only to counter existing threats, but to provide the greatest possible assurance that they will also be able to handle new Soviet aircraft we have not yet seen and probably will not see until a Domodedovo airshow in the 1972–76 period.

III. THE MAIN INGREDIENTS OF AIR-TO-AIR SUCCESS

It would be possible to jump at this point directly to a discussion of the F–14's deficiencies as a fighter. I want to take the time first, however, to consider what basic performance features we need—and why—in any new fighters we hope to buy.

Too often, we in Congress attempt to make decisions on important defense issues without asking basic questions of this kind. As a result, we get snowed under with statistical data and a variety of conflicting claims.

What I propose to do is to organize my discussion around six ingredients which are absolutely essential and two which matter far less to air-to-air combat success. To support my arguments, I will rely wherever possible on concrete evidence from our actual experience in World War II, Korea, and Vietnam. The basic points are simple, and I will do what I can to keep technical details to a minimum.

1. AIRCRAFT MANEUVERING PERFORMANCE

The object of any aerial dogfight is to maneuver out of vulnerable positions and into positions suitable for weapons delivery.

Initially fighters escorting attack aircraft over enemy territory are likely to be "bounced" by enemy aircraft from behind. The term derives from the early days of aerial combat, when the air currents generated by closely approaching fighters actually caused the plane set upon to "bounce" in the air. Accordingly, the first performance requirement for a fighter is sufficient hard turn capability to defeat such an enemy attack by maneuvering defensively out of the launch envelope of an enemy's missiles and guns. This capability is usually measured in terms of the number of "g's" the aircraft can pull while flying at dogfight speeds.

The next requirement is an ability to convert to an offensive position. What this requires is sufficient acceleration and turn capability to bring enemy aircraft into the effective launch envelopes of our own missiles and guns. Acceleration is determined essentially by the thrust of the engines and the weight and drag of the plane.

DOGFIGHT SPEEDS

The speed at which these maneuvers take place is largely determined by the speed of the defender at the outset of the engagement. This is almost certain to be his cruise speed—the maximum sustainable with efficient use of fuel—and it is at best high subsonic even for today's supersonic aircraft. The attacking aircraft will want to be going somewhat faster, but his desired speed advantage will be limited both by the maximum closure rate at which he can still set up for weapons launch and by his recognition that the poor turning radius associated with excess speed could cause him to overshoot into a vulnerable position if the defender detected his attack and executed a successful defensive maneuver. The attacker will therefore want to maximize his own maneuvering capability in the low supersonic speed regime.

A real problem for today's fighters is the fact that hard maneuvers as these speeds produce drag which, together with the weight of the aircraft, forces them to lose speed and/or altitude. In our new fighters, improved maneuverability at dogfight speeds will have to be a prime requirement. From a design standpoint, it will be a function of adequate wing area and a thrust to weight ratio comfortably in excess of one. These features will be far more important than those required for a very high supersonic dash speed, which is seldom useful and which extracts its price in other areas.

Finally, it is important to recognize that the advent of the air-to-air missile has actually put a premium on these traditional maneuverability requirements. In the old days, one aircraft could bounce another and, if unsuccessful in its attack, turn on full power and accelerate away from the limited range of aircraft guns. This tactic is today preceded by heatseeking missiles which can at times be outmaneuvered but cannot be outrun. If an enemy aircraft today lit its afterburner and tried to accelerate away in level or diving flight, it would increase its IR signature by a large order of magnitude and become a sitting duck for a Sidewinder type of missile.

Our first requirement, then, is an aircraft which can both outrun and out accelerate the enemy at all speeds encountered during a dogfight.

2. STABILITY AND HANDLING QUALITIES

A closely related need is an aircraft with good stability and handling qualities, since these factors are a prime determinant of a plane's actual as opposed to theoretical maneuverability. If a plane lacks stability and good handling qualities, a pilot will be inhibited from using the full maneuvering capability it has, and his timing will also be affected in all dogfight engagements.

Unfortunately, many of our current fighters—the F–8, F–100, and F–4, for example—have had deficiencies in this regard which have led to restrictions on the realism of peacetime training exercises in an effort to avoid accidents. Despite these restrictions, we have already lost over 90 F–4's in noncombat accidents. The great majority of these accidents have been from loss-of-control type problems, primarily spins and stalls.

DETECTION AND ACQUISITION

A Rand Corp. study indicates that roughly 50 percent of all aerial victories in World War I were achieved against unaware defenders, a figure which has probably increased since due to the high speeds of modern jets. A third important requirement, therefore, is an aircraft which is hard to detect but has excellent acquisition capabilities of its own.

The problem of minimizing one's own detection is quite straightforward. The key factors, in order of importance, are lack of smoke trail, small physical size, a small cross section, and a low infrared signature. One of the problems with our present F–4 is that it has double the size of a Mig-21 and a smoke trail which can be seen for many miles.

The most important factor in detecting enemy aircraft is good visibility out of the cockpit, particularly over the sides and to the rear. Also important are the presence of passive warning receivers on the plane and adequate use of ground-based radars.

3. AIRBORNE RADAR PROBLEMS

Unfortunately, our own emphasis in recent years has been on complex and expensive high power-level radars in our planes themselves. It is worth spending a moment to see why this emphasis has been so unfortunate.

First, these airborne radars provide no protection against the most dangerous and difficult to detect enemy bounces, which are from under the sides or from the rear, since the radars sweep only in a narrow cone directly in front of the plane. This cone, it should be noted, is especially restricted for radars operating in a look-down mode. It is because of their narrow search patterns that these radars are no substitute for good visibility out of the cockpit with a pilot's unaided eyes.

Second, these airborne radars have the unfortunate effect of broadcasting the planes position for hundreds of miles around, thus negating all the other design features aimed at minimizing its detectability. That is why an important distinction must be drawn, as far as mechanical aids are concerned, between passive warning receivers on the plane—which do not alert the enemy to its position—and airborne radars which do.

It is because radar detection devices actively warn the enemy of their presence that they should be largely confined to ground-based sites. The Navy, it should be noted, can and has easily obtained the shipboard radar coverage needed to position our fighters for offensive operations in each of our major theaters—Europe, Korea, and Southeast Asia.

The deficiencies of high-power level airborne radars have been amply demonstrated in Southeast Asia. Enemy pilots, directed from the ground, have been able to easily avoid their narrow search patterns and approach American fighters from behind. American pilots have been far too busy visually scanning their sides and rear to keep their eyes glued to their radar scopes. And they have often turned off their radars to avoid advertising their positions for hundreds of miles around.

One final point should also be noted. In addition to their other problems airborne fighter radars have proven extraordinary unreliable from a purely mechanical point of view. All in all, they have contributed only a tiny fraction of

all enemy fighter detections throughout the long duration of the war.

4. RELIABLE AND LETHAL WEAPONS

For the past 20 years, proponents of the air-to-air missile have argued that maneuvering combat would soon be obsolete. Fighter pilots would see each other only on their airborne radars and engage by missiles at long range, without ever closing for a dogfight.

I have just discussed some of the problems with airborne radar acquisition, and since I have also dealt with many of our missiles' deficiencies in evaluating the Phoenix, I will only summarize them here, as demonstrated in our Southeast Asia experience.

MISSILE FAILURES IN VIETNAM

First, due to the large number of aircraft over Vietnam and the impossibility of reliably separating enemy planes from Laotian airliners or Air Force planes not tied in on the Navy's communications system, few stand-off aerial battles have ever been fought.

Second, our missiles have never demonstrated the accuracy and reliability predicted by their manufacturers and first shown in artificial tests.

Third, enemy aircraft have been able to outmaneuver our missiles by hard turns at normal combat g's.

Fourth, missile performance has been substantially degraded by simple enemy countermeasures.

Fifth, radar missiles such as the Sparrow have greatly restricted aircraft maneuvering performance and positioning when employed, since it is necessary to set up and lock on to a target before launching them. In fact, the Sparrow had a minimum launch range so long our fighters often had to drop back to launch it after first closing for visual identification.

Sixth, radar missiles such as the Sparrow have suffered from the same defect as airborne radar detection systems—an enemy is altered to their use and encouraged to use evasive tactics and countermeasures.

It is simply incredible how much money we have wasted on almost totally useless air-to-air missiles. We have invested over $2 billion to date on the Sparrow, which has missed its performance predictions by a factor of 10, and almost as much on the complex infrared Falcon.

Yet Pentagon studies of our Southeast Asia experience convincingly show that aircraft guns are still the most effective weapon against enemy fighters. Only one of our earliest and simplest missiles, the infrared AIM–9D Sidewinder, has shown a roughly comparable performance, at a cost of $15,000 per missile. The much more complex radar Sparrow, at $40,000 per shot, has been about one-third as effective as the Sidewinder at almost three times the price. The Sparrow has been one-quarter as effective as fighter planes' cannons or guns; while costing 200 times as much per firing or 800 times as much per kill.

Admiral Connolly himself was quite candid about the state of our air-to-air missile arsenal in testimony this year to the Senate Armed Services Committee:

It is one of my chief worries. It seems to be easier to go to the moon than it is to get a good air-to-air missile, and this is one of the weaknesses of our situation in U.S. forces—has been for a long time. The best missile we have is still the latest version of the Sidewinder.

Mr. SYMINGTON. Mr. President, will the Senator yield briefly at that point?

Mr. PROXMIRE. I am happy to yield.

Mr. SYMINGTON. The Senator said that Admiral Connolly wanted "a" good air-to-air missile. We already have three air-to-air missiles. I thank the Senator.

Mr. PROXMIRE. Well yes, we have three air-to-air missiles but a good missile even one good air-to-air missile force seems to be harder to get than going to the moon, he said.

Mr. SYMINGTON. The Senator makes my point.

Mr. PROXMIRE. Mr. President, there can be no doubt, then, that aircraft cannons or guns and the infrared Sidewinder remain at this time the most—in fact the only—lethal and reliable weapons in our fighter arsenal. Moreover, our fascination with more complicated weaponry has prevented us from taking full advantage of their own potential for improvement.

5. FORCE STRUCTURE IMPLICATIONS

However good our fighters, they must be available in sufficient numbers to deny the enemy a significant numerical superiority in combat situations. We could use such an advantage ourselves, both to saturate enemy defenses and to replace any losses suffered. Accordingly, even with budgetary conditions far less stringent than those existing today, cost would have to be seriously considered in evaluating our fighter options.

A related consideration is the number of combat sorties each option would actually deliver. Historically, highly complex and sophisticated aircraft have not only cost more to maintain and repair, but have also not been usable much of the time. It is a simple point, too often neglected, that an aircraft will do us no good in time of battle unless it is flying regularly.

PILOT SKILL

No discussion of the main requirements of air-to-air success would be complete without a reference to this final factor. Unless our pilots are trained in peacetime to be highly proficient in the complicated tactics made necessary by changes in the technology aspects of aerial combat, no amount of technological superiority in our aircraft themselves will bring victory.

Unfortunately, we have historically given our pilots short shrift, preferring to spend money on new and complex equipment rather than investing in adequate pilot skill. Due to its insistence on expensive procurement programs in the face of the continuing budget pinch, the Navy has cut flying hours in its training programs for the past 3 years while continuing to invest heavily in airframe and electronics hardware.

Maneuverability, stability and handling qualities, detection and acquisition, reliable and lethal weapons, force structure implications, and pilot skill—these are the main determinants of air-to-air success.

I would like to talk for a moment now about two other factors, the lesser importance of which it is also essential to establish.

Mr. GOLDWATER. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. PROXMIRE. I am happy to yield to the Senator from Arizona.

Mr. GOLDWATER. I am happy that the Senator brought up the subject of pilot skill. That has long been a pet subject of mine. When I was in this body earlier, I remember a lengthy argument I had with Secretary of Defense McNamara, trying to get him to increase the number of pilots we trained each year and also to increase the program.

We are lucky in this country in having had and continue to have outstanding young men in all the flying services who have performed beautifully. If we have any advantage—any advantage at all—over Soviet air today, it is the fact that our men have been battle trained and theirs have not. I do not like that kind of training, but we have had it, and I think that our pilots are superior to any pilots in the world, hour for hour and time for time.

I agree with the Senator from Wisconsin that we can get more training, particularly in more air-to-air gunnery and air-to-ground gunnery, and more emphasis on actual tactical situations.

I think the great advantage the Israeli Air Force has over the Arabs is in the quality of the Israeli pilots. I can think of no better example of air superority being obtained by pilots than in that situation.

Our men are nothing to be ashamed of, and I would not want the Senator's remarks to indicate that he feels they are deficient.

Mr. PROXMIRE. I very, very much appreciate that, because I agree wholeheartedly with everything the Senator from Arizona said just now on the subject.

What I have been trying to show is that we need more time, more flight time, more opportunity for these pilots to acquire more skill. I do not mean any reflection on their ability, which is great, I am sure. They have done a marvelous job on so many occasions. But if we put what available money there is into flight experience, flight time for the pilots, it would pay off better than some of the immense investments we make in the complicated gear we put in.

1. PAYLOAD/RANGE

An aircraft's payload and range potentials are obviously interrelated, since one can trade off the one for the other by varying the mix of fuel and ordnance carried.

As far as fighters are concerned, payload is much less important than range. That we have traditionally given our fighters significant air-to-surface capabilities is just another indication of the continuing fascination of the Navy and the Air Force with multimission aircraft and the interdiction mission. Both services, however, already have aircraft

designed for this mission which need escorts, not competitors, when they fly.

Range is a more legitimate concern. But since excessive internal fuel requirements have a powerful effect in degrading the weight and the performance capabilities of air superiority fighters, it is important that our fighters be designed only with the range and combat fuel actually needed for combat operations. What they will need is sufficient range to escort attack aircraft on their missions or to provide decently sustained loiter over a battlefield.

2. ALL-WEATHER AVIONICS SYSTEMS

Bad weather fighting is one of the most misunderstood aspects of the whole dogfighting issue. It is assumed at times that special avionics systems have now been invented which give our fighters the capability to operate in bad weather as easily as in broad daylight. Unfortunately, this just is not so, and a few words are necessary to put the problem in perspective.

In theory, there are two contingencies for which night and bad weather avionics systems in our air superiority fighters might be useful.

First, we might want them to permit fighter escorts of our own interdiction aircraft—Navy A–6's and Air Force F–111's—on their night bombing missions. Actually, our night and all-weather radar equipped F–4's have never performed a single such escort in Vietnam. They have not shot down a single Mig–21 at night or in bad weather during the entire duration of our involvement in Southeast Asia.

The reasons are simple. It is hard to hold formation in the dark to begin with and if one of our fighters were ever bounced by the enemy, it would be virtually impossible for him to join up again after the encounter. It must be recognized in this regard that the problem of identifying radar acquired aircraft is even more difficult at night than in the day, because closing for visual identification is so much tougher. As a matter of fact, one of the arguments the Navy makes for night interdiction missions is their low cost, precisely because they require no escorts.

Second, we might more rationally want all-weather avionics systems to defend against enemy all-weather attacks with their interdiction forces on battlefield areas where our own forces are engaged. But there are several points to be noted here.

To start out with, the Soviets have never developed a tactical all-weather attack capability. Since the few light tactical Beagle and Brewer bombers turned out in the late 1950's, they have not developed a single all-weather interdiction aircraft, and their Mig–21 fighters have no all-weather attack capability either. Under the circumstances, Soviet allies cannot be expected to have such a capability of their own.

Moreover, our own experience with all-weather avionics systems on our attack aircraft demonstrates that they simply do not provide the pinpoint accuracy needed against battlefield targets and are therefore limited to relatively ineffective use against fixed economic and strategic targets.

Finally, it is doubtful whether all-weather fighters could handle all-weather equipped attack aircraft in any event without considerable reliance on more traditional ground-based help. The friend or foe identification problem would be extremely serious over a battlefield at night. Moreover, the fighters would be at an initial disadvantage for acquisition purposes. While the attack aircraft would be homing in on fixed land-based targets, the fighter radars, with their narrow effective cones, would be searching the skies for targets.

NEEDED ONLY ON INTERCEPTIONS

All-weather avionics systems, then, are not needed on our fighters for the escort and battlefield protection missions just discussed. The only time they would really be useful is if the fighter were operating in a pure interceptor role, for example, protecting a carrier from enemy attack. But the only nation which has an all-weather equipped heavy naval bomber force capable of even modest-sized attacks against our carriers is the Soviet Union, and I have already explained why we should not employ our carriers when Soviet naval forces are involved—even in good weather and broad daylight. Other nations will not have an all-weather equipped anticarrier force to worry about. Their tactical bombers or fighters will have no such avionics, and their heavy bomber force will be either small and of World War II vintage or altogether nonexistent.

One final point should also be noted. As proven by our extensive World War II experience—long before the days of sophisticated all-weather avionics—even clear night and marginal daylight weather operations require airframe and performance requirements quite different from those necessary for visual combat. They emphasize stalking skills rather than the violent maneuvers of aerial dogfights and require sufficient endurance, acceleration, and speed to overtake attack aircraft, but little maneuverability. Accordingly, if we wanted an all-weather fighter capability in a fraction of our force, existing airframes would suffice for the purpose—if we could develop avionics systems which worked well enough to justify their cost. The most important point is not to let the limited utility of such a capability serve as a justification for imposing weight and other design penalties which could compromise the performance actually attainable in a new air superiority fighter. Otherwise, the effect of our attempt to fight at night and in bad weather will be to give the enemy the day.

IV. A RATING OF THE F–14

This analysis of air-to-air combat will make it a lot easier to show why the F–14 is such an incredibly poor fighter candidate for the Navy. What I propose to do is to run through each of the items I have just discussed and to see how the F–14 measures up.

1. MANEUVERABILITY

Due to its small wing area and the many weight compromises associated with its complex avionics, its Sparrow and Phoenix missile-carrying capability, and its large air-to-surface potential, the 54,000-pound F–14 will have dangerously low maneuverability. A few statistical comparisons will serve to make the point.

It has always been recognized that the F–14 would have a relatively poor hard-turn capability at dogfight speeds, less than a Mig–21 by a substantial margin. Moreover, its acceleration potential has been greatly dependent on successful development of the "B" engine, with its much better thrust rating than the "A." As Admiral Connolly recently told the Senate Armed Services Committee:

> The performance gap [between the two engines] is in acceleration, rate of climb, and service ceiling, not in top speed. It will affect that maneuverability because the B engine is going to have ability to send that plane straight up. This is a tactical realm that we have not yet worked in but I think the Air Force and Navy both are going to have spectacular possibilities opened up to them with the F–15 and F–14 having thrust to weight ratios that are about one or better to one.

Since Admiral Connolly spoke, the B engine production contract has been broken and the engine itself shelved, at least for the next 2 years and another 96 aircraft. What the Navy is left with is an aircraft which does not measure up well at all where maneuverability is concerned. It is a tom turkey, not a tom cat.

The Air Force F–15 will have about a 40-percent advantage over the F–14A in acceleration and at least a 60-percent better hard turn capability at dogfight speeds.

In fact, a recent Pentagon study convincingly shows that the old F–4, modified only with leading edge slats, could itself outmaneuver the F–14A. An F–4 with slats would be carrier compatible. And with these inexpensive slats, which could be deflected to improve turning performance and retracted to prevent drag during acceleration and climb, the F–4 would be able to both out-turn and out-accelerate the F–14A by as much as 10 percent for the most suitably equipped F–4 models. This is admittedly a small margin, but it is of devastating significance when we are thinking about replacing the F–4 with F–14's costing more than three times as much per plane.

It could prove equally devastating, in another way, if we relied on the F–14 as our frontline Navy fighter against Soviet Mig–21 successors which the F–4 itself won't be able to handle.

I recognize that official Navy studies of the F–4 and the F–14A reach somewhat different results. But the Navy refuses to take slats into consideration. And it refuses to compare the two planes over all parts of their respective flight envelopes and with the latest measurement techniques. Yet even the official Navy studies show marginal F–14 advantages.

2 STABILITY AND HANDLING QUALITIES

The poor maneuverability of the F–14 will be further compromised, moreover, by its poor stability and handling qualities.

THE FLAT SPIN PROBLEM

As pointed out by NASA's Langley Research Center almost a year and one-half ago, the F–14 is likely to be very

susceptible to flat spins and probably unable to recover from them.

What happens, in essence, when an aircraft enters a spin is that control of the aircraft is lost during hard maneuvers and it spins downward. For most aircraft, such spins can be corrected by proper control actions and the aircraft can be saved, given sufficient altitude. There are two reasons, however, why recovery from spins may well be impossible for the F–14.

First, when it enters a spin, it might easily suffer a complete loss of engine power (or flameout), due to irregularities in the air flow entering the engines. Fan-jet engines, like the F–14's, are particularly sensitive to air flow irregularities. In fact, previous versions of the engine actually used on the F–14A have experienced serious flameout problems in use on the F–111.

An aggravating factor is the F–14's variable sweep wing design, since if engine power is lost there is no power to move the wings. The wing area of the F–14 is so small it might be impossible to land the plane at any time engine power was lost. This would certainly be the case if the wings were not in an optimum recovery position at the time the flameout occurred.

The Navy is already at work designing sensors to warn F–14 pilots of impending spins, but there is no real solution to the problem. A spin recovery chute has been rejected because it would have a terrible impact on aircraft size and weight. Design changes to lengthen the fuselage and increase the vertical tail would have the same effect and still might not be successful.

THE DIRECTIONAL STABILITY PROBLEM

NASA and Grumman wind tunnel tests also indicate that the F–14 will have serious directional stability problems at transonic speeds and above. The Navy presently hopes to solve them with a stability augmentation system it is working on, but major design changes may be needed. These changes would involve increases in the size of either the vertical tail or ventral areas.

Unfortunately, theses changes would increase weight and drag and further degrade maneuvering performance. They could also make it completely impossible for the F–14 to land on a carrier with a full ordnance load. The Navy will, therefore, undertake these changes only if they are essential, but it is already arguing with Grumman over who might have to bear their costs. The Navy claims the directional stability problem is a deficiency which Grumman would have to rectify, while Grumman claims that any modifications would be new work for which an engineering change proposal and adjustment of contract prices would be needed.

Anyway we look at it, the F–14 will have stability and handling problems to complement its already limited maneuverability, problems which will severely limit the realism of peacetime training exercises with the plane. Just how bad these problems will be it is still too early to say. But as I noted earlier, over 90 F–4's have already been lost in noncombat crashes, primarily in loss of control type accidents. And all indications to date say that the F–14 will have significantly worse handling qualities.

3. DETECTION AND ACQUISITION

In this area, the F–14 would have two relative improvements over the F–4—its relatively smokeless engines and its improved visibility out of the cockpit. At the same time, its large physical size would significantly increase its own susceptibility to detection, even when its airborne radar has been turned off.

4. WEAPONS

For armament, the F–14 relies primarily on the Sparrow and Phoenix missiles, with all their attendant problems. A gun and Sidewinder capability will be present, but relegated to a secondary role, primarily because the F–14's limited maneuverability will make it difficult to employ these weapons.

It is important to note that, while efforts are being made to solve our air-to-air missile problems, no clear solution is yet in sight. All indications are that the Phoenix will have even worse problems than the old Sparrow, and the new Sparrow—twice as expensive as the old—has had a disastrous test record to date which has kept it in development for more debugging.

I must admit, in all candor, that I have grave doubts whether some of the problems we have experienced will ever be solved.

I see no foolproof way of solving the friend-and-foe identification problem under conditions of standoff launch.

I see no solution to the problem of countermeasures susceptibility.

And I also fear that future improvements in aircraft maneuvering performance may outdistance any improvements in the maneuverability of our air-to-air missiles. Since the airplane will always have the choice of what to do next, the time lag will always work against the missile. And since the missile will be going much faster than the plane, it will have to pull more g's to adjust, more than its own small wings may well allow.

In any event, it seems both wasteful and militarily dangerous to invest large sums in relatively unmaneuverable airframes which will be highly ineffective unless and until these armament problems are solved. We have really been putting the cart before the horse too long.

5. FORCE STRUCTURE IMPLICATIONS

At a minimum of $16 million per copy, the F–14 has terrifying force structure implications. Just think of that—$16 million per copy for a fighter plane, just a fighter plane with a pilot. I am not talking about a bomber or a big transport. This amount would be for a fighter plane in competition with the $800,000 Soviet plane and the F–14, which costs $3 million. There is simply no way it could ever replace the F–4's now in our inventory on anything like a one-to-one basis. And the effects of its high investment costs would only be heightened when operating costs equal to them were tacked on every 5 years. Finally, the great complexity of the aircraft and its major components would maximize its time under repair.

6. PILOTS

Because the F–14 measures up so poorly against the five main technological requirements for air-to-air success, pilots have been understandably cool in their reactions to it. "Buy Mig–21's," one Navy pilot is said to have shouted at a meeting devoted to selling the F–14.

One of the reasons for the F–14's low performance and high cost is its emphasis on design features not essential to the air superiority mission. I have no quarrel with its range, which will be better than a 30-percent improvement over the F–4. But there is no justification for its large air-to-surface capability. And it is chocked full of all-weather avionics systems.

The F–14, then, is simply not the answer to the Navy's fighter needs. It indisputably costs the most, yet offers the least, of all the options available. But just what should the Navy do?

V. THE NEW LIGHT FIGHTER ALTERNATIVE

Despite the fact that it was already developing a sophisticated front-line fighter much superior to the F–14, the Air Force recently initiated a new light fighter prototype program.

The need for such a highly maneuverable light fighter has long been recognized in a variety of circles. It has been no secret that the Russians have found their $800,000 Mig–21's a suitable counter to F–4's costing and weighing three times as much. And the French have been selling for less than $1.5 million a Mirage fighter which has delighted the Israelis, who have used the larger payload of the F–4 mainly on bombing missions.

Dissident voices have therefore been raised—by civilian critics, by F–4 pilots returning from Vietnam, and by top American fighter plane designers, such as Lockheed's C. L. "Kelly" Johnson. I ask unanimous consent to have printed in the RECORD at this point the summary of an interview with Johnson which appeared in Aerospace Daily on January 7 of this year.

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

LOCKHEED'S KELLY JOHNSON DEPLORES SHRINKING U.S. FIGHTER STRENGTH

Cost of new fighters such as the F–14 and F–15 is so high that it is cutting down the number of fighters the U.S. would need in a major air war, according to C. L. (Kelly) Johnson, head of Lockheed's Advanced Development Projects office.

"The problem of numbers is a very fundamental one," Johnson said in a recent interview. The lesson is clear from Southeast Asia, but doing something about it will be difficult, since costs of new fighters are now up to $8–$14 million apiece, Johnson indicated.

And while numbers of U.S. fighters are declining, the Soviet Union keeps in operation about 6,000 fighters, "not counting the ones they give away," Johnson said.

Furthermore, the Soviet fighters are designed from the ground up to have the advantage over U.S. fighters. They have only half the range, armament and electronic gear, but double the wing area. This allows them to out-maneuver current U.S. fighters in many instances, Johnson said.

Johnson—designer of the P–38, P–80, F–94, F–104, and F–12—also feels the U.S. does not have enough types of fighters. "I'm not an exponent for the carpenter who has only one tool in his tool box," he said.

Johnson also feels that the idea of intentionally giving the opponent the "high ground" in an aerial battle is bad tactics. He says new fighters must have capability for great increase in speed to take the high ground.

In addition, the idea of "just being able to shoot a missile (from a U.S. fighter to hit a high-flying enemy fighter) will not be sufficient," Johnson said. "It hasn't been in the past."

The veteran fighter designer also challenged the theory that two engines are better than one for a fighter. "In time of war, twins are not safer than singles," he said With twin-engine P–38s, the Army Air Force found it had "twice the chance of having an engine shot out and one half the chance of getting home after it was," he said. "When a P–38 engine was shot out, the plane was downed (by enemy fire) because it was moving so slowly."

Mr. PROXMIRE. Mr. President, Johnson had just submitted to the Air Force an unsolicited proposal for a high-wing, low horizontal tail modification of his F–104 Starfighter. He offered to build two prototypes of the new lightweight fighter—the X–27—for $35 million and to have them in the air within a year. The X–27, he told the Air Force, would be able to better the performance of the F–14, and he would design it so that it could be produced at one-third the cost.

Other unsolicited proposals were submitted shortly thereafter, and out of them grew the Air Force prototype program, now pointed toward the development of brandnew fighter designs.

PENTAGON FIGHTER COVERUP

Until the Air Force took this initiative, it was well recognized in knowledgeable circles that new fighters superior to the F–14 could be designed at much better prices at the expense only of some dubious avionics and missile gear. But Pentagon officials usually refused to admit this basic fact.

Indicative of the situation is the following exchange between the distinguished Senator from Nevada (Mr. CANNON) and Admiral Connolly during hearings this year before the Tactical Air Subcommittee of Senate Armed Services:

Senator CANNON. Do you see any need for a high performance day fighter for the Navy, presumably a low-cost fighter, in the future?

Admiral CONNOLLY. I don't want to be facetious but I haven't seen a low-cost airplane for an awful long time.

Equally representative is the following statement by the Senator from Nevada (Mr. CANNON) during Senate floor debate on the F–14 in 1969:

Let me make this point very clear. The Navy experts have stated that if they designed an aircraft exclusively for air superiority without considering any other mission it would weigh only 600 pounds less than the present F–14 . . . I certainly am not attempting to convince any Member of the Senate that the F–14 is a cheap aircraft. It is not. . . . Unfortunately, we cannot go down to the local dime store and procure complicated weapon systems containing the highest sophistication.

The Air Force light fighter prototype program has now let the cat out of the bag. We do not have to go down to the local dime store. American designers can themselves give us first-rate fighters at prices competitive on the world market.

Admittedly, these fighters exist right now only on the drawing boards. There is every reason to believe, however, that when development work is finished, the Air Force will have fighter prototypes which score very well in all basic requirements for air-to-air success.

LIGHT FIGHTER CAPABILITIES

Their maneuvering capability will probably put the F–14 to shame. In all likelihood, they will show both acceleration and turning performance 80 to 100 percent better than the F–14A. In fact, they will probably be the first aircraft actually capable of executing dogfight maneuvers at supersonic speeds.

They should be able to achieve this dramatic performance by rigorously eliminating all weight not essential to the mission of shooting down enemy aircraft and then replacing a small fraction of this weight with more wing area and more engine. They will probably weigh about 15,000–20,000 pounds—25,000–30,000 pounds, not 600—less than the F–14.

Because they will be smaller physically than a Mig–21 and also have smokeless engines, they should be very difficult to detect. They will have good cockpit visibility, too, and they will carry no airborne radars when they fly.

For armament, they will forgo the Phoenix and the Sparrow for the only reliable systems we have developed thus far—guns and the simple Sidewinder. At the same time, they will have the growth capability to carry more advanced passive missiles such as the Agile.

Even if they came in at about double the $2.5 million per copy now expected if they are produced in quantity, they would still have about a 3- or 4-to-1 cost advantage over the F–14. In fact, their cost advantage in terms of sorties deliverable in combat could rise as high as eight to 10 when their probable low maintenance times are considered.

Their range will be a significant improvement over the F–4, and it could exceed that of the F–14 under maneuvering combat conditions. Finally, they will have only a modest air-to-surface capability and no complex all-weather avionics, at least in the standard version.

All in all, they are likely to be just what many of our pilots have long wanted to match the new Soviet fighters likely to be turned out during the next 5 to 10 years.

A NAVY LIGHT FIGHTER

The Air Force is to be congratulated for undertaking this new fighter prototype program as a possible complement to the F–15. What is even more urgent is that the Navy undertake a similar program of its own.

Light high performance fighters would obviously be ideal for carrier use. Their small size would permit a spotting factor of less than one; that is, it would be possible to accommodate about twice as many light fighters as F–14's in the same deck space. The slow takeoff and landing speeds permitted by their generous wing area and thrust would make them better suited to carrier takeoffs and landings than any current Navy fighters. And they would greatly alleviate the current inability of carriers to accommodate sufficient maintenance personnel to maintain today's complex first line aircraft.

In fact, if the Navy failed to undertake a prototype program to meet its own requirements, the Air Force prototypes could prove eminently adaptable to Navy use.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield so that I may make an observation?

Mr. PROXMIRE. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I am interested in the Senator's presentation and in the remarks that the Senator from Missouri (Mr. SYMINGTON) will make. However, I am in a situation where I am going to ask to be excused from the Chamber. I must get ready to meet the situation tomorrow. The Senator's remarks will certainly be examined.

Mr. PROXMIRE. I thank the Senator very much. I have given most of my speech, and I simply have a brief conclusion at the end.

I thank the Senator for his courtesy.

Mr. STENNIS. I am always interested in the Senator's remarks, as well as the remarks of the Senator from Missouri.

I thank the Senator.

Mr. PROXMIRE. Mr. President, my conclusions and recommendations are as follows:

VI. CONCLUSIONS AND RECOMMENDATIONS
NEW NAVY FIGHTER NEEDED

First. Our single most important need is to start work now on a new light fighter development program for the Navy. The F–14 simply will not give us the new air superiority fighter our national security requires. It would almost certainly be no match for a new Russian fighter. And it could be put to shame by a new light Navy fighter of our own.

We could simply wait and hand the Navy an Air Force developed plane, but it would be better if we did not. A Navy program could give special emphasis to such things as spotting factor constraints and the rigors of carrier landings. Moreover, a second competitive prototype program at this time would give more design teams a chance to maintain and refurbish their languishing design skills. A second program would also provide insurance against not finding as superior a fighter as possible in the Air Force competition. And at a cost of less than $50 million for each of the two contractors in the Navy flyoff, we could well afford these benefits.

If work were started this fall, the new Navy prototypes could be ready for a flyoff in about 2 years. Another 2 years would probably then be required to make a final selection, initiate production, and make first deliveries to the fleet. This schedule would result in an initial operating capability date for a new light fighter in late 1975, little more than a year after the F–14 IOC date currently contemplated.

SCRAP THE F–14

Second. An almost equally important need is to scrap the F–14. The F–14 simply cannot hack it as a fighter, so there is no justification for keeping the program going unless we wanted to buy a limited number of planes—perhaps 200 or so—for altogether different missions. But what missions?

Phoenix missile fleet air defense

against the Soviet naval threat makes no sense at all. The Phoenix could not cope with the massed bomber attacks it was originally designed to meet, let alone the Soviet submarine-launched cruise missile and torpedo threat which has been growing in recent years. And if we insisted on wasting money on the fleet air defense mission, we could get by wasting less if we put the Phoenix on the A–6 or the new Sparrow on a modified F–4. Either of these combinations might do every bit as good a job as the F–14/Phoenix combination.

We certainly do not need the F–14 for its air-to-surface capability. We already have aircraft designed specifically for the interdiction mission, and as I said earlier, they need escorts, not competitors, when they fly.

The F–14 can't be justified either for its night and all-weather capability. It is more reliable avionics, not new high cost airframes, which we need if we want to perform this mission.

F–4 MODIFICATIONS

Third. Also required, but far less urgent, are improvements in what our F–4's can do. Actually, there is only one option which deserves a go-ahead at this time.

We can and should put leading edge slats on a portion of the Navy's F–4 force. The cost would be minimal and it would give us a fighter superior, in fact, to the F–14A till the new light fighter came along. If we bought new planes in preference to modifying existing F–4J's, a carrier-capable version of the slats-equipped F–4EF now being sold to the Germans would probably be our best buy. The F–4EF has been stripped of the AWG–10 fire control system already on the F–4J and itself relies not on the Sparrow but on guns and the Sidewinder as its primary armaments. It would be lighter, more maneuverable, and almost $2 million less expensive than any other model we could buy.

Additional F–4 modifications could also be considered—new fire control systems to launch the new Sparrow in the fleet air defense role, or better all-weather avionics. But the least we could do, if we took this route, would be to rigorously test all new systems involved before we went and stuck them on the planes.

F–15 STUDIES

Fourth. Finally, there is nothing wrong with low-priority studies of the F–15 as a possible Navy aircraft. I fully recognize that it is a better fighter than the F–14 itself. At the same time, there is little it could add to the capabilities of a new Navy light fighter and modified F–4's working in combination. And a carrier suitable F–15 might turn out to be difficult to build and virtually as expensive as the F–14 has become.

Mr. President, the F–14 program is in many respects a microcosm of many of the problems which plague our defense establishment today:

Initial cost estimates which later balloon;

The incredible inertia of 10-year-old ideas which have never been thought through;

The failure to test new systems before they have been deployed; and

The continued emphasis on multi-mission aircraft which do no mission well.

We would not solve all these problems just by instituting the recommendations set forth here. But we will have made a pretty decent start.

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

Mr. PROXMIRE. I am happy to yield to my distinguished colleague from Missouri.

Mr. SYMINGTON. Mr. President, let me congratulate the distinguished senior Senator from Wisconsin for another outstanding analysis of a problem which faces this country today namely, what we really need for our national security as against the cost.

Before making a brief talk I would take the liberty of making several comments about the Senator's outstanding presentation.

On page 6 he mentions the Foxbat. The Foxbat is a high altitude interceptor, but it is only one of many new Soviet fighters.

For years I have been protesting the fact that, despite the spending of billions of dollars for research and development, we have been getting the arguments while the Soviets have been geting the hardware.

I have photographs of 13 Soviet fighters built since 1954, the year the F–4 was laid down. There never has been another U.S. air superiority fighter laid down since then, one that is in production today.

I notice the Senator quotes Kelly Johnson. I have a great deal of respect for Mr. Johnson, but wonder if he should not concentrate on the problems of Lockheed instead of making such blanket criticism of the efforts of other companies.

In the superb presentation made by the Senator from Wisconsin, the paragraph that impresses me the most could be the one which says:

> Phoenix missile fleet air defense against the Soviet naval threat makes no sense at all. The Phoenix probably couldn't cope with the massed bomber attacks it was originally designed to meet, let alone the Soviet submarine-launched cruise missile and torpedo threat which has been growing in recent years. And if we insisted on wasting money on the fleet air defense mission, we could get by wasting less if we put the Phoenix on the A–6 or the new Sparrow on a modified F–4. Either of these combinations might do every bit as good a job as the F–14/Phoenix combination.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Missouri. As we all know, he is not only a member of the Committee on Armed Services and he has been for a number of years, but also he was the first Secretary of the Air Force. He has demonstrated a most remarkable understanding of the necessity for insisting on discipline and insisting on recognizing that we do not have an unlimited amount of resources to pour into the military, and, at the same time, recognizing that we must have a strong military force.

I cannot tell the Senator how deeply grateful I am for his support. There is no other Senator who has this kind of background and long experience, and understanding of how these matters come about. In addition, he has had successful practical experience in business, and in administering the Air Force, and a long record in the Senate. I think he speaks with special authority and force.

Mr. SYMINGTON. Mr. President, those words are undeserved, but deeply appreciated, especially when they are made by the great Senator from Wisconsin.

In the context of his recent remarks, many people in this country have the idea that national security depends almost solely on the latest weapons system. I disagree, and once again present that true national security has three component parts.

The first is the capacity of this country to destroy any enemy which attacks us, and the certainty that said possible enemy knows this to be true.

That is true deterrence, and all we can achieve in this nuclear-space age. In that category I think the United States is today in excellent shape, despite the gloom-and-doomers, the constant "warners" of the great increases in the other superpower's capabilities.

Second, a viable economy with a sound dollar. There has been obvious proof in recent days, and weeks, and months, and years, that in this particular category we are not in too good shape. I say without fear of contradiction that the person who has warned about this more consistently, more accurately, and more intelligently to the American people than any other citizen is the distinguished Senator from Wisconsin; and I honor him for it.

Slowly but surely, as is true of many good causes, the people are beginning to realize just what have been and are his contributions to a sound economy.

Finally, with respect to what is true national security, and I will not dwell at any length on this because everybody has his own thinking about it, there is the credibility of the Government, the faith of the people in our system. The President mentioned this in his inaugural address, when he said the people were "fed up" with government. I accept that observation as having great merit and hope we can all do our best to see that the respect of the people for their Government, credibility in their Government, is increased.

THE CASE AGAINST THE F–14

Mr. President, with respect to the case against the F–14, in typical fashion the Senator from Wisconsin has delivered another thoughtful and well-researched statement.

As one who has studied aircraft for some years, I can only conclude that many of the points he makes are well taken and should be further explored.

Discussions I have had with scores of pilots in Southeast Asia would bear out what the able Senator from Wisconsin lists as the basic performance features which those who actually fly these planes in combat believe are essential in a true air superiority fighter. As the Senator puts it, in measuring up to these essential performance capabilities, "The F–14 just can't hack it as a fighter."

In his opening remarks Senator PROX-

MIRE referred to a recent Pentagon study which shows that the old F–4, modified only with leading edge slats, could outperform the F–14A at all speeds likely to be encountered in a dogfight.

I am not familiar with the study to which he refers, but I am familiar with another study which substantiates the conclusions noted above. Let us note at this point that, to the best of our knowledge, neither of these studies were available to the committee at the time the F–14 was considered in committee markup; and I believe they should both be made public, so as to get all facts on the table before committing additional millions of the taxpayers' dollars and if it goes the way of other planes, billions of the taxpayers' dollars.

In the study to which I referred, comparison is made between the F–14A and the F–4—I say at this point this is no criticism of the Navy, because the F–4 was designed by the Navy; and it was such a good airplane the Air Force, for the first and only time to the best of my knowledge, accepted it, even though it was not their own design.

Let me repeat, in the study to which I refer, comparison is made between the F–14A and the latest production model of the Navy F–4J, with two improvements on the latter: First, maneuvering slats which will provide a substantial increase in air combat capability; and second, a new digital computer incorporated in the fire control system so as to provide improved air-to-air missile control as well as air-to-ground accuracy.

With these relatively minor changes, calculations show that the F–4J outclimbs the F–14A measured at altitudes of 10,000, 20,000, and 35,000 feet.

At combat gross weight, the F–4J outturns the F–14A at altitudes of both 10,000 and 30,000 feet.

The F–4J also accelerates faster than the F–14A from cruise speed.

In other words, according to this study as well as the study mentioned by Senator PROXMIRE, the F–4J is superior to the F–14A in meeting the major criteria essential for a true air superiority fighter, as was brought out by the distinguished Senator from Wisconsin and also the distinguished junior Senator from Arizona.

Why then do we plan buying a new aircraft which costs three times as much as a modified version of an older aircraft, despite the latter outperforming the F–14?

Even if the F–14A is as good as, or slightly better than the F–4J, it would seem incredible that this Government would spend some $16.7 million per plane when a modified aircraft, already in the inventory, with the same or better capability, could be obtained for one-third that price.

Anybody that has any remote knowledge of aircraft knows, from the standpoint of spare parts and maintenance, what that would mean in the saving of tens of millions of additional dollars.

In other words, this procurement bill contains $806 million for the purchase of 48 F–14A aircraft; but for this same amount the Navy could purchase 165 superior aircraft except for the fact the latter will not take the still unproved and most controversial Phoenix missile.

For these reasons I support without reservation the Senator from Wisconsin in his opposition to the F–14; and I would hope all Members of the Senate would give full consideration to the logical points he presents in justification of his position this evening.

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

Mr. SYMINGTON. I am glad to yield.

Mr. PROXMIRE. I commend the Senator very warmly on that excellent statement.

I would like to ask the Senator if this is not a matter of utmost urgency. As I understand, a decision is to be made on this on October 1, just 8 days from now. On October 1 a commitment must be made with Grumman for 48 aircraft at a cost of about $800 million. The House has not given its approval. In fact, there are indications that some leaders on the Armed Services Committee in the House are against this expenditure. As I say, they have not acted there. The Senate has not acted on it. We will have an opportunity to act on this amendment, I hope, next Tuesday or Wednesday, but it is going to be a very critical vote, because, as I say, we will have immediately at stake $800 million. We know what happens once we go down that road. As a matter of fact, there is procurement in this bill this year for over $1 billion for this F–14. Once we start down that road, it is hard to put on the brakes. Then we will have a multibillion-dollar program for a fighter which falls painfully short in so many respects. It is so far behind the alternatives that are available and far cheaper.

Mr. SYMINGTON. The Senator is right. After listening to the able, detailed, and logical presentation he has made to the Senate today, I would hope that just once the Senate would not accept a weapons system which, as he has pointed out so well, does not fulfill the mission for which it was designed, if that mission was to be in any sense an air superiority fighter.

The F–14A was to be simply an interim airplane for the F–14B, which latter plane was to use an engine that would have made it a more modern plane.

Now we are going ahead, as unfortunately we have heretofore in recent years. Many billions of dollars have recently gone into the subsonic A–7. They said when they presented it, "this plane can fly a thousand miles over water with a heavy load." Well, it might fly a thousand miles over water with a heavy load against North Vietnam, but one can wonder just how far it could fly with a heavy load against those 13 new fighters we are talking about the Soviet Union has produced.

Now we are back on the same old street. People in the Navy have already tried to sell the F–14 to the Air Force to replace the F–15 to perform the air superiority mission of the Air Force. That is what happened on the A–7. If they could get that production they would get the price down due to increased volume.

It should be very clear, based on this superb presentation, what in turn should be the decision of the Senate.

Mr. PROXMIRE. I thank the Senator very much. 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 Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, if there is no further business to come before the Senate, I understand that there is a previous order for the Senate to convene tomorrow at 10 a.m., and I also understand, and the majority leader asked me to emphasize, that there is an agreement for a 4-hour debate on the MIRV amendment of the Senator from Minnesota (Mr. HUMPHREY), and that there will be a rollcall vote at the conclusion of that 4-hour period.

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

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

AUTHORIZATION FOR THE CLERK OF THE HOUSE OF REPRESENTATIVES TO DELETE A SENATE AMENDMENT IN THE ENROLLMENT OF H.R. 4713

Mr. COOK. Mr. President, I send to the desk a concurrent resolution, and ask that it be stated.

The PRESIDING OFFICER (Mr. BEALL). The resolution will be stated.

The assistant legislative clerk read as follows:

S. CON. RES. 42

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of H.R. 4713, the Clerk of the House of Representatives be authorized to delete Senate Amendment numbered 5, which inserts at page 3, after the second line following line 6, a new section 7.

Mr. PROXMIRE. Mr. President, I have been informed by the majority leader that this concurrent resolution has been cleared by the minority and the majority, and there is no objection to it.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

Mr. COOK. Mr. President, I should like to say just a few words on what the resolution does:

Last year, with respect to the Reorganization Act, we had a long debate in the Senate relative to the age of pages in the Senate. The House wanted the age of

the pages to be from 16 to 18, and it was the will of the Senate that the age stay exactly where it is.

I fought that fight then, and I thought we had solved that problem at that stage of the game, so that the House could do as it pleased and the Senate could do as it pleased; that we did not have to take the dictate of the House; that we could keep our rules and regulations as they had been established and the precedent that had been established in the Senate for years.

This really corrects that situation in H.R. 4713. It deletes that requirement as to the Senate and allows the House to do as it pleases; and it leaves the age limitations in the Senate as they have been, and as I hope they always will be.

THE 125TH ANNIVERSARY OF THE ESTABLISHMENT OF THE SMITHSONIAN INSTITUTION

Mr. HRUSKA. Mr. President, I ask unanimous consent for the immediate consideration of a House joint resolution at the desk, which was reported earlier by the Committee on the Judiciary.

The PRESIDING OFFICER. The joint resolution will be stated.

The legislative clerk read as follows:

H.J. Res. 782. Joint resolution to authorize the President of the United States to issue a proclamation to announce the occasion of the celebration of the one hundred and twenty-fifth anniversary of the establishment of the Smithsonian Institution and to designate and to set aside September 26, 1971, as a special day to honor the scientific and cultural achievements of the Institution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. PROXMIRE. Mr. President, I understand that the joint resolution was reported unanimously by the Committee on the Judiciary.

Mr. HRUSKA. That is correct.

Mr. PROXMIRE. And there is no objection, so far as the Senator knows.

Mr. HRUSKA. No; there is no objection. And there is immediacy in the request, because Sunday is the 26th.

The PRESIDING OFFICER. The question is on third reading and passage of the joint resolution.

The joint resolution, House Joint Resolution 782, was read a third time, and passed.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. PROXMIRE. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Friday, September 24, 1971, at 10 a.m.

CONFIRMATION

Executive nominations confirmed by the Senate September 23, 1971:

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.

HOUSE OF REPRESENTATIVES—*Thursday, September 23, 1971*

The House met at 12 o'clock noon.

Dr. V. W. Sears, pastor, First Baptist Church, Annandale, Va., offered the following prayer:

May we pray.

Almighty God, our Creator and Redeemer, our Sustainer and Guide, with thanksgiving we make our prayer to Thee.

Bless these assembled Representatives as they address themselves to the business of this day by giving them a wisdom higher than their own and an understanding beyond their power. Override any human error by Thy power to transform evil into good, and may the peace of God that passes all understanding guard their hearts and minds in Christ Jesus, our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10090) entitled "An act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1972, and for other purposes."

The message also announced that the Vice President, pursuant to Public Law 81–754, appointed Mr. PELL as a member, on the part of the Senate, of the National Historical Publications Commission.

PRIVILEGES OF THE HOUSE— COMMONWEALTH OF PENNSYLVANIA AGAINST PATRICK McLAUGHLIN

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania (Mr. EILBERG).

Mr. EILBERG. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman will state the question of privilege.

Mr. EILBERG. Mr. Speaker, yesterday afternoon, after the House had adjourned, I was subpenaed to appear before the Court of Common Pleas of Philadelphia, Commonwealth of Pennsylvania, to testify this morning, September 23, 1971, at 9 a.m., at a preliminary hearing in an action designated as Commonwealth against Patrick McLaughlin.

Under the precedents of the House, I was unable to comply with this subpena, without the consent of the House, the privileges of the House being involved. I therefore submit the matter for the consideration of this body.

I send the subpena to the desk.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

WITNESS SUBPENA, COURT OF COMMON PLEAS OF PHILADELPHIA, TRIAL DIVISION CRIMINAL SECTION

The City and County of Philadelphia, the Commonwealth of Pennsylvania, ss.

Preliminary Hearing, Commonwealth v. Patrick McLaughlin.

Hon. Joshua Eilberg, 1130 Longworth House Office Building, Washington, D.C.

On September 23, 1971, 9 a.m., 11th and Winter Sts., 6th Police District.

You are commanded, by the Honorable D. Donald Jamieson, President Judge at Philadelphia, to appear as a Witness in this case, at the precise time and place indicated above.

D. DONALD JAMIESON,
President Judge, Court of Common Pleas.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE REPORT ON H.R. 9615

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until midnight tonight to file the report on the bill H.R. 9615.

COMMONWEALTH OF PENNSYLVANIA AGAINST PATRICK M'LAUGHLIN

Mr. GROSS. Mr. Speaker, reserving the right to object, with respect to the previous material, I did not get the date. I heard the 9 o'clock mentioned, but what is the date to go with the 9 o'clock?

Mr. EILBERG. Mr. Speaker, if the gentleman will yield, in answer to the gentleman from Iowa may I say that this is another separate request.

Mr. GROSS. I understand that. I am talking about the previous matter.

Mr. EILBERG. The gentleman is referring to the previous matter?

Mr. GROSS. That is correct.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, I would like to address a parliamentary inquiry to the Chair.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. My parliamentary inquiry is as to what was the date referred to in